

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON December 15, 2014 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.**

**A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT**

The meeting was called to order by Mayor Erskine at 7:00 p.m. with the following present:

Mayor, Rod Erskine	City Manager, Mike Castro, PhD
Council Member, Greg Holden	City Secretary, Lorri Coody
Council Member, Harry Beckwith III, P.E.	City Attorney, Bobby Gervais
Council Member, Sheri Sheppard	
Council Member, Tom Eustace	

Council Member, Justin Ray was not present at this meeting.

Staff in attendance: Mark Bitz, Fire Chief; Eric Foerster, Chief of Police; Isabel Kato, Finance Director; Gordon Mayer, Interim Public Works Director; and Michael Brown, Director of Parks and Recreation.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

- 1. Prayer and Pledge by: Frank Maher, Assistant Fire Chief**

**C. CITIZENS COMMENTS**

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their presentation to the City Council.

**Jim Pulliam, 15713 Tenbury, Jersey Village, Texas (713) 983-0932** – Mr. Pulliam thanked the Mayor, Council Members, and Staff for their hard work in 2014. He also publicly recognized Kristine Gill for her work in coordinating the community to assist the Teran Family whose home recently burned.

**D. CITY MANAGER'S REPORT**

City Manager, Mike Castro, in addition to his monthly report, which follows, introduced Interim Public Works Director, Gordon Mayer. He also told Council about the City Manager's survey and the receipt of the TxDOT reimbursement for the 20-inch waterline.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report, and Budget Projections as of November 2014.**
- 2. Open Records Request**
- 3. Fire Departmental Report and Communication Division's Monthly Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Crime Prevention Unit Monthly Report, and Staffing/Recruitment Report**
- 5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report**

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6. **Public Works Departmental Report, Phase 3 CIP Project Breakdown and Phase 3 Project Update**
7. **Golf Course Monthly Report, Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
8. **Report from Code Enforcement**

**E. CONSENT AGENDA**

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

1. **Consider approval of the Minutes for the Regular Session Meeting held on November 17, 2014.**
2. **Consider Ordinance No. 2014-43, establishing a program response and recovery phases of Comprehensive Emergency Management; acknowledging the Office of Emergency Management Director; authorizing the appointment of an Emergency Management Coordinator; and providing for the duties and responsibilities of those offices; identifying an Operational Organization; granting necessary powers to cope with all phases of emergency management which threaten life and property in the City of Jersey Village; authorizing cooperative and mutual aid agreements for relief work between this and other cities or counties and for related purposes.**

ORDINANCE NO. 2014-43

AN ORDINANCE ESTABLISHING A PROGRAM RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR; AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF JERSEY VILLAGE; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES.

3. **Consider Resolution No. 2014-65, authorizing a joint resolution with Harris County establishing a Harris County Emergency Management organization consisting of City and County officers, and authorizing an interlocal agreement between the City and Harris County for Mutual Aid.**

RESOLUTION NO. 2014-65

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A JOINT RESOLUTION WITH HARRIS COUNTY ESTABLISHING A HARRIS COUNTY EMERGENCY MANAGEMENT ORGANIZATION CONSISTING OF CITY AND THE COUNTY OFFICERS; AND AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND HARRIS COUNTY FOR MUTUAL AID.

- 4. Consider Resolution No. 2014-66, authorizing an Interlocal Agreement between Harris County and the City of Jersey Village for prisoner confinement services.**

RESOLUTION NO. 2014-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS AN INTERLOCAL AGREEMENT BETWEEN HARRIS COUNTY AND THE CITY OF JERSEY VILLAGE FOR PRISONER CONFINEMENT SERVICES.

- 5. Consider Resolution No. 2014-67, authorizing the Fire Department to submit an application for the 2014 Assistance to Fire Grant Program in an amount not to exceed \$80,000.**

RESOLUTION NO. 2014-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE FIRE DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 2014 ASSISTANCE TO FIRE GRANT PROGRAM IN AN AMOUNT NOT TO EXCEED \$80,000.

- 6. Consider Ordinance No. 2014-44, amending the Asset Forfeiture Fund Budget of the city for the fiscal year beginning October 1, 2014, and ending September 30, 2015, authorizing the purchase of five chairs from Texas Correctional Industries permitted by Chapter 59 of the Code of Criminal Procedure; and providing for severability. PD Furniture.**

ORDINANCE NO. 2014-44

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE ASSET FORFEITURE FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015, AUTHORIZING THE PURCHASE OF FIVE CHAIRS FROM TEXAS CORRECTIONAL INDUSTRIES PERMITTED BY CHAPTER 59 OF THE CODE OF CRIMINAL PROCEDURE; AND PROVIDING FOR SEVERABILITY.

- 7. Consider Ordinance No. 2014-45, amending the Asset Forfeiture Fund Budget of the city for the fiscal year beginning October 1, 2014, and ending September 30, 2015; and authorizing the purchase of law enforcement equipment (cell phone data extraction software) permitted by Chapter 59 of the Code of Criminal Procedures.**

ORDINANCE NO. 2014-45

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AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE ASSET FORFEITURE FUND BUDGET OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015, AND AUTHORIZING THE PURCHASE OF LAW ENFORCEMENT EQUIPMENT (CELL PHONE DATA EXTRACTION SOFTWARE) PERMITTED BY CHAPTER 59 OF THE CODE OF CRIMINAL PROCEDURES.

Council Member Holden moved to approve items 1 thru 7 on the consent agenda. Council Member Eustace seconded the motion. The vote follows:

Ayes: Council Members Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

**F. REGULAR AGENDA**

- 1. Consider Resolution No. 2014-68, authorizing the City Manager to enter into a contract with West Belt Surveying, Inc. for surveying services related to the relocation of the City's utility infrastructure required by the expansion of U.S. Highway 290 – Segment 7.**

Mike Castro, City Manager, introduced the item. He explained that this item is to authorize the City Manager to enter into a contract for surveying services associated with the ongoing US 290 utility relocation.

Background information on the project and needed services follows:

The Texas Department of Transportation's (TXDOT) project to widen U.S. Highway 290 will require the City of Jersey Village to relocate its utility infrastructure that is currently located in the TXDOT right of way (ROW).

TXDOT has acquired a significant portion of parcels necessary to commence work on Segment 7 of the project and has notified the City that it must take action to relocate its utilities. West Belt Surveying Inc. has provided the City with a proposal to provide surveying services related to Segment 7 and the relocation of the City's utilities located within the U.S. Highway 290 expansion project area.

The Segment 7 portion of the expansion project that is within the Jersey Village city limits is from the Jersey Drive to Eldridge Parkway. Segment 7 is approximately 2.31 miles long and the City has 12-inch water lines located within the ROW.

Acceptance of the proposal will allow West Belt Surveying to begin the process of surveying the Segment 7 area. Surveying is part and parcel to obtaining appraisals for the utility easement parcels necessary for construction to commence.

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With limited discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2014-68, authorizing the City Manager to enter into a contract with West Belt Surveying, Inc. for surveying services related to the relocation of the City's utility infrastructure required by the expansion of U.S. Highway 290 – Segment 7. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

RESOLUTION NO. 2014-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WEST BELT SURVETING, INC., FOR SURVEYING SERVICES RELATED TO THE RELOCATION OF THE CITY'S UTILITY INFRASTRUCTURE REQUIRED BY THE EXPANSION OF US HIGHWAY 290 – SEGMENT 7.

- 2. Consider Resolution No. 2014-69, authorizing the City Manager to enter into a contract with West Belt Surveying, Inc. for surveying services related to delineation of temporary construction easements associated with the US 290 soundwall construction.**

Mike Castro, City Manager, introduced the item. He explained that this item is to authorize the City Manager to enter into a contract for surveying services associated with the construction of a soundwall associated with the US Highway 290 expansion project.

Background information on the project and needed services follows:

Previously, the Texas Department of Transportation has indicated that they will construct a 16-foot high soundwall along certain parcels within Jersey Village fronting US Highway 290. The City is in the process of obtaining utility 5-foot utility easements for the construction of the soundwall. TxDOT has made the City aware that in addition to a 5-foot utility easement, a 30-foot temporary construction easement will also be necessary.

Acceptance of the proposal will allow West Belt Surveying to begin the process of surveying the construction easements. Surveying is necessary for the City to obtain appraisals and donations of the easements.

With limited discussion on the matter, Council Member Beckwith moved to approve Resolution No. 2014-69, authorizing the City Manager to enter into a contract with West Belt Surveying, Inc. for surveying services related to delineation of temporary construction easements associated with the US 290 soundwall construction. Council Member Holden seconded the motion. The vote follows:

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Ayes: Council Members Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

RESOLUTION NO. 2014-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WEST BELT SURVETING, INC., FOR SURVEYING SERVICES RELATED TO DELINEATION OF TEMPORARY CONSTRUCTION EASEMENTS ASSOCIATED WITH THE US 290 SOUNDWALL CONSTRUCTION.

**3. Discussion regarding proposed Scope of Services for solicitation of a traffic calming consultant.**

Mike Castro, City Manager, introduced the item. He explained that during the November 5, 2014 Special Meeting, City Council directed Staff to develop a scope of services for a traffic calming consultant. Council did not desire to implement the Speed Cushion Policy as proposed by Staff and instead desired more background information. Council provided guidance to Staff regarding areas of concern and specific questions that the consultant should address in the work effort.

Staff has included in the meeting packet a Scope of Services that incorporates Council's stated desires. The Scope of Services will form the basis of a Request for Proposal for Traffic Consultants, should City Council desire to move in that direction.

This item was posted for discussion purposes only, as no formal action is anticipated. Should Council agree substantially with the proposed scope, Staff will develop and solicit a Request for Proposal. Staff will not seek Council approval for the final Request for Proposal, as the balance of contents are boiler plate in nature. The next time Council will revisit this issue will be when Staff appears before Council for approval of a contract for professional services with the recommended consultant.

Council engaged in discussion about the process. City Manager Castro explained that the Consultant will have a several step process that will include meetings with the City Council and the residents.

Some members wondered if the current scope of work included a review of the City's Ordinances corresponding to this issue. City Manager Castro explained that in its current form, this task is not included. The current scope of work is for the Consultant to review the physical changes to street layout.

Council then engaged in discussion about any limitations included. For example, there will be no recommendations for one-way streets or no changes to the traffic patterns. Mr. Castro explained that as currently written the Consultant has maximum latitude to

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provide recommendations with no limitations. In receiving this explanation, most members felt that the “blank slate” approach would be best. It was the consensus of Council that the City Manager move forward with the scope of work as presented.

**4. Consider Resolution No. 2014-70, appointing a Member to serve on the Building Board of Adjustment and Appeals in Position One for the unexpired term that began on October 1, 2014 and will expire September 30, 2016.**

Lorri Coody, City Secretary, introduced the item. She explained that there is one opening on the Board. Board Member, Howard Mead, serving in Position One tendered his resignation effective November 14, 2014. Mr. Mead is moving away from the City.

The vacant position requires appointment for the unexpired term that began October 1, 2014 and will expire September 30, 2016.

Three qualified applicants have submitted applications for Council’s consideration.

With limited discussion on the matter, Council Member Sheppard moved to approve Resolution No. 2014-70, appointing Henry Hermis to serve on the Building Board of Adjustment and Appeals in Position One for the unexpired term that began on October 1, 2014 and will expire September 30, 2016. Council Member Eustace seconded the motion. The vote follows:

Ayes: Council Members Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

RESOLUTION NO. 2014-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING A MEMBER TO SERVE ON THE BUILDING BOARD OF ADJUSTMENT AND APPEALS IN POSITION ONE FOR THE UNEXPIRED TERM THAT BEGAN ON OCTOBER 1, 2014 AND WILL EXPIRE SEPTEMBER 30, 2016.

**G. CLOSE THE REGULAR SESSION**

Mayor Erskine closed the Regular Session at 7:15 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 - Consultation w/Attorney and Section 551.072 - Deliberation regarding real property.

**H. EXECUTIVE SESSION**

**1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071, and Section 551.072, Deliberation Regarding Real Property, regarding proposed settlement offer for one Utility Easement, being a 0.0754 acre tract of land located in the Thomas Hogan Survey, Abstract Number 326, City of Jersey Village, Harris**

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**County, Texas and being out of and a part of the Lot 1 Boundary Line Adjustment Plat of Hillcrest Center, a subdivision, located within the City of Jersey Village, Harris County, State of Texas.**

- 2. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071, and Section 551.072, Deliberation Regarding Real Property, regarding proposed settlement offer for one Utility Easement, being a 0.0564 acre tract of land located in the Thomas Hogan Survey, Abstract Number 326, City of Jersey Village, Harris County, Texas and said 0.0564 acre tract of land being out of and a part of the called 0.9844 acre tract described in the deed to Speedy Stop Food Stores, Ltd., located within the City of Jersey Village, Harris County, State of Texas.**

**I. ADJOURN EXECUTIVE SESSION**

Mayor Erskine adjourned the Executive Session at 7:32 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive session.

**J. REGULAR SESSION CONTINUED**

- 1. Discuss and take appropriate action on matters discussed in Executive Session, including consideration and possible action on Resolution No. 2014-71, approving a settlement agreement in Cause No. 1033540; *City of Jersey Village, Texas v. Pagaza & Sons, Co.*; in Harris County Court at Law No. 3, and authorizing the City Manager to execute all necessary documents to effectuate the settlement agreement.**

Mayor Erskine called the item. With no discussion on the matter, Council Member Holden moved to approve Resolution No. 2014-71, approving a settlement agreement in Cause No. 1033540; *City of Jersey Village, Texas v. Pagaza & Sons, Co.*; in Harris County Court at Law No. 3, and authorizing the City Manager to execute all necessary documents to effectuate the settlement agreement. Council Member Sheppard seconded the motion. The vote follows:

Ayes: Council Members Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

**RESOLUTION NO. 2014-71**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE SETTLEMENT AGREEMENT IN CAUSE NO. 1033540; *CITY OF JERSEY VILLAGE, TEXAS V. PAGAZA & SONS, CO.*; IN HARRIS COUNTY COURT AT LAW NO. 3, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE SETTLEMENT AGREEMENT.**



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- 2. Discuss and take appropriate action on matters discussed in Executive Session, including consideration and possible action on Resolution No. 2014-72, approving a settlement agreement in Cause No. 1033540; *City of Jersey Village, Texas v. Speedy Stop Food Stores, Ltd.*; in Harris County Court at Law No. 1, and authorizing the City Manager to execute all necessary documents to effectuate the settlement agreement.**

Mayor Erskine called the item. With no discussion on the matter, Council Member Eustace moved to approve Resolution No. 2014-72, approving a settlement agreement in Cause No. 1033540; *City of Jersey Village, Texas v. Speedy Stop Food Stores, Ltd.*; in Harris County Court at Law No. 1, and authorizing the City Manager to execute all necessary documents to effectuate the settlement agreement. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Holden, Beckwith, Sheppard, and Eustace

Nays: None

The motion carried.

RESOLUTION NO. 2014-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE SETTLEMENT AGREEMENT IN CAUSE NO. 1033542; *CITY OF JERSEY VILLAGE, TEXAS V. SPEEDY STOP FOOD STORES, LTD.*; IN HARRIS COUNTY COURT AT LAW NO. 1, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE SETTLEMENT AGREEMENT.

**K. MAYOR AND COUNCIL COMMENTS**

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make a reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and

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- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

**Council Member Beckwith:** Council Member Beckwith wished everyone a happy holiday season and thanked Staff for their hard work.

**Council Member Holden:** Council Member Holden thanked Howard Mead for his years of service to the City and to the Jersey Village Fire Department.

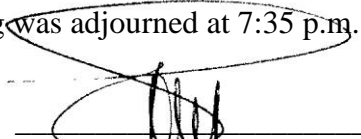
**Council Member Sheppard:** Council Member Sheppard thanked everyone for participating in the Holiday in the Park Event. She thanked Michael Brown and his crew for all their hard work and she wished everyone a Merry Christmas and a Happy New Year.

**Council Member Eustace:** Council Member Eustace wished everyone a happy holiday.

**Mayor Erskine:** Mayor Erskine recognized those helping others in the City, especially Mr. and Mrs. Gill for their support in getting donations for the Teran Family whose home burnt down. He also recognized the Jersey Village Women's Club for their work in the community. He wished everyone a Merry Christmas.

**L. ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 7:35 p.m.

  
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Lorri Coody, City Secretary

