

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON APRIL 20, 2015 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, Justin Ray	City Secretary, Lorri Coody
Council Member, Greg Holden	City Attorney, Mary Ann Powell
Council Member, Harry Beckwith III, P.E.	
Council Member, Sheri Sheppard	
Council Member, Tom Eustace	

Staff in attendance: Mark Bitz, Fire Chief; Eric Foerster, Chief of Police; Isabel Kato, Finance Director; Brian Breeding, Public Works Director; and Kimberly Terrell, Director of Parks and Recreation.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by Girl Scout Troop 15378.

C. PRESENTATIONS

1. Presentation of Police Department Employee of the First Quarter Award - Presented by Jimmy Baughman Commander and Michael Brittain, Member of the Jeremy E. Ray American Legion Post 324.

Curtis Haverty, a member of American Legion Post #324, along Commander Jimmy Baughman and Mayor Erskine, presented the Police Department Employee of the First Quarter, 2015 award to Lieutenant Ron Dooley.

D. 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 Fields, 16413 St. Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields thanked Mayor Erskine for his dedication and service to the City of Jersey Village. He especially thanked the Mayor for reaching out to the residents of the City and for his interaction. Mr. Fields also thanked Council Member Beckwith for answering questions. Mr. Fields then spoke to Council about the ill-repair of the City's sidewalks. He stated that he believes that the monies that were recently allocated for recycling would have been better used for sidewalk repair.

Michael Brown, 16025 Wall, Jersey Village, Texas (713) 937-3123 – Mr. Brown thanked the Chief of Police for his Department's work on Wall Street and Jersey Drive. He also urged City Council to pay the City's police officers more and that the monies being spent of the recycling program should be allocated to City parks. He closed by saying that the City should sponsor a special event in order to recognize its Volunteer Fire Fighters.

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Bobby L. Warren, 15325 Welwyn Drive, Jersey Village, Texas (713) 515-2958 – Mr. Warren spoke to City Council, supporting the City’s recycling program. He stated that he believes with the new program and not having to sort recyclables that participation will increase. He also suggested that there may be some cost savings for program costs if the participation rate increases or if the vendor sees its solid waste volume decrease.

Curtis Haverty, 15405 Ashburton, Jersey Village, Texas (713) 896-8408 – Mr. Haverty told City Council about the 5-K run sponsored by the Jeremy E. Ray American Legion Post 324 a few weeks ago. He stated that this was the 4th year for the race and that every year the City’s fire and police departments are very helpful. He pointed out that other communities are not as lucky as they have to pay for a service that Jersey Village gets through volunteers. Mr. Haverty believes that this speaks well of the Jersey Village Police and Fire leadership. He also stated that the 5K program benefits the veterans as well in that while serving the runners of the event, the runners thank the veterans for their service to our country. Mr. Haverty closed by thanking the Mayor for his service.

E. CITY MANAGER’S REPORT

City Manager, Mike Castro, in addition to the following monthly report, recognized several new employees joining the City:

1. **Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report, Quarterly Investment Report – March 2015, and Budget Projections as of March 2015.**
2. **Open Records Requests**
3. **Fire Departmental Report and Communication Division’s Monthly Report**
4. **Police Activity Report, Warrant Report, Investigations/Calls for Service 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**
6. **Public Works Departmental Report and Phase III Street Project Update**
7. **Golf Course Monthly Report, Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
8. **Report from Code Enforcement**

F. 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 March 16, 2015, the Work Session Meeting held on March 16, 2015, and attendance at the CPAC meeting held March 26, 2015.**

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2. **Consider Resolution No. 2015-17, approving the application of the Municipal Court Clerk's appointment of Deputy Clerk.**

RESOLUTION NO. 2015-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE MUNICIPAL COURT CLERK'S APPLICATION FOR APPOINTMENT OF DEPUTY CLERK.

3. **Consider Resolution No. 2015-18, correcting and amending Resolution No. 2014-53, passed and approved October 20, 2014, pertaining to the declaration of surplus equipment and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures.**

RESOLUTION NO. 2015-18

AN RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, CORRECTING AND AMENDING RESOLUTION NO. 2014-53 PASSED AND APPROVED OCTOBER 20, 2014 PERTAINING TO THE DECLARATION OF SURPLUS EQUIPMENT AND AUTHORIZING DISPOSITION BY THE CITY MANAGER IN ACCORDANCE WITH THE CITY'S ADMINISTRATIVE PROCEDURES.

4. **Consider Resolution No. 2015-19, appointing a Capital Improvements Advisory Committee.**

RESOLUTION NO. 2015-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.

Council Member Beckwith moved to approve items 1 through 4 on the consent agenda. Council Member Ray seconded the motion. The vote follows:

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

Nays: None

The motion carried.

G. REGULAR AGENDA

1. **Consider Resolution No. 2015-20, finding that CenterPoint Energy Houston Electric, LLC's application for approval of a Distribution Cost Recovery Factor to increase distribution rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel.**

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Mike Castro, City Manager, introduced the item. He explained that the City of Jersey Village, Texas is an electric utility customer of CenterPoint Energy Houston Electric, and a regulatory authority with an interest in the rates and charges of CenterPoint. Additionally, the City is a member of the Gulf Coast Coalition of Cities (GCCC), a coalition of similarly situated cities served by CenterPoint that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in CenterPoint's service area.

On or about April 6, 2015, CenterPoint filed with the City an Application for Approval of a Distribution Cost Recovery Factor ("DCRF") seeking to increase electric distribution rates, system wide, by \$16,704,985 annually, which will affect all electric utility customers residing in the City if it is granted.

GCCC is coordinating its review of CenterPoint's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and recommends, at this time, that GCCC members deny the DCRF. This item is to deny the DCRF.

Discussion was had concerning the reason for the increase. City Manager Castro explained that CenterPoint Energy has done rehabilitation/liability work and the increase is to cover the cost of these kinds of projects. City Council has several other questions in connection with CenterPoint Energy's request for rate increase, which were answered by the City Manager.

With no further discussion on the matter, Council Member Ray moved to approve Resolution No. 2015-20, finding that CenterPoint Energy Houston Electric, LLC's application for approval of a Distribution Cost Recovery Factor to increase distribution rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel. Council Member Eustace seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2015-20

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS FINDING THAT CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY

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LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

- 2. Consider Ordinance No. 2015-13, amending the City's budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015, in the amount of \$30,000 to cover cost associated with the recycling program.**

Brian Breeding, Public Works Director, introduced the item. Background information is as follows:

On February 19, 2015, the City received notice from Tascon Industries, Inc., that they would be terminating their contract for collection of recyclables. In an effort to continue recycling service for the remainder of the fiscal year, City staff researched pricing options and sought direction from Council. On March 16, 2015, City Council approved Resolution 2015-12, which amended the contract with the City's solid waste collection provider, WCA Waste Corporation, to add curbside collection of recyclable materials. WCA will begin recycling collection on May 20, 2015.

The cost for WCA to collect recyclable materials will be \$3.50 per household, per month. In order to cover the increased cost of the new recycling program for the remainder of fiscal year 2014-2015, a budget amendment is needed.

City staff is respectfully requesting the approval of this Ordinance in order to increase line item 01-35-5519 (Recycling Program) by \$30,000.

With limited discussion on this matter, Council Member Holden moved to approve Ordinance No. 2015-13, amending the City's budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015, in the amount of \$30,000 to cover cost associated with the recycling program. Council Member Sheppard seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2015-13

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 BY INCREASING LINE ITEM 01-35-5519 (RECYCLING PROGRAM) IN THE AMOUNT NOT TO EXCEED \$30,000.

- 3. Consider Resolution No. 2015-21, to approve extension of water and wastewater services to W-Industries Limited, L.P., located at 11500 Charles Road within the city limits of Jersey Village.**

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Brian Breeding, Director of Public Works, introduced the item. Background information is as follows:

The Public Works Department has received a letter from W- Industries Limited, L.P. and their engineer Sherrington, Inc., requesting water and sanitary sewer services from the City of Jersey Village. W-Industries is located on the north side of Charles Street and East of Jones Road within the city limits of the City and currently operates a water well and small zero discharge wastewater treatment plant to serve their restrooms and break room. No water (process water) is used in their production activities. The City of Jersey Village will benefit from the construction of a new water line and at no cost to the City. This project will also eliminate a package wastewater treatment operating within the city limits.

W-Industries, Sherrington, Inc. (SI) proposes to extend and 8” waterline approximately 770 feet in length on the south side of Charles Street within the existing Harris County ROW (Harris County must provide their approval).

W-Industries also proposes to construct a private sanitary sewer force main within an existing easement on the north side of Charles Street which will discharge into the City’s sanitary sewer on Jones Road.

Any improvement to City utilities will be required to follow Chapter 14, Article VIII of the City’s Building and Development Code; Public Utilities. All designs and specifications must be approved by City Engineer, Brooks & Sparks Inc. The contractor plans to convey the water and wastewater lines to the City; however, staff will require the following conditions are met:

- a. That W-Industries Limited, L.P. obtains permission from Harris County for placement of the 8” waterline within their street right-of-way (ROW).
- b. That W-Industries Limited, L.P. agrees to install an 8” water line within Harris County right-of-way (ROW) at their expense.
- c. That all legal documents be reviewed and approved by the City’s attorney.
- d. The City shall not accept ownership or maintenance of any public improvements until the developer submits all final plats, all as-built drawings and a one-year maintenance bond.

Council engaged in discussion about the proposal. After the improvements are built, the City will maintain the water portion. The sewer will be privately maintained. There was discussion about the portion of costs to be incurred by the City. Director Breeding explained that the City will pay for any legal or engineering fees associated with these improvements.

Council then discussed the ability of other companies to use this line after it is constructed. City Manager Castro explained that while there is only one other company along this route and yes other companies will be able to use the water line. Impact fees will not be charged since this is not new construction.

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With no further discussion, Council Member Beckwith moved to approve Resolution No. 2015-21, to approve extension of water and wastewater services to W-Industries Limited, L.P., located at 11500 Charles Road within the city limits of Jersey Village. Council Member Eustace seconded the motion. The vote follows:

RESOLUTION NO. 2015-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE EXTENSION OF WATER AND WASTEWATER SERVICES TO W-INDUSTRIES LIMITED, L.P., LOCATED AT 11500 CHARLES ROAD WITHIN THE CITY LIMITS OF JERSEY VILLAGE.

H. 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 salutary 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 salutary 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
- 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 Eustace: Council Member Eustace did not have any comments.

Council Member Sheppard: Council Member Sheppard welcomed new employees to the City and reminded everyone of the Spring Fling event to take place April 24, 2015.

Council Member Ray: Council Member Ray also welcomed new employees to the City and thanked the residents for their participation in the meeting.

Council Member Holden: Council Member Holden congratulated Lieutenant Dooly for his award and welcomed new employees to the City.

Council Member Beckwith: Council Member Beckwith thanked City Staff for their efforts and he thanked the American Legion and the residents for attending.

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Mayor Erskine: Mayor Erskine recognized the Recreation and Events Committee for their work in the City. He thanked the new resident who spoke during Citizens Comments for coming to the meeting, and he thanked Curtis Haverty for his comments on the Mayor's service. The Mayor closed by stating it has been an honor and pleasure to serve the City.

I. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 7:45 p.m.

Lorri Coody, City Secretary