



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

Incorporated 1956

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: January 17, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

The meeting was convened and called to order by Mayor Mike Descant. Noted present were Council members Joe Pulido, Charlie Wilson, Darcy Mingoia, Bruce Bowden and Calvin Fenley; City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary, Laverne Hale.

PRESENTATION OF PROCLAMATIONS

Mayor Descant then presented a Proclamation to Brownie Troop #10793 and Girl Scout Troop #10243 for their community service of cleaning up Carol Fox Park.

CITIZEN'S COMMENTS

Mr. Gary Cerny, a resident, discussed his view of fences on property around Jersey Lake. He said since children are extremely fascinated with water, and for safety and liability, he feels the City should adopt an ordinance requiring all property owners on the lake to have fences.

Mr. David Theiss, another resident, stated he had written a letter to the City concerning fences along the lake. He feels this is very important and wanted to know if there had been any response from the City Attorney regarding his letter.

Mayor Descant said since this is one of the topics of the City Manager's report, he would like to have this item moved up so it can be discussed at this time with the City Attorney.

At this time Councilwoman Mingoia made a motion, seconded by Councilman Wilson and the vote was unanimous to move Item #16 on the agenda to precede Item #5.

CITY MANAGER'S REPORT

Dale Brown turned the first portion of his report concerning the fences over to Ken Wall, the City Attorney. Mr. Wall said he has taken a preliminary look at the issue that is raised by requiring the properties along the lake to be fenced and before proceeding further he has asked the City Manager for further direction because the issue is not as simple as it may seem. As he sees it, the City is being asked to require property owners to fence their property to protect trespassers from hazards that exist on someone else's property and to protect the property owners. This is a totally different issue than requiring fences to be placed around swimming pools. He said he has not expended the time to investigate the issue further and will wait for some direction from Council.

Mayor Descant then asked how this would compare with Lake Conroe, for instance, where fences are required around swimming pools but not the lake.

Councilman Pulido asked if ownership extended into the lake.

Councilwoman Mingoa said she understands this is private property owned by the people who own property around the lake.

Mr. Theiss said he understands the Lakeside Club, which is an association of the fifty-four owners of the lots that surround the lake, owns the lake which is approximately twenty-two acres. The lots extend to the water's edge, and surrounding the lake there is a twenty foot wide easement granted to the Lakeside Club, for sidewalks and for other members to pass around the lake.

Mr. Cerny said they are the owners indirectly because they are members of the Association.

Mr. Theiss said there are fifty-four lots on the lake and there are twelve who lack fences, and two more homes are being built at this time.

Councilman Fenley asked if the Lakeside Club, consisting of all the home owners, has asked the twelve property owners who do not have fences to put them up and Mr. Theiss said yes they have been asked numerous times, but have chosen to ignore the request for one reason or another.

Mayor Descant asked if the bylaws of the Association require the fences, and Mr. Theiss said the bylaws call for the lot owners to restrict access through their property to the lake, and the only way this can be done is with a fence. The bylaws do not



specifically call for a fence, they just call for the restriction of access to the lake.

The Association has placed signs to keep people away from the lake and on several occasions they have had the police department remove people from the lake who would not leave willingly. There has also been some acts of vandalism, but their primary concern is having someone come in and be injured on the lake.

Mr. Theiss then said the Lakeside Club had spent their money to put up a fence on the vacant property along the dam that now fronts on Ginger Street, however since that time homes have been built on those lots and the fences have been removed.

Mayor Descant asked if the City would proceed and adopt an ordinance to require fences and the people still refuse, how could we enforce it other than by a fine.

Ken Wall advised there could be several remedies assuming that we can come up with an ordinance that is enforceable. We must first determine if it is within the City's police power to require these regulations and secondly what kind of ordinance would be most readily enforceable. He does not suggest the City pass an ordinance that they would not be able to enforce, and he does not want to cause the City to spend money for his time to research unless he is given that direction.

Councilwoman Mingoia said she does not know if the City would have the ability to enforce and thinks the homeowners association may have more authority since this is private property and is not sure the City should spend the money if it would not be beneficial.

Ken Wall said again, it is difficult to require someone to expend money on his property to protect against hazards that lie off his property.

Councilman Bowden said there are about forty members in the association that comply with only twelve that do not, it seems the bylaws could be modified to require the fences. He would suggest the association try this first, and if this does not work, possibly come back to the City at that time to pursue further.

Mr. Theiss then stated they rely on volunteer compliance of their bylaws and cannot enforce. He added he hopes an accident does not have to happen before some action is taken.

Another resident, Haden Lambert, said there are other laws for attractive nuisances that require fences, however Councilman Pulido said that depends on who owns or who would be responsible.

Ken Wall said there is no law that says a body of water is an attractive nuisance.

Mr. Theiss also stated there are three swimming pools on property around the lake that are not fenced.

John Horton said his department has checked into the City's ordinance and do not feel they can enforce that fences be put up.

Ken Wall said it would be much easier to remedy fences around pools.

Mayor Descant suggested the possibility of his meeting with the Lakeside Club to try and work something out. Mr. Theiss advised they are meeting here at City Hall on February 7.

Mayor Descant then said he is sorry there is no action from the City, however it would be too costly for the City if they are not able to enforce it.

Dale Brown then reported on the Police Services Building. He said Council was given a schedule for the advertisement for bids and noted the date for the pre-bid conference should have been changed to a later date of possibly February 8, 1994. He said the due date for the bids is February 15 and they should be ready to present to Council at their meeting on February 21, 1994. Originally these dates were scheduled for a week prior, but the City was asked to change them.

Dale Brown said after getting the bids, we can then start looking at the debt and selling of the Certificates of Obligation. Based on this schedule we now have, and assuming that who ever gets the bid will need approximately thirty days getting ready and on site, etc. the selling of the CO will most likely be in April. Based upon this, he has scheduled the first debt service payment to be six months after the date of issuance, which would then be into the next fiscal year. Money has been budgeted in this fiscal year for this debt service payment so we should be overbudgeted. On this schedule, things are looking good as far as our debt service, since next year our debt service drops by almost \$200,000 because of the payoff of several older bonds. In the 1994-95 fiscal year, even with the sewer improvements, the well improvements and the police building, he said our total debt service will drop by a substantial amount.

Councilman Fenley said he feels the time is too short for bidders to respond and asked if the bidders at the pre-bid conference have a problem would the date be extended and he was advised yes it could if it presented a problem.

Ken Wall added there is a possibility the specifications may be changed after the pre-bid.

Dale Brown said if Council would prefer to delay, to give the bidders more time, this can be done and call a special City Council meeting to award the bid.

Councilman Fenley said at the pre-bid conference you will know if the time is too short.

John Horton added this change was done at the architect's request. He was asked if he thought this would cause a problem and he feels it can be done within this time frame with no problems.

After further discussion Council concurred to leave the schedule as it is until the pre-bid and then decide if the due date should be extended.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilwoman Mingoia said she did not have a report at this time, however she said she wanted to announce that she will not be seeking re-election when her term expires in May, 1994. She has been on Council for five years and has enjoyed it very much, however at this time, due to added responsibilities at her job she does not feel she has the time to devote to Council. She would like to encourage anyone interested in being on Council to run for her position.

Mayor Descant said he has enjoyed working with Councilwoman Mingoia and thanked her for her service.

Mayor Descant then added that as Council had authorized at the last meeting, Bob Hartsough had been nominated to the Harris County Appraisal District's Review Board, but wanted to advise that Mr. Hartsough was not selected.

Councilman Wilson said he would like to thank the Police Chief for sending two of our police officers to his residence to investigate an open door. It was handled very professionally.

Mayor Descant said the police have been very visible lately and he is very happy with the police department's performance.

#### CONSENT AGENDA

The following items are considered routine by the City Council and

will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Wilson made a motion, seconded by Councilwoman Mingoia and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the December 20, 1993 regular meeting.
- B. Approval of the Harris County Appraisal District Supplemental Roll #4 for 1993 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$1,458,430 for an additional tax levy of \$10,646.54.

RECEIVE AND ACCEPT THE CITY OF JERSEY VILLAGE AUDIT FROM FITTSROBERTS AND CO., INC.

Dale Brown introduced Mr. Steve McEachern, with Fittsroberts and Co., Inc., who in turn explained the City's audit that was done by their company.

Mr. McEachern said the audit shows a good trend and the City is in good sound financial standing.

Councilman Bowden asked how long Fittsroberts has been the auditor for the City and Mr. Brown said this is their second year and their contract is for three years.

Dale Brown then explained corrected balances that had been done to the budget and the increases and decreases as a result of the beginning balances compared to the audited amounts. The overall increase to the beginning balance is \$219,281 more than was projected.

Mr. Brown said Council may want to discuss what they would like to do with this additional money in the next couple of months. He said we now have four months reserve expenditures in all funds. This should be sufficient, and asked Council for their suggestions to use the excess funds.

After receiving the audit and report, Mayor and Council agreed having excess funds are good problems to have and will need to discuss further.

MONTHLY FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown said Council had received in their packets copies of financial updates and budget adjustments through November and he has passed out the December totals tonight. He said so far in this fiscal year we are doing very well on our expenditures. He also added he had discussed this partially in the previous item in the discussion of the audit and the beginning balances.

Mr. Brown said he is asking Council's approval of these budget adjustments and the adjustments to the original budget as a result of the audit and the increased ending balances.

Councilman Bowden asked why there is an increased amount for street lighting, and he was advised this is due to the fact this is a payment for the previous month, in addition to the regular monthly payment. The billing had not been received when the auditors came in and had gotten caught up in the timing.

Councilwoman Mingoia made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the financial updates and budget adjustments.

REPORT ON TEEN COURT AND COMMUNITY SERVICE.

Debbie Loesch, the Court Administrator, reported to Council that the judges have been working with defendants who cannot pay their fines by letting them work doing community service. She said this has been very good for the City and the defendants. So far there have been thirty five (35) defendants who have worked a total of two hundred thirty five (235) hours. They have worked at City Hall, the Police Department, Public Works and the Fire Department.

She then reported that Teen Court started in April, 1993. Since school started this year there have been three (3) trials. All five (5) Cy-Fair Independent School District high schools are now participating. She said the participation has been great and the courts are working very well. She added the school district sends out a jury summons to the students to serve as jurors. The next trial is scheduled for February. The teen courts are held on the last Monday of each month. She said there has been so much participation and enthusiasm that the school district has asked if Jersey Village could hold two per month instead of one. She said it would not be that difficult to do, since the City only provides the facility, the case and the judge.

Mayor Descant said he would suggest that everyone go to the Teen Court to observe, it is a very good program and has worked out very well.



Debbie Loesch then presented a Tee Shirt to the Mayor and Council Members. The shirts were given by the school district, who had them made for their original presentation to the Board of Trustees for teen court.

#### APPOINTMENT OF A NEW RECORDS MANAGEMENT OFFICER

Dale Brown explained that City Council had adopted a Records Management Ordinance in 1990. As part of the requirements of this ordinance, Joan Boren was appointed by Council as the Records Management Officer. Since that time, Joan's duties have changed, leaving her with little time to devote to records management. Since we must have an approved schedule by January, 1995, Mr. Brown said he would like to ask Council to appoint Debbie Loesch to this position. She will work with all departments to coordinate getting the records inventory schedule completed and getting the proper forms completed and submitted to Austin prior to the deadline, which is January, 1995.

Councilman Fenley then made a motion, seconded by Councilman Pulido and the vote was unanimous to appoint Debbie Loesch as the new Records Management Officer.

#### DRAINAGE AT CLARK HENRY PARK

It was noted the drainage improvements for Clark Henry Park were completed in mid-December, however there are swale ditches that vary in depth from about 1/2 foot to 1-1/2 feet. There had been several complaints about the ditches and Staff was asked to recommend some alternatives to the six hundred forty feet (640') of swale ditches.

Dale Brown said in John Horton's memo to Council there are two options. The least expensive way is to replace the swales with storm sewer pipe and grate top inlets at a cost of \$12,600.00.

The other option would be to install "French" drains which would consist of 4-inch slotted drain pipe wrapped in filter fabric and backfilled with coarse sand. The cost of this method would be approximately \$16,000.00.

John Horton advised where the grates will be located depends on the distance between the swales. He added that storm sewer pipe is easier to work with.

Councilman Bowden said he was concerned about a grate being located on the Soccer field and Mr. Horton said there would not be one on the field.

Then Councilman Bowden asked if the ditch on the soccer playing field was taken care of, could the others be left open.

Mayor Descant said he thinks for safety, they all should be closed to keep someone from falling.

Council members Fenley, Mingoa and Pulido agreed they should all be covered.

Councilwoman Mingoa then made a motion, seconded by Councilman Bowden and the vote was unanimous, for the drainage of Clark Henry Park, to replace the entire six hundred forty feet (640') of swale ditches with storm sewer pipe and grate top inlets for a total cost of \$12,600.00.

#### PROPOSAL CONCERNING THE CITY'S LONG TERM DISABILITY BENEFITS

Dale Brown explained the City had received a proposal from Texas Municipal League (TML), who currently carries the City's other insurance, for the long term disability benefits.

Our current carrier for long term disability is UNUM Life Insurance Company.

Mayor Descant said, after reviewing the proposal from TML, it was noted their "Own Occupation Definition of Disability" for safety employees is one year and for all others is two years. This does not apply to the current policy.

Dale Brown then said after receiving the proposal from TML, Staff contacted UNUM concerning the monthly benefit amount. They advised they could offer equal coverage to TML's proposal at slightly less premium.

Mayor and Council concurred to stay with UNUM, but change to their revised proposal.

Dale Brown stated he would initiate the change and report back to City Council at the next meeting.

#### EXTENSION OF THE MOSQUITO FOGGING CONTRACT FOR ONE YEAR

Dale Brown explained Staff is asking for Council's approval to extend the current Mosquito Fogging contract with Northwest Pest Patrol for one year as specified in the contract.

Councilman Fenley asked if the City is happy with the job Northwest is doing and Dale Brown said yes.

John Horton advised they had originally been the low bidder and this is considered a good rate at \$150.00 per spraying per week.

Councilman Bowden asked how much the City actually spends and Mr. Horton said that depends on the weather, or if it freezes, etc.

Councilman Pulido said he still feels we should try to get the County or someone to assist in the mosquito control along the bayou, or wherever we have bodies of water.

John Horton said he has contacted Harris County Flood Control for assistance along the bayou, and he was advised the chemicals they would have to use could cause a problem for the environment.

After further discussion Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to extend the contract with Northwest Pest Patrol, Inc. for one year, with the term of the contract being from April 1, 1994 to March 31, 1995.

AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS FOR THE CITY'S GARBAGE CONTRACT

Dale Brown explained the City's contract for residential waste collection and disposal and the residential recycling program with Browning-Ferris Industries (BFI) will end on April 30, 1994, and Staff is asking Council's approval to advertise and accept bids for a new contract.

He said the proposed contract would begin on May 1, 1994 and would end on September 30, 1995, which would coincide with the City's fiscal year.

He added the specifications will include a telephone number for complaints that can be given to the residents so they will be able to deal directly with the contractor, instead of the Public Works Director. The contractor will then be required to submit a monthly report to the City indicating the number and type of complaints they receive. The idea behind this is to hopefully cut down on the time it takes to handle a complaint.

Councilman Fenley asked if a pre-bid conference will be scheduled, and John Horton said one has not been planned, but there would be no problem to schedule one.

All Council agreed it would be best to have a pre-bid conference.

Councilman Fenley then made a motion, seconded by Councilman Wilson

and the vote was unanimous to authorize Staff to advertise and accept bids for the City's contract for the collection and disposal of residential waste and residential recycling.

AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS FOR MODIFICATIONS TO WATER WELL AND PLANT NO. 1 AND WATER WELL AND PLANT #2

Dale Brown stated the consulting engineer has completed plans for the modifications to both water wells and plants and Staff is asking for approval to advertise and accept bids for the proposed modifications.

Council had received John Horton's estimate of the costs for the modifications. These costs are proposed to be a part of the Certificate of Obligation that will also include the police building and the sanitary sewer improvements, which includes the Shanghai sewer bypass and the sewer rehabilitation that is going on at this time.

Mayor Descant asked John Horton to explain to Council what is being proposed.

John Horton explained the first part would be to reline and repack Water Well #1 on Seattle Street. As Council will recall, the repairs were begun about one year ago due to problems we were having at that time. A camera survey down in the well was done at that time and it was discovered the well screen had badly deteriorated. These new modifications would entail sliding a new screen down into the well through the existing screen, and gravel packing the distance between the old screen and the new screen. Also included in this will be cathodic protection.

Mr. Horton then said the next portion would be to prepare and update the motor control center at Water Well and Plant #2. The motor control center there was installed when the well was initially built in either 1974 or 1976. Some parts are no longer available and by updating the motor control center will make it easier to operate and adjust pressures, etc.

He then added the third proposal is to paint the elevated storage tank at Water Well and Plant #2. This storage tank was installed in 1978. He was concerned about the lead content in the paint on the storage tank and what the City would have to do, from an environmental standpoint, to get rid of it, so it was tested. It turns out the lead content is not serious enough to cause a problem. The tank will be pressure washed, then sand out the rust places and then repaint.

The last proposal (Alternate No. 1) is to replace the screen and repack Water Well #2. This well was built in 1976. This well was cleaned and found to have a partial collapse, which was repaired.

Mr. Horton added Council may or may not want to consider doing this last item at this time. The well is not in danger of collapsing, shows no deterioration, and it is not imperative that this be done.

The total of all the improvements is \$230,000.00. If Alternate No. 1 is not done the cost would be \$159,000.00.

Councilman Fenley said he is very disappointed we have to do this twice. He added we had a consultant on Well #2 and he feels that at that time the consultant should have said the screen needs to be replaced. He would recommend we go ahead and replace the screen, since we have no other choice. He added if we spend \$230,000.00 now that in the year 2005 we will be required to go on surface water. He then stated Jersey Village should contact the City of Houston to get an estimated cost of tying onto their line on FM529. We need to get a cost estimate of buying water from Houston and then in turn how much we would have to charge our residents for the water. We need to have this information for future use when the need arises.

Mayor Descant then said if we got this information today, the costs would not be the same in the future. He added we had gotten the well up and running as economically as possible last year, we are in good shape for water now and feels Council needs to authorize Staff to proceed to advertise and accept bids for the modifications. He then stated we need to also consider our ETJ and areas we may annex in the next ten years.

Councilman Pulido asked if Alternate No. 1 should be left in for the bids, and Mayor Descant said it could be left in as a total bid just to see how the cost comes in.

Councilman Bowden asked if we will be able to spec the type of materials we want, to eliminate another problem in a short time. He then asked about the cathodic protection at Well #2 and if we are maintaining and monitoring it.

John Horton advised the cathodic protection is done to the screen itself, and added the deterioration was found in the hard rubber at Well No. 1, however there has been no deterioration at Well No. 2.

Dale Brown stated again this would be included as part of the Certification of Obligation, and our financial advisors report that financially we are in good shape.



Councilman Bowden then made a motion, seconded by Councilwoman Mingoia and the vote was unanimous to authorize Staff to advertise and accept bids for modifications to Water Well and Plant No. 1 and Water Well and Plant No. 2 to include all proposals.

ADJOURN

With all business completed, motion was duly made, seconded and the vote was unanimous to adjourn the meeting at 8:55 p.m.

CLOSED MEETING

There was no closed meeting held at this time.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 2-21-94



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MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: February 21, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

The meeting was convened and called to order by Mayor Mike Descant. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Darcy Mingoia; City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary, Laverne Hale.

PRESENTATION OF PROCLAMATION

Mayor Descant then presented a Proclamation to Eagle Scout Jeremy Bergeron for the construction and installation of three park benches at the volleyball courts at Carol Fox Park.

CITIZEN'S COMMENTS

Mr. Jearald Dyer, a resident, spoke to Council concerning the City's involvement in the Men's Summer Softball League, which normally starts around June 1. He said due to lack of fields to play and practice on, participation and interest has dwindled and feels that if the City was more involved more interest would be generated. He added the league needs more fields and also a place for storage of their equipment.

Mayor Descant asked if they had thought of using City Hall for registration for the league and Mr. Dyer said he thought that would be a very good idea to show the City's involvement, and also to let the people know this is not a closed league and everyone would be welcome to participate.

Mr. Dyer said the league is normally for ages 21 and older. It is just a fun type get together and is not classified as an A, B or C type league, however with some City backing and involvement there is always the possibility of expanding and playing against other cities.

It was also noted the ladies softball league had ceased due to lack of organization and participation.

Mayor Descant then said there have been a number of resignations from the City's Recreation and Events Committee. We need to get this committee active to help promote the athletic programs and recreation programs for this next year.

Councilwoman Mingoia stated she would be willing to check with the high school about the use of their girl's softball field.

Mayor Descant said he would like to see the City's involvement by putting an article in The Star and using the message boards. Dale Brown said Staff will work with Mr. Dyer on this.

At this time Ms. Pat Curran introduced herself stating she is a Republican candidate for State Representative, District 135, which includes Jersey Village.

Mrs. Lucy Lapagalia, a resident who lives on Tenbury, asked Council if there is a means for them to waive the penalty and interest on her property taxes. She stated she had paid her taxes in late November, 1993, however the City never received the check and does not feel she should be responsible for paying the penalty and interest due since that time.

Mayor Descant said this has been discussed previously and asked the City Attorney Ken Wall, if there is a way for Council to waive penalty and interest.

Ken Wall stated there is a provision where Council can waive penalty and interest if a mistake is made by the City in the course of the billing process. He would suggest this be discussed with the Tax Assessor-Collector, however, if no mistake is made by the City there is no provision for Council to waive.

Ken Wall said there is also a provision that would protect if the tax payment is mailed, but in this case where Mrs. Lapagalia stated she dropped the payment in the outside box at City Hall, this does not apply.

Mayor Descant asked Staff to check into this and report back at the next Council meeting.

Mrs. Lapagalia then stated she had another question concerning the exemption for disabled persons. She asked why the City did not have more of an exemption for disabled persons similar to the exemption for people over sixty-five years old. She said the

school district and the City of Houston allow more of an exemption than Jersey Village does.

Mayor Descant stated as long as he has been on City Council this has never come up and Councilman Fenley agreed this has never been discussed.

Mayor Descant then said he will have Dale Brown and Staff look into this and an item will be placed on the agenda for the next regular Council meeting in March.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilman Fenley said he would like to publicly thank the Director of Public Works, John Horton, for his efforts in doing an excellent job during the recent ice storm and also noted the garbage company, BFI, has gone out of their way to help with the clean up. He said some citizens have complained about not getting their limbs picked up, but he said most of those were not cut and bundled properly.

Councilman Pulido then announced he will seek re-election for his position in the City election in May.

Mayor Descant then commented that Councilman Wilson has recently been on the Municipal Television Channel.

Mayor Descant then added there has been a decline in membership on the Recreation and Events Committee and asked if anyone is interested to please contact him so this committee can be built back up before summer.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the January 17, 1994 regular meeting.
- B. Approval of the Harris County Appraisal District Supplemental Roll #5 for 1993 as an amendment to the Tax

Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$316,710.00 for an additional tax levy of \$2,311.98.

- C. Appointment of Marv Wurzer as a regular member, and John Ross as an alternate member of the Board of Adjustment.
- D. Appointment of Andrew Duncan as a new Reserve Police Officer.

At this time Police Chief Mike Lindsey introduced the new Reserve Officer Duncan to City Council.

#### REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

Dale Brown explained the Development Code, that Council had received, is the result of Staff's and the Planning and Zoning Commission's review and approval and is now being passed along to Council for their review and approval.

Mayor Descant said he likes the new development code, however due to the volume, he would like for Council to hold a workshop to discuss and review.

Ralph Martin, Chairman of the Planning and Zoning Commission, told Council that P&Z has worked on this development code for approximately one year.

Dale Brown said he thinks a work session is needed for Council to review and also that Ken Wall will review and comment. He added the development code will be enacted by an ordinance and also noted a public hearing must be held prior to adoption of the ordinance.

All Council members agreed to hold a work session on the second Monday of March, which will be March 14, 1994 at 6:00 p.m.

Dale Brown then explained the Parks and Landscaping Committee has presented some proposed projects for Council to consider.

Included in these projects is the addition of a slide at the swimming pool; the repair and/or replacement of baseball backstops at Clark Henry Park; and a proposed jogging trail to be constructed around the perimeter of Clark Henry Park.

Councilman Bowden stated a jogging trail on Elwood and Ginger Streets along either side of the bayou might be a better location and be more beneficial to be away from the park.



John Horton advised the Flood Control usually allows jogging trails to be put on their easements, but there is no guarantee.

Jill Mandel, Chairman of the Parks and Landscaping Committee said the committee thinks the perimeter of the park would be the best place for a jogging trail.

Councilman Fenley stated he has been involved with the City of Houston in putting in jogging trails at no cost. This is strictly volunteer. Time and materials are donated. He added we should proceed with our plans for the jogging trails and possibly we could also get volunteers to get it done.

Mrs. Lapagalia then asked if the City can use the school tract.

Councilman Pulido said he thinks it would be better to get community involvement and volunteers.

All Council agreed they would like to have jogging trails, however they need to decide where, how, etc.

Mayor Descant said a slide at the pool may be more hazardous and the City already has had a law suit.

Councilman Bowden suggested another low diving board instead of the slide.

John Horton advised the slide would be constructed in accordance with all regulations and requirements.

Dale Brown said money has already been budgeted in this year's budget for the slide and the baseball backstops.

Councilwoman Mingoia said she would like to have more details regarding placement, etc. and all Council was in agreement.

APPROVAL OF THE PRELIMINARY PLAT OF STEEPLECHASE PARK, SECTION FIVE, RESERVE A

Dale Brown explained the Planning and Zoning Commission had approved this preliminary plat and have forwarded it to Council for their approval.

The plat is to subdivide one (1) reserve into two (2) lots.

Mr. Greg Schmidt, with J. W. Zunker and Associates, said they are replatting into two (2) lots for the construction of a Climate Control Mini-Storage facility.

It was noted this property is in the City's Extraterritorial Jurisdiction.

Councilman Bowden said at this time he would like to table this item for more consideration.

Dale Brown advised Council has to either approve or disapprove. If no action is taken within thirty (30) days it is automatically approved.

It was also noted this approval is for the preliminary subdivision plat and not for the use.

After further discussion, Councilwoman Mingoia made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the preliminary plat of Steeplechase Park, Section Five, Reserve "A", upon the recommendation of the Planning and Zoning Commission.

APPROVAL OF AN INTERLOCAL AGREEMENT WITH HARRIS COUNTY TO ACCESS THE HARRIS COUNTY JUSTICE INFORMATION MANAGEMENT SYSTEM (J.I.M.S.) AND THE DISTRICT ATTORNEY'S INFORMATION MANAGEMENT SYSTEM (D.I.M.S.)

Dale Brown explained the procedures and requirements for this contractual agreement that must be approved by City Council.

He advised the police department uses this information mainly for filing Class B and above charges on suspects arrested by the City. Our police department must now drive to another agency to use their access for filing charges and this process may take several hours.

Councilman Wilson made a motion, and seconded by Councilwoman Mingoia to approve an Interlocal Agreement with Harris County to access the Harris County Justice Information Management System (J.I.M.S.) and the District Attorney's Information Management System (D.I.M.S.).

In discussion of the motion Councilman Bowden asked how often do we have an officer out of the City for 2 - 4 hours filing charges. Chief Lindsey explained and said it would be more efficient and much less time consuming to be able to access it from our police department. He added the initial cost is the purchase of two (2) modems, gateway board and gateway software for our computers at approximately \$2,089.00, which has already been budgeted in the cost of the new police services facility.

The vote on the motion was unanimous.

At this time Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to move Item #15 to precede Item #10 on the agenda.

AWARD THE BID FOR THE CITY'S RESIDENTIAL GARBAGE SERVICE AND RECYCLING PROGRAM

Dale Brown advised Council that bids were received and opened on February 15, 1994 for the residential garbage collection service and recycling program. Four bids were received, with Ben-Singer, Inc. being the low bidder and Staff is recommending that Council award the bid to them.

Mayor Descant asked how Ben-Singer handled the ice storm and one of their representatives who was in attendance, stated they handled it the same way as BFI did for Jersey Village. They really had no problems.

Councilman Bowden made a motion, seconded by Councilman Pulido and the vote was unanimous to award the bid for the City's residential garbage service and recycling program to Ben-Singer, Inc. for a total bid of \$12.10 per month per household.

UTILITY EXTENSION REQUESTS

Dale Brown stated that during this past month we have received a number of requests for utility service. Those include Foundry Methodist Church and Mr. James Grizzard. The City currently does not have a policy regarding procedures to handle utility extensions. After talking with the City Attorney, Dale Brown said he was advised the City should totally revise it's Impact Fee Ordinance. This ordinance only addresses sewer treatment plant capacity and there are no means to deal with utility extensions.

Mr. Brown added he has asked John Horton to give us some estimates as to costs. As noted in Mr. Horton's memorandum to Council, Foundry United Methodist Church is requesting both water and sewer extensions. The estimated cost of extending the water line 1000 feet northward along Jones Road would be between \$35,000 and \$50,000. The extension of the sewer line northwest from Village Green Drive would be approximately \$70,000 to \$100,000.

An alternate means of providing water and sewer to the church would be by entering into an agreement with Municipal Utility Districts 199 and 247.

Dale Brown said if the City extends the lines, the costs could be shared with the City paying a certain percentage and the persons

requesting the extension paying a certain percentage, however, Ken Wall advised in order to do this the City must have an impact fee ordinance in effect that would apply.

Councilman Pulido asked what Foundry Church was referring to in their letter regarding capital improvement funds that the City budgeted in 1990-91.

John Horton said there was an amount of \$25,000 budgeted several years ago for capital improvements, however he has been unable to determine what this was to be used for. He said he had spoken with Jack Wright, and according to Mr. Wright that money had been budgeted specifically for the extension of a water line to Foundry.

Councilman Fenley asked if we went to the MUD Districts for service, would their lines be adequate and John Horton said the water line is adequate and he believes the sewer line would also be adequate.

Dale Brown noted if this is done we would need to have a contractual agreement with both Districts and he would suggest, even if the City does make some agreement with the MUD Districts, that we need to address the issue of what responsibility the property owner has when a line is extended. For instance, for Foundry Church, do we extend the line to the front of their property and require them to extend it across their property so it will be available for the adjacent property owner to continue.

Mayor Descant said he feels we need to begin work on a remedy and also determine how to get water and sewer to the church. He does not see a problem in the City extending the lines a portion of the way and he also stated we need a policy and we need to pursue an agreement with the MUD Districts, since eventually this will be a part of Jersey Village.

Councilman Fenley agreed the City should have a policy in place and what is done in one area, should be done in other areas so everyone is treated equally.

Dale Brown then said Mr. James Grizzard has also submitted a letter to the City. He has two tracts of land adjacent to the one he sold to the Jack-In-The-Box. He has someone who is interested in developing one of those tracts. His problem is that there is no sewer line adjacent to the property, nor is there any way to service this entire area except by a lift station that would pump to the Solomon area.

Dale Brown said he has asked John Horton to look into what would be necessary to get service to the undeveloped area on either side of

Senate Avenue plus the area across U.S.290. He said Mr. Horton has developed a plan for both the east and west sides of Senate. To serve commercial development on Hillcrest Road north of U.S.290 the estimated cost would be \$164,000.00.

Mayor Descant said the City may be willing to pay a portion of the costs, but the developer should be required to pay. The City is willing to work with the developers and he then asked Ken Wall how soon we could come up with a plan.

Dale Brown stated Ken Wall has advised him if the City wishes to have an impact fee to recover any costs from the adjacent property owners, who would not be participating upfront, we will need to amend and adopt our impact fee ordinance before the construction of the line. This can be accomplished in approximately 120 days if work is started right away.

Mayor Descant asked Mr. Grizzard what his timeframe was and he advised he has owned this property for twenty years and has been trying to get utilities for a long time. He did get water several years ago through the participation of the City and some of the land owners. The Public Utility District that was planned for this area, to get the sewer utilities in, has not worked out due to the excessive costs of installing the utilities.

Mr. Grizzard said when he sold the small piece of property to the Jack-In-The-Box he reduced the price of the land by the amount they would have to spend to construct a grinder station and a temporary force main sewer line.

Mr. Grizzard added that even though Jack-In-The-Box is planning to construct a temporary sewer line, they would prefer to spend their \$15,000 toward a permanent type line to share with other property owners and the City. Mr. Grizzard said he would add \$35,000 to Jack-In-The-Box's \$15,000 for a total of \$50,000, if the City would pay the balance at this time. Later when he develops the rest of his property he will also pay his share.

Mr. Grizzard said he has also had several calls from people who are interested in purchasing his property, however, they all want a guarantee that public utilities are available.

Mayor Descant stated we are all interested in getting development in here, but there has not been a lot of interest in commercial development along U.S.290 until now, so the City should not be blamed for not having commercial development.

Mayor Descant then added the City is more than willing to work with all developers and asked Dale Brown and Ken Wall how soon we can



come up with a policy regarding the impact fee structure and the most immediate question is how fast could we move to get the sewer line construction started.

Mr. Grizzard stated as far as he is concerned several months will not make that much of a difference to him, however, he hates to lose the \$15,000 that Jack-In-The-Box will spend for a temporary line.

Dale Brown said in talking to Jack-In-The-Box he was told they are willing to consider participation, however they did not commit to what extent. They are planning for an opening date of April 1, 1994. Obviously we will not be able to have the sewer line in before their opening, therefore their participation will most likely be at a lesser amount.

John Horton explained his estimate of \$164,000, includes reworking and replacing approximately 400 feet of slip-lining of the 8" sanitary sewer, the placement of a lift station and a force main into the manhole at Solomon.

Mayor Descant said as of right now we do not have a means to assess those adjacent property owners on Hillcrest Road and then asked the direction of the sanitary sewer line that had been proposed for the Public Improvement District, that was never formed.

Councilman Pulido noted we must first have an impact fee ordinance in effect before any construction is done, in order to assess the property owners.

Dale Brown said there are certain procedures that must be followed before an impact fee ordinance is adopted, such as the appointment of a capital improvements committee, specific engineering facility plans, cost calculations must be done, and a series of public hearings must be held.

Ken Wall added also land use assumptions, as to how many service units each tract of land will need, must be done.

Councilman Pulido stated obviously it would have been better if this had been done a year ago, however, he would like to see that what ever is necessary be done as quickly as possible.

Ken Wall advised Council's other alternative is to take the money from Mr. Grizzard and the Jack-In-The-Box and the City fund the balance at this time and then each property owner would have to pay their share when they tie into the line.

John Horton stated there is not time to design, build and construct a lift station by April 1 when Jack-In-The-Box plans to open for business.

Mayor Descant asked Mr. Brown if this amount of money from Mr. Grizzard and Jack-In-The-Box was a reasonable amount as far as cost sharing, or if he had formulated another amount that would be more reasonable.

Dale Brown said he had not, because at this point he was seeking direction from Council as to how they would like this to be handled.

Mr. Grizzard said these amounts originated from his having an engineer put together a similar type drawing to serve his property only, with the lift station being much smaller and the force line was smaller than the 8" and his cost would have been about \$50,000. Therefore after taking off the \$15,000 from Jack-In-The-Box he came up with his portion being \$35,000.

Mayor Descant asked Staff and the City Attorney to begin work on a policy and the impact fees and asked John Horton to see if there are any other alternatives.

Councilman Bowden stated if we would put off the slip lining we should have the funds to go ahead with these utility extensions out of capital improvements. He said he feels this would be money well spent, but we also need to have impact fees in place.

Council then concurred for Staff to begin work to come up with ways to serve both Mr. Grizzard and Foundry Church. It was noted there are two alternatives for Foundry Church and their need is not as pressing at this time as Mr. Grizzard's.

Councilwoman Mingoia excused herself from the meeting at 8:30 p.m. due to illness.

At this time Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to move Item Nos. 16, 17, 18, 19 and 20 to precede Item #11 on the Agenda.

AWARD BID FOR MODIFICATIONS TO WATER WELL AND PLANT NO. 1

AWARD BID FOR MODIFICATIONS TO WATER WELL AND PLANT NO. 2

Dale Brown and John Horton explained bids were received and opened on February 15, 1994 for the modifications to Water Wells and Plants No. 1 and 2, with the low bidder being Weisinger Water Well, Inc.

Councilman Fenley asked if we are discussing the base bid only and John Horton advised yes. Councilman Fenley then stated he has not gotten a good recommendation on Weisinger. He has talked with Jim Bell, who has been in charge of wells for the City of Houston for the past twenty years and he said he would not recommend Weisinger Water Wells. He stated they are very good at small wells, but for a well of this size they are not. They tend to come up with a lot of additional things after getting the bid.

Councilman Fenley then said he would not recommend awarding the bid to Weisinger because Alsay, the second lowest bidder has done all the previous work on our wells and he doesn't think it would be a good idea to change companies at this time. He said he does not know anyone with either company, he just doesn't think it would be a good idea to change at this point.

Ken Wall stated we must award the bid for a public works project like this to the lowest responsible bidder unless we give the low bidder notice it is the intent to award the bid to someone else, and give them an opportunity to respond.

Councilman Bowden asked, on well #1 are we basically just going to drop in a new pipe and gravel it, and John Horton said yes. His next question was why will the well be televised before doing this work. John Horton stated the televising will be done to determine the condition of the well. This will let us know if any portion of the well is collapsed or deteriorated before putting in the new pipe. If there is a collapse then it will have to be swaged prior to dropping the new pipe in. There is no way of knowing since this is approximately 1500 feet down in the ground. Mr. Horton said he does not anticipate a problem, and it is unlikely it will have to be swaged, but it does have to be checked out first. These things cannot be put in the bid specs, since there is no way of knowing if they are needed. If they find a problem, we are at the contractor's mercy and will have to pay whatever his charges are, whoever the contractor may be.

Councilman Bowden then had a question concerning the wire brushing of the well, and John Horton said this will not be done. The consulting engineer had failed to take this portion out of the bid, but all the contractors were advised at the prebid conference. Mr. Horton added he had no intention of doing anything to this well until the new screen is in place.

Councilman Pulido then stated he did not feel he had enough information to justify awarding the bid tonight.

Dale Brown said Staff had compared the difference between the two lowest bidders and most likely, even with some significant

increases and unforeseen work, Weisinger would still be the low bidder.

Mayor Descant asked if our Engineers, Walter P. Moore and Associates, had worked with this company before and John Horton said yes, and he has also worked with both companies and stated that Weisinger most likely is more familiar with smaller wells, and he does not disagree with Councilman Fenley's comments. He added he has heard similar comments, where after getting into the job they have added things that needed to be done. He said he took all this into consideration but he could not, in good conscience, not recommend that the bid be awarded to Weisinger. He agreed he would feel better if Alsay or Layne-Texas had been the low bidder since they have worked for the City before, however he said he does not have sufficient evidence or personal knowledge to say Weisinger could not do the job.

Mayor Descant asked if this would be enough evidence not to award the bid to Weisinger, and Ken Wall stated we would have to get better evidence, other than hear say.

Ken Wall advised that Staff could talk to others who have worked with Weisinger on similar size wells to get their opinions and recommendations.

After further discussion and due to Council's concerns, it was agreed to ask Staff to get more recommendations, check out references and table this item until the March 14, 1994 special meeting and work session.

AWARD BID TO REPAINT THE CITY'S 250,000 GALLON ELEVATED STORAGE TANK

Dale Brown said bids were accepted on February 15, 1994 for repainting the 250,000 gallon elevated storage tank. The consulting engineers, Walter P. Moore and Associates, and Staff are recommending the bid be awarded to Diversified Coatings.

Mayor Descant asked if there were any structural problems with the storage tank or if the repainting is something that just needs to be done. John Horton stated an independent consultant had looked at the tank and made a recommendation regarding structural problems and whether or not it should be stripped and painted, or water blasted with special attention to the rust spots. His recommendation was that it was structurally sound and that we just needed to water blast it, sand the rust areas and repaint it.

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to award the bid to Diversified Coatings for

the repainting of the City's 250,000 gallon elevated storage tank at a base bid of \$29,800.00.

RECESS: 9:00 p.m.

The meeting resumed at 9:05 p.m.

AWARD THE BID FOR THE CONSTRUCTION OF A POLICE FACILITIES BUILDING

Dale Brown said seventeen bids were received on February 15, 1994, with the low bidder being Strata Builders Inc. with a bid of \$973,400.00. He added several references had been contacted regarding this company, and received very good comments. He then noted the owner of Strata Builders is Billy Hebert, a resident of Jersey Village.

Councilman Pulido asked if our architects had worked with this company before and they advised they had not.

Councilman Bowden wanted to confirm this would be a conventionally built structure. He then asked for an explanation of the breakdown on the tabulation sheet of the amounts bid with the addendums and the deducts for the alternates.

Dale Brown explained that add Alt. #1 for \$4,400.00 is for a proposal not to have a solid wall between the conference room and the break room and instead put in a folding wall that could be opened up. The folding wall is more expensive than a solid wall, so if Council wants the folding wall put in we need to add the \$4,400.00.

He then explained that Deduct Alt. #2, for \$24,800.00, is to remove the canopy covering the front walkway. Deduct Alt. #3, for \$33,600.00, is to not build the back portion of the parking lot; and Deduct #4, for \$8,000.00, would be to do away with the covered carport for parking the police vehicles under.

Councilman Fenley asked if the deducts are taken off, could they be added later.

The Architect, Henry Hermis, stated he would recommend the base bid without any of the deducts. He added the cover for the front walkway would include brick arches, and a look that will be consistent with the residential area.

Dale Brown explained it is Council's decision if they want to add or deduct from the base bid.



Mayor Descant stated he does not think the folding wall will need to be added. He would like to leave the front walkway and deduct the back parking and carport canopy.

Councilman Bowden said he does not think there is a need for a covered walkway. We need to get back to basics and add the rest when we show a need.

Councilman Pulido agreed on the canopy and the parking area, however he had some concerns in cutting the walkway and the aesthetics aspects in the front and Councilman Wilson said he thinks there should be a covered walkway.

Councilman Fenley stated if we wait until later to add the parking, costs of concrete, etc. will be higher. We have to determine if there is a need for it at this time.

Mayor Descant said it seems to be Council's pleasure at this time to keep the covered walkway in front, delete the canopy and the parking and not to add the folding wall. This would result in a total bid of \$931,800.00.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to award the bid for the construction of the police facilities building to Strata Build, Inc. for a base bid of \$973,400.00, deducting Alternates 3 and 4 respectfully for \$33,600.00 and \$8,000.00, for a total contract price of \$931,800.00.

AUTHORIZE THE CITY MANAGER AND THE CITY FINANCIAL ADVISORS TO PREPARE ALL NECESSARY DOCUMENTS FOR THE SALE OF BONDS OR CERTIFICATES OF OBLIGATION TO FUND VARIOUS WATER AND SEWER AND PUBLIC BUILDING PROJECTS

Dale Brown told Council they were given a memo in their packets concerning the procedures that must be followed from now through the sale of the Certificates of Obligation and the approval by the Texas Attorney General.

He then explained a summary of all the projects that will be covered by the Certificates of Obligation. Figures have been rounded up, plus issuance cost and contingencies, and the total for the CO's would be \$2 million. However with the deducts Council just approved on the police building, Mr. Brown said he would like permission to start the process for the sale at \$1.9 million.

He said we had originally budgeted for an interest payment in this fiscal year at \$110,000.00, based upon the assumption we would sell

a CO in January and then the first payment would be due six months later. However at this point we are looking at April, at the earliest, or May before we actually sell the CO's. We would then get the money approximately thirty days after the sale. Based on this schedule and our first payment being due six months later, our first debt service payment would not come until our next fiscal year. This delay improves our debt service and he then gave Council a current and proposed debt service schedule that indicates our debt service will drop every year through the year 2009, with the exception of one year.

Councilman Fenley then made a motion, seconded by Councilman Bowden and the vote was unanimous to authorize the City Manager and the City Financial Advisors to prepare all necessary documents for the sale of Bonds or Certificates of Obligation to fund various water and sewer and public building projects.

#### APPROVAL OF AN ORDINANCE CALLING FOR THE GENERAL ELECTION

Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve Ordinance No. 94-01 calling for the City of Jersey Village General Election to be held on May 7, 1994; the appointment of Barbi Freeman as the Election Judge and Jeanette Netardus as the Alternate Judge, and setting the date for a run-off election (if needed) for May 28, 1994.

#### APPROVAL OF AN ORDINANCE REGARDING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES

Dale Brown explained there have been several complaints received concerning recreational vehicles being parked in driveways, specifically on Senate Avenue. Currently our regulation is in the zoning ordinance and states that parking of Recreational Vehicles is prohibited on corner lots on unpaved surfaces between the street right-of-way and the building set-back line. Basically the way it reads now, if a vehicle is parked on a paved driveway surface, they are allowed to park it beside the house on a corner lot.

Mr. Brown said the City Attorney has reviewed our current ordinance and has given us a proposed ordinance, however, he noted this is a zoning ordinance change and there are other requirements that must be done before the adoption of any amendments to our existing ordinance, such as a public hearing, etc.

He said Council may want to discuss this proposal tonight, come to a consensus and then pursue according to the requirements.

Mayor Descant asked if there was a problem enforcing the parking on Senate Avenue since this is a county right-of-way and Ken Wall advised we can control this through the City's zoning ordinance.

Ken Wall added Council needs to decide which zoning districts they want this to apply to.

Councilman Bowden stated there is the fact that on lots other than a corner, you could have a vehicle parked in the back yard and it still be visible from the street. He wants to make certain that as long as they are behind their setback line this would be permissible.

Ken Wall advised we have this now, that parking is prohibited in the front yard, however Councilman Bowden added the proposed change states it should not be visible from the front yard and he thinks this should be clarified.

Councilman Fenley said he has had many complaints and this has been discussed before. At that time, one resident stated his motor home cost more than his house and due to the fact he could park it here, is the reason he bought a home in Jersey Village. The Council at that time wanted to require that they be parked behind a fence where they could not be seen at all. The police chief said this could cause vandalism since they could not be seen and Mayor Descant added our fences are limited to eight feet high.

Ken Wall explained that right now they are prohibited in the front yard, except for temporary periods not exceeding seven days. If this is a problem, this could be changed to prohibit them being kept in the front yard overnight. The second problem is on the side yard, so you can eliminate parking in the side yard on corner lots. This would mean they must park in the rear yard, even though they are still visible from the street.

Council agreed this ordinance should indicate no parking in the front or side yards overnight. We cannot prohibit them from being out of sight.

Council indicated they would like the effective date to be in sixty days, or June 1, 1994.

A public hearing will be held at the next regular meeting on March 21, 1994, and the adoption of the ordinance will be discussed at that time.

APPROVAL OF AN ORDINANCE REGARDING A REVISION TO THE CITY'S SIGN  
ORDINANCE CONCERNING PROHIBITING SIGNS ON PUBLIC PROPERTY

Dale Brown said there has been some concern about signs being placed in public rights-of-way, and the only regulation we have at this time is in the sign ordinance.

After discussing with the City Attorney, it was noted there should also be some prohibition in our general street ordinance section, that would prohibit all signs being placed in the right-of-way, which includes the medians and any public property.

This would eliminate political signs on election day, garage sale signs, etc. on any public property.

Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve Ordinance No. 94-02 regarding prohibiting signs on public property.

LEASE/PURCHASE OF A TELEPHONE SYSTEM

Dale Brown stated at this point he was asking for guidance from Council concerning our current telephone system. There have been complaints from employees, residents and Council members about our telephone system and problems we have in answering calls, therefore since we will have to install new wiring in the new police building, this would be the best time to make a change if this is what Council wants.

In researching telephone systems, Mr. Brown has learned that the company who made our current equipment is no longer in business and we cannot buy additional equipment, unless we could find used equipment from someone else.

In looking at what could be done to provide a better telephone system for the police building, and also upgrade the system we now have in City Hall, Mr. Brown said we have contacted several different companies and found what they have to offer and how this could be handled. A copy of telephone system proposals were included in Council's packets for this meeting.

Mr. Brown stated there is a possibility we could save as much as \$400 per month by eliminating some telephones and direct lines we now have, some of which are not being used. There is money budgeted in the new police building for telephones, therefore by reducing some of the lines and phones we now have, we could get a lease/purchase of a new and better system for all the City offices and save approximately \$100 per month over what we now have.

Councilman Fenley asked if we would go out for bids and Dale Brown said we are not required to get bids for anything under \$15,000.00, and two of the proposals are under this amount.

He said he would like Council's approval as to how they want Staff to proceed.

Councilman Bowden said the City needs a good telephone system and Councilman Fenley said brands like Panasonic, one of the newer systems, and other name brands are very good telephones that can be used for a long time.

Dale Brown said of the proposals we have gotten, World Telecommunications is the least expensive and offers a good system. Their system is currently being used by Jersey Village Baptist Church across the street and they are very pleased with the system and the service. Inter-Tell Communications, the second lowest proposal, offers a more sophisticated instrument capable of doing more things.

Southwestern Bell has come out and looked at our setup and gave us a proposal, of almost \$24,000.00.

Mr. Brown said we could have some bid specs written, however, those we have talked to about writing the specs then want to bid. We have now gotten several proposals under the \$15,000 bid limit, so we would like to ask Council's opinion as to how they want Staff to handle this.

Mayor Descant said his company had a consultant come in before getting the telephone system at his office, and he feels this was a very bad choice. Their telephone system is Inter-Tell Communications and the service from them is very bad. He feels if Staff is happy with the proposals and the references they have gotten on World Telecommunications, possibly we should go with them.

Police Chief Lindsey said he has contacted about five other references, besides Jersey Village Baptist Church, and they are all pleased with World Telecommunications.

Councilman Fenley asked what type of a warranty service contract these companies offer. Mr. Brown advised Staff has not entered into a contract, they are just bringing to Council for their discussion.

Councilman Bowden said he does not think we should be looking at the low bid on a telephone system. You need to get a quality telephone system, because in several years problems could develop



with less expensive telephones. He thinks Panasonic or Southwestern Bell, or someone who you feel sure will be in business a few years down the road would be best.

Chief Lindsey asked if we do go out for bids, would we end up ruling out the low bids in order to go with Southwestern Bell and Ken Wall advised yes you could draw up the specs in such a way that you could do that, however for a technological type procurement, you can do it without bidding and just get requests for proposals.

Mayor Descant agreed with Councilman Bowden that Southwestern Bell would be his choice and Councilman Fenley also agreed with Southwestern Bell or Panasonic.

Dale Brown asked if Council would like Staff to develop specific specs that would include the brands of telephones.

Council agreed and concurred it would be better to spend more money to get a better phone system.

Ken Wall said this would be a request for proposal based on a high technological procurement.

Council then agreed to have Staff get more information and report back next month.

#### DISCUSSION WITH POSSIBLE ACTION CONCERNING THE PENSION PLAN FOR EMPLOYEES AND FIREFIGHTERS

Motion was duly made, seconded and the vote unanimous to table this item until next month.

#### MONTHLY FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown noted we are currently receiving 3.69% interest through TexPool. To obtain the same results, we would have to invest at least \$100,000 for at least two years with Sterling Bank.

Mr. Brown then explained that Council had copies of all transactions and details of the months financial updates and budget adjustments, and would like their approval.

Councilman Fenley made a motion, seconded by Councilman Pulido and the vote was unanimous to approve the monthly financial update and budget adjustments.

CITY MANAGER'S REPORT

Dale Brown explained he had written a letter to UNUM, concerning the City's Long Term Disability coverage, at Council's request, to change the monthly benefit amount to 60% of salary to a maximum benefit of \$5,000.00 per month at a rate of \$ .34/per \$100 of covered payroll. This change and new rate will go into effect on March 1, 1994.

Mr. Brown then discussed the Capital Improvements Program. He noted Council had received a preliminary list of capital improvements for a five year plan. He told Council Staff would like their recommendations as to procedures for handling the capital improvements plan. This could be done through the Planning and Zoning Commission and then given to Council or Staff could work directly with Council.

Councilman Fenley and Mayor Descant both agreed it would be better to work directly with Council.

Dale Brown said the best way to review would be to set up a work session within the next couple of months, for Staff to start laying out some of their ideas for capital improvements for the next five years, and Council agreed.

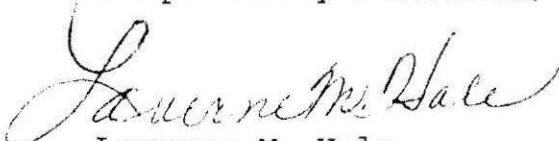
ADJOURN

With all business completed motion was duly made, seconded and the vote was unanimous to adjourn the regular meeting at 10:15 p.m.

CLOSED MEETING

There was no closed meeting held at this time, therefore the meeting was adjourned.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 3-21-94

Ordinance Nos. 94-01 and 94-02 are on file in the City Secretary's office and are made a part of these minutes by reference.



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

Incorporated 1956

A Texas Star Community

## MINUTES FOR THE SPECIAL CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

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DATE: March 14, 1994  
TIME: 4:30 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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### GROUND BREAKING CEREMONY

A ground breaking ceremony was held at 4:30 p.m. on the grounds for the new police services facility. Those in attendance were Mayor Descant and Council members Pulido, Bowden, Wilson, Fenley and Mingoia; City Manager Dale Brown; Police Chief Mike Lindsey; Architects and Designers for the facility, Henry Hermis and Jerry DeFoor; Director of Public Works, John Horton; Fire Chief Kathy Hutchens; City Secretary, Laverne Hale; and other interested persons.

### CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The open meeting was convened by Mayor Descant at 6:00 p.m. and the invocation was then given by Councilman Pulido. Other in attendance were Council members Bruce Bowden, Charlie Wilson, Calvin Fenley and Darcy Mingoia; City Manager, Dale Brown; City Attorney, Ken Wall; Director of Public Works, John Horton; and City Secretary, Laverne Hale.

### CITIZEN'S COMMENTS

There were no citizen's comments at this time.

### COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilman Fenley asked the City Manager if he and the Director of Public Works would take necessary steps to have a water leak detection audit done.

John Horton advised this month we billed 90% of the water pumped, 75% last month and approximately 85% the month before, with the

average being 90% - 92%. He added it is advisable to pursue a leak detection audit every two years.

Mayor Descant then asked about the proposed vehicle emission testing facility to be constructed on Village Drive at Village Green. John Horton stated this testing facility is to be built on a two acre tract and there are to be fifteen (15) of these facilities built in Harris County. The plans are that every vehicle will be required to be tested for emission control.

DISCUSSION WITH POSSIBLE ACTION TO AWARD THE BID FOR MODIFICATIONS TO WATER WELL AND PLANT NO. 1

DISCUSSION WITH POSSIBLE ACTION TO AWARD THE BID FOR MODIFICATIONS TO WATER WELL AND PLANT NO. 2

Dale Brown explained that John Horton had contacted several references on Weisinger Water Well, Inc. and all comments were very favorable and indicated Weisinger was very capable of completing our projects and would do a good job for the City, therefore Staff is recommending the bid be awarded to them.

Councilman Pulido asked who had supplied the list of references. John Horton said Weisinger had and added that our Engineers have also verified their qualifications.

Councilman Fenley asked if Staff thinks this company would do a better job than Alsay, who was the second low bidder. Alsay has done all the previous work on our wells and he questioned having another company do these modifications.

John Horton said he cannot say they will do a better job than Alsay, however some of these modifications are different from the work that was done previously and he has no reservations in awarding the bid to Weisinger and feels very confident they will do a good job.

Mayor Descant then added according to all information presented we have no reason not to award this bid to Weisinger.

Councilman Bowden asked what order the work will be done in and how much down time there will be. Mr. Horton advised the modifications would be done on Well #1 first with an estimated down time of four weeks, then Well #2, with an estimated down time of forty-five days. The down time for Well #2 is longer due to the more extensive work to be done there.

Mr. Scott Weisinger was in attendance and advised Council his company is very familiar with this project. They had reviewed all the tapes that had been done previously and are fully prepared to do this job.

After further discussion Councilwoman Mingoia made a motion, seconded by Councilman Bowden and the vote was unanimous to award the bid to Weisinger Water Well, Inc. for modifications to Water Well and Plant #1 in the base bid amount of \$72,800.00 and to Water Well and Plant #2 in the base bid amount of \$66,750.00.

ADJOURN OPEN MEETING

With all business completed Councilman Wilson made a motion, seconded by Councilwoman Mingoia and the vote was unanimous to adjourn the meeting at 6:15 p.m.

WORKSESSION

City Council then held a worksession to review and discuss the City's Development Code.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 3-21-94





16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

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A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: March 21, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

The meeting was convened and called to order by Mayor Mike Descant. Noted present were Council Members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Darcy Mingoia; City Manager, Dale Brown; and City Secretary, Laverne Hale.

It was noted City Attorney Ken Wall was not in attendance.

OPEN PUBLIC HEARING

Mayor Descant then opened the Public Hearing concerning amendments to the City's Zoning Ordinance SECTION XIII - GENERAL REGULATIONS, regarding the parking and storage of Recreational Vehicles.

Mayor Descant then explained that at last month's City Council meeting Council had discussed revising our ordinance and also discussed and reviewed an ordinance from another City. He noted this is the ordinance our residents had received and had been misinformed. He then passed out copies of the minutes from the last City Council meeting that noted what was discussed and also Council's intent. The main topic of discussion was concerning the parking of recreational vehicles where they would not be visible from the street.

Mayor Descant then noted Council had agreed this is not possible in Jersey Village, since the maximum height for a fence, that we allow, is eight feet. Council's main intent is to require the vehicle to be parked behind the side lot line on corner lots. He added the purpose for having this public hearing tonight is to get the resident's input concerning amendments to our ordinance.

Mr. Keithley, a resident, stated he was here to discuss the visibility of the recreational vehicles from the street, but since

Mayor Descant has already addressed this, he had no further comment.

Ms. Dorothy Robert, another resident, said she agrees with Mr. Keithley. Her concern was visibility from the street and that has been explained. She has no problem.

Mr. Jerry Walters also said information he had received was very confusing and did not think it would be possible to keep the vehicles from being visible from the street. He then noted he had no problem with our ordinance, except there is a problem with cars, etc. being parked over sidewalks.

Mr. David Lock had no further comment.

Mr. John Lewis said by amending the ordinance to read behind the front or side lot line should solve the problem, however he does not know why recreational vehicles are singled out since there are so many other unsightly things, such as sheds, old or junk cars, commercial trucks, etc. and vehicles parked on sidewalks should be a real concern.

Mayor Descant explained our current ordinance addresses all these different things and does not single out recreational vehicles.

Mr. Lewis then asked if there would be any action on Item 13 of tonight's agenda regarding the approval of an ordinance for the parking and storage of recreational vehicles. Mayor Descant advised after getting input from the residents tonight it is the consensus of the Council to direct Staff to write an ordinance to be voted on at another meeting. He stated if the ordinance is amended as Council has discussed previously, he believes everyone would be pleased.

Mr. Helmut Kasiske said he agrees with Mr. Lewis and the other comments, however he thinks if Council deems it necessary to amend the current ordinance, the residents who own the RV's should be involved in writing the ordinance.

Mayor Descant then said after getting the resident's input tonight, and after Staff and the City Attorney come up with a sample ordinance, a copy of this sample ordinance will be mailed to everyone who has attended the meeting tonight so they will have an opportunity to review and make further comments.

Mr. John Hoggatt stated he does not feel a change needs to be made.

Mr. Gus Lentz had no further comment.

Mrs. Bette Koudelka said they keep their RV at a storage facility, however it is brought home to pack and get ready for a trip and she is concerned about not being able to have it parked there overnight.

Mr. Jerry Hurta said he owns a recreational vehicle that is parked next to his house and does not consider this a fire hazard, however we do have many other hazards in Jersey Village. There are stacks of lumber and bricks on the streets near new construction off Honolulu Street, porta-cans are offensive and concrete is being pumped from the street.

It was noted construction in this area is being done by Four Seasons Development Company and John Horton, the Director of Public Works, stated he is not aware of lumber and bricks being stacked in the streets, however he will check into it.

Mr. E. H. Williams said he does not find RV and boat storage beside homes offensive at all. He has his boat parked beside his house and he keeps it there since he used to keep it at a storage facility but had a problem with things being stolen off of it there.

Mr. Dan Williams said he stores his RV at his home and if Council is considering rewriting the ordinance, he suggested they may want to consider proper licensing and permits to protect those vehicles from deteriorating over the years and becoming an eyesore.

Mr. Harry VerDouw stated he has lived in Jersey Village for nineteen years and before building here he questioned if he could store an RV on his corner lot and he was told he could if he put up a six foot fence and parked it on a pad behind the fence. He said we are now trying to change the ordinance and he does not think it should be changed. He has never had a complaint that it is an eyesore, and he thinks it looks much better than some of the portable buildings, etc. that people have. The City has enough ordinances, and if they are enforced that should take care of any problems we have.

Mr. Raymond Reed said he lives in the middle of the block and parks his RV beside his house and behind the building line, however he would like to have the privilege of having it parked on the driveway overnight for loading or unloading.

Mayor Descant explained this is allowed in our current ordinance and has not been discussed as far as making a change.

Mr. Johnnie Rybak also has his RV parked in the back, however he wants to be able to park on the driveway for loading, etc.

Mr. Larry Cooper said he lives on Singapore in the middle of the block and has been a resident since 1967. If we keep our same ordinance will he be legal by keeping his RV parked on his driveway up by his house, which is approximately twenty feet from the front building property line. Mayor Descant advised he would be legally parked. Mr. Cooper then said Jersey Village is a very fine place in which to live. He thinks the City is well kept and does not want to see any changes.

Mr. Shannon Griffith, drives a company vehicle, which is over one ton, he was concerned about the wording in the sample ordinance from Piney Point that would prohibit a vehicle of this size being parked or stored overnight. This is a company vehicle he drives back and forth to work each day.

Mr. Robert Jenkins stated he too parks his RV overnight on his driveway when getting ready to go on a trip. Normally he keeps it parked behind an eight foot fence. He would like to be able to build a higher fence so no one would know if he is gone or not.

Mr. Leonard Curtin had no comments.

Mrs. Alice Avery stated she does not own an RV, but does not find them offensive. She is glad she lives in a neighborhood where people can afford to do these things. She added it is a very good idea for these residents to get a copy of the proposed ordinance before it is passed in order to make their judgement and comments.

Mr. Sandy Embesi said after hearing all the comments, he has no problem.

Mr. Haden Lambert asked if it is permissible to park a RV overnight, how long is the time period?

Mayor Descant advised for seven days and Mr. Lambert said he has called the police dispatcher and had been advised it could only be parked there for 2-1/2 hours while being loaded. He added there are many more offensive things than RV's, such as rotting garage doors, unsightly garbage cans in sight all the time, trash from construction, etc.

Mayor Descant said the City is limited in what they can do for homes in disrepair, but Staff is steadily issuing citations for things of this sort that need to be corrected.

Mr. Rick Faircloth said possibly the dispatchers are referring to the vehicles being parked on the street, instead of on the driveway. There is an ordinance that limits the time for parking on the streets, and Mayor Descant noted the time limit is twenty-four hours.

Another resident stated he would like to get a list of all the fun loving residents in attendance tonight and Mayor Descant advised when the proposed ordinance is mailed out a copy of the list of names could also be mailed.

Mr. John Lewis said he briefly wanted to explain that Mr. Raymond Reed, who said he drove 120 miles to come to this meeting, has been at the Campers on Crusade, a very worthwhile church organization.

A resident said he would like to discuss another item on the tonight's agenda concerning the police department trading of seized handguns. Due to the problems with handguns today, he is concerned these weapons may end up in the hands of people who may use them for inflicting harm on other people.

Mayor Descant explained this will be discussed later, however this gun broker only sells these weapons to law enforcement personnel. Council must decide if they should be traded or destroyed, however he said he had a concern about one of the shotguns that he was not familiar with.

Police Chief Mike Lindsey added the main concern is for inexpensive weapons that can be bought by brokers and resold, however these weapons are more expensive ranging in price from \$250 to \$400. He added he had also received a statement from the distributor saying these weapons would be sold only to law enforcement personnel, so he feels confident they will not end up in wrong hands.

Another resident said since we are looking at a draft ordinance from Piney Point, he would like to present two more draft ordinances from other cities for Council to review.

Mr. Neal Gordon, asked if a fence is required and Mayor Descant said a fence is not required if the vehicles are parked behind the building line.

Another resident noted that if the present ordinance is amended, wouldn't those vehicles already there be grandfathered?

Mayor Descant said in addressing the side lot line or the corner issue, and by requiring those people to put them behind a fence, he thinks this would be enforceable, according to the City Attorney.

A resident said she would like an explanation of exactly what is planned to be changed in our ordinance and Mayor Descant explained again that following this hearing tonight, Council will asked the City Attorney to draft an ordinance for discussion at the next Council meeting, and a copy will be mailed to those people who have signed our sign-in sheet tonight.



There being no further comments, Mayor Descant closed the public hearing at 7:45 p.m.

#### CITIZEN'S COMMENTS

Mr. David Hodgins, introduced himself and said he is a candidate for the school board. He lives close by and would like the support of the Jersey Village residents. The election will be held on May 7, 1994.

Mr. Lynn Hooper, who lives on Acapulco, moved to Jersey Village last year. They are very happy here, except he has noticed there are no sidewalks on Senate between Acapulco and Juneau. He added it would be much better to have handicap type ramps on the curbs at each corner so bicycle riders do not have to jump up or down on the curb.

Mayor Descant said Staff will look into this and give Council a recommendation.

Councilman Wilson then made a motion, seconded by Councilman Fenley and the vote was unanimous to move Item #17A and #15 to precede Item 5 on the agenda.

#### CITY MANAGER'S REPORT (A)

Mayor Descant explained that at the last meeting Mrs. Lucy Lapagalia had come before Council with a request for a waiver of penalty and interest on her taxes and also had asked about the City's disability tax exemption.

Dale Brown explained Council had received a summary of some other cities in Harris County, showing how much their exemptions are and noted Jersey Village has no homestead exemption, we have a \$50,000 over 65 exemption and we have a \$3,000 disabled exemption.

On the over 65 exemption, Jersey Village is about in the middle, and for the disabled exemption we have the minimum, which is \$3,000.

To change the exemptions, the City would have to adopt an ordinance. According to our tax records, we have approximately twenty homes or individuals who qualify for disabled status.

There is a breakdown of two categories; one being disability and the other disabled veterans. Mr. Brown assumes they both meet the criteria for disabled.

In calculating the totals, if the City would change to a \$50,000 disabled exemption, there would be approximately \$10,000 per year in lost revenue.

Mr. Brown added that for the over 65 exemption, there are 183 homes that qualify, for a total appraised value of \$19,864,440.00 and we give a total exemption of \$9,150,000.00. This is approximately \$65,000 in tax revenue.

With the exception of Humble, whose exemption is far above the others, Jersey Village has the third highest exemption for over 65.

Councilman Fenley said he likes the \$50,000 over 65 exemption, however, he always looks forward to something higher.

There were no further comments.

APPROVAL OF AN ORDINANCE AUTHORIZING PUBLICATION OF NOTICE OF INTENTION OF THE CITY OF JERSEY VILLAGE, TEXAS TO ISSUE CERTIFICATES OF OBLIGATION TO FUND THE COSTS OF A POLICE SERVICES BUILDING, REPAIR AND REHABILITATION OF WATER WELL AND PLANT NO. 1 AND WATER WELL AND PLANT NO. 2, AND REPAIR, REHABILITATION AND REPLACEMENT OF SANITARY SEWER LINES.

Dale Brown explained this ordinance was prepared by Richard Huff, with the law firm of Fullbright and Jaworski, the City's Bond Counsel. The ordinance, calling for publication of notice, is one of the steps in going through the issuance of Certificates of Obligation.

Mr. Brown said Mr. Pete Fisher, with Moroney and Beissner, the City's financial advisors, is here tonight to give information on the process of issuing Certificates of Obligation, or any other information relating to the City's financial aspect relating to this.

Mr. Fisher told Council this is the first step we need to accomplish in order to proceed with the issuance of the Certificates of Obligation. The publication states that Council will meet on April 18, 1994, the next regular meeting, at which time they will actually adopt an ordinance that would authorize the issuance and the sale of those CO's.

Mr. Fisher explained further they have discussed with the City Manager to hold a work session with Council on April 4, 1994. At this time they want to review and discuss the possibility of refunding some of the City's outstanding bonds. He said as we know the interest rates are at a thirty year low in the municipal market, and since the City has some outstanding general obligation bonds that have a high interest rate that are currently optional.

These can be paid off and realize a savings for the City. This could be handled similar to refinancing a home mortgage.

This is fairly complicated and this is why they want to have a work session for further explanation.

Mayor Descant asked Mr. Fisher, if Council should decide to proceed with the refinancing, what steps must be taken and what is the time frame. Mr. Fisher said this depends on what direction we decide to take. This will be discussed at the workshop, but if we issue the CO's, parking them and then doing a refunding of everything into general obligation bonds, we are probably talking about a thirty day process.

Dale Brown asked Mr. Fisher what the next step will be after publishing this notice to issue the CO's and Mr. Fisher advised these are steps we will need to discuss at the workshop to come up with a plan and a calendar. He added Council must act on the approval of this ordinance tonight, as this is the first and vital step in the process.

Councilman Bowden said now that we are basically paying off more of the debt on the older bonds, we have to be fairly selective in which ones we are paying off. For instance, we may have some at 12%, but strictly paying straight interest now and if they have a five year lifetime, we wouldn't want to refinance for twenty years. Mr. Fisher advised we would not do this.

There being no further comments, Councilwoman Mingoia made a motion, seconded by Councilman Bowden and the vote was unanimous to approve Ordinance No. 94-03 authorizing publication of Notice on Intention of the City of Jersey Village, Texas to issue Certificates of Obligation to fund the costs of a police services building, repair and rehabilitation of water well and plant No. 1 and water well and plant No. 2, and repair, rehabilitation and replacement of sanitary sewer lines.

#### COUNCIL MEMBERS REPORTS AND COMMENTS

Councilwoman Mingoia reported the Motel Tax Committee will be meeting on April 6, 1994 at 7:00 p.m.

Councilman Pulido said he has a concern about the bayou between the Jersey Village High School baseball field and Beltway 8. He said John Horton has worked hard to establish ownership of this property and who needs to maintain it. This area is not maintained and the baseball team has to go back there to retrieve balls. He has tried to get some cooperation from the Texas Highway Department with no success, but Mr. Pulido said he promises to continue to do whatever is necessary to get this dangerous eyesore cleaned up.

Mayor Descant said possibly we can send a letter to Mr. Diettert at the Texas Highway Department and include this concern along with the signs on Senate Avenue and possibly set up a meeting to discuss these concerns.

Councilman Bowden said he is glad Council will be able to protect the recreational vehicle owners and living on a corner himself he can recognize some of the problems. He added he had several calls concerning cleaning up of the Joe Myers property and asking if Council could adopt a visual nuisance law. He feels Council may want to explore some of these things to help beautify the City. He doesn't think Joe Myers would want to install any type of privacy fence, but on Senate at American Storage the City ended up putting in a privacy fence. He doesn't think the City should have to pay for the beautification, etc. of other people's property.

Mr. Bowden then added he wanted to discuss the storm sewers on Lakeview. With the construction of the police building, should we not be looking at a way to relieve the drainage problem.

John Horton agreed this is something to look into, however, there are currently 15" culverts in this area and it would not do any good to replace them with 18" or 24". It is not a problem with the culverts alone being too small, it is the fault of that particular line all the way down to the bayou being too small.

Councilman Bowden feels this is something that should be placed on a list of projects to look into.

Dale Brown advised Staff is working to develop a capital improvements program and will be bringing some figures to Council in the near future. A project like this would most likely have to be done in several phases.

John Horton advised this would be several thousand feet of line at approximately \$100 to \$150 per foot. The cost would depend on the amount of effort to install, if pavement would have to be replaced, etc.

Mayor Descant said that periodically there is a backup at the end of Congo and wondered if this would be more of a problem with the construction of the police building and John Horton said that should not aggravate the problem.

Mayor Descant said he has heard of installing pumps to move the water down as a temporary measure.

Councilman Fenley asked if the sewer lines were in disrepair and John Horton advised these were initially designed too small along



with several other areas of the City that were all designed inadequately.

Dale Brown advised that when Council gets into the Development Code they will see stricter requirements for sewer lines.

Councilman Wilson reported the Fire Department had a member go to all the homes in Jersey Village to check smoke detectors over the past five months under the direction of Fire Chief/Fire Marshal Kathy Hutchens. Of all the homes in the City, fifty-one did not have any smoke detectors. He also wanted to encourage all the residents present tonight with recreational vehicles, especially if they sleep in them, to put smoke detectors in them as well. He then thanked these residents for coming to tonight's public hearing and giving Council their input.

Mayor Descant noted that at last month's City Council meeting Mr. Dyer had come and spoke about the men's softball league. The Mayor then suggested a notice be put in The Star newsletter advising the residents that are interested to call City Hall or come by and sign a registration sheet.

Councilman Pulido then asked about the progress of the sanitary sewer rehabilitation project and John Horton advised they are approximately two-thirds of the way through with the project.

At this time Councilman Fenley made a motion, seconded by Councilwoman Mingoia and the vote was unanimous to move Item No. 13 to precede Item No. 6 on the Agenda.

APPROVAL OF AN ORDINANCE CONCERNING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES

Mayor Descant said he thinks Council is still in agreement that we need only address the portion concerning side lot lines.

Councilwoman Mingoia stated after what Council has heard tonight from the residents, there may not be a need to allow for parking for seven days as the ordinance currently states.

Councilman Bowden then stated there are those times when people come to visit and may need to park for longer periods of time so we may want to leave this part as it is at seven days.

Dale Brown said if he understands Council's intent from last month's meeting, the sentence in the current ordinance that states "For corner lots no vehicle shall be parked on unpaved surfaces in the area between the street right-of-way and the building set-back line" is the one they wish to amend.



He then asked Council if they wish to revise this sentence to say "For corner lots no vehicle shall be parked in the area between the street right-of-way and the building set-back line".

Councilman Bowden suggested it read vehicles must be parked behind the building side set-back line and Councilman Pulido stated we should be consistent in using the same language as for the front set-back lines. It was suggested this be changed to "behind front and side set-back lines".

Dale Brown advised the statement in the code above reads all types of vehicles "shall not be parked or stored in front yards except for temporary periods of time not to exceed seven consecutive days", and asked if we are defining front yards as being the set-back line area.

John Horton stated the front yard is the portion forward of the face of the house. If the garage is set back further than the face of the house and a recreational vehicle is parked on the driveway in front of the garage, but behind the face of the house, our current ordinance allows for this.

Dale Brown said we need to clarify side lot line, side yard line and property line since this would determine where the vehicle may be parked.

Mayor Descant stated we do have a definition of a side lot line in the ordinance and then asked Mr. Brown if he is suggesting the property line or the structure line.

Mr. Brown said the building face or at the side lot line, there is an imaginary line drawn ten feet off the property line. The building could be sitting on this ten feet or placed back from the ten feet line.

Councilman Pulido asked if there is a way to correlate the front building line and the side building line.

Dale Brown sketched a drawing of a corner lot showing the set-back lines, side yard lines, etc. and noted we may need to change the definitions in the ordinance.

Mayor Descant said since people put their fences on the property line he feels this ordinance should state behind the property line instead of set-back line.

Councilman Bowden said for corner lots, since most garages face the side street, the RV's should be parked behind the building line.

Councilman Pulido asked if we are trying to prohibit that area between the property line and the building line?

A resident asked why make any changes at all, this will only confuse a lot of people, and Mayor Descant advised this was brought out for corner lots, especially where people tend to park over sidewalks. He then suggested that we have two ordinances prepared for review, with one indicating property line and the other stating building line.

A resident said by saying property line would be best since fences are always put on the property line and it would be behind the fence, however, Councilman Bowden said the City does not require a fence. Possibly we should say behind the nearest building, whatever the building might be, the house or the garage.

Dale Brown said the ordinance we now have states if there is a paved driveway, a recreational vehicle can basically be parked from the property line, and John Horton added if there is a paved driveway, it can be parked anywhere as long as the sidewalk is not blocked.

However, Mr. Brown added, if there is not a paved surface it cannot be parked between the set-back line and the property. He explained this means if it is not paved it must be parked behind the set-back line, and if it is paved it can be parked at the property line.

Mayor Descant said the complaints that have come in are about people parking the RV's on corner lots and extending past the property line.

Mayor Descant added he would like to advise the City Attorney that Council feels strongly both ways and have two (2) sample ordinances written up with one addressing the side question and the other saying the property line and side lot line or building line. He would like to have the Council members go out and look at both situations during the next month to make sure we understand what is property line and what is building line.

Mayor Descant then said we can send copies of both of the sample ordinances to the residents in attendance and Councilman Pulido said it would be a good idea to have some schematics along with the draft ordinances.

Dale Brown said he thinks the ordinances would be the same, with the exception of one word, and possibly the ordinance could have a choice of a, b, or c for what ever Council decides.

Councilman Wilson said there seems to be a lot of confusion. This change is for corner lots only and there will be no change for those residents in the middle of the block.

Resident Haden Lambert stated possibly it would simplify things where on the side street, it would read the same as the front, which is behind the building line or behind a fence. If there is a fence on the side street you could say, either/or behind the fence or behind the building line.

Another resident said before moving to Jersey Village he lived on a corner lot in Pasadena with his house facing one street and the garage facing the other street. He had his trailer parked on a concrete pad in the back yard.

Mayor Descant said this is his idea and believes most of our residents are in compliance. It was noted we could possibly get a copy of Pasadena's ordinance to review.

Another resident, Mr. Pinkerton, said he thinks if we say behind the fence or the set-back line, there would be no problem. He added his trailer is the basis for the complaints since it is parked on his driveway. He has a four foot ditch on Senate, his side street, which creates a problem for him to get into the back yard. He wanted to know who he could contact to get an extra section of pipe put in. He would like to put in a concrete pad beside his garage, but due to the problem with the ditch he can not get there. Dale Brown advised he may want to contact Harris County.

Ms. Avery and another resident asked about the type of fence required. If it should be a privacy fence or if there is already a chain link fence in place how would this affect. Mayor Descant advised we do not require a fence at all, and thinks this ordinance will have to address either the property line or the building line.

Mayor Descant advised Dale Brown of the options and suggested getting a copy of the Pasadena ordinance for review.

There was no action on this item.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the February 21, 1994 regular meeting and the March 14, 1994 special meeting.
- B. Approval of the Harris County Appraisal District Supplemental Roll #6 for 1993 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$355,710 for an additional tax levy of \$2596.68.
- C. Reappointment of Elizabeth Gurka to the Recreation and Events Committee.

#### REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

There were no reports at this time.

#### DISCUSSION WITH POSSIBLE ACTION CONCERNING ADDITIONAL EQUIPMENT AT CLARK HENRY PARK AND THE MUNICIPAL POOL

Dale Brown explained that at last month's meeting Council discussed the recommendation from the Parks and Landscaping Committee for installing a slide at the pool. At that time Council had some concerns and they have now come back with pictures of a similar slide along with a location map. He advised the Chairman of the Parks and Landscaping Committee Jill Mandel is here tonight to discuss and answer any questions, and also discuss the idea of putting in a tire dragon at Clark Henry Park.

Mayor Descant stated he thinks the placement of the slide will interfere with a swimming lane. The accident that happened a couple of years ago when a child fell off the diving board resulted from a younger child on the diving board away from where the parents normally sit and supervise. If Council feels a slide is needed, he thinks it may be best to move the slide closer to the covered deck area where the parent's are for more supervision and where the smaller children are not around the deep end of the pool.

Jill Mandel said they are not opposed to moving the slide, but her committee was concerned about it being in the way of the swim lanes, and the water has to be 4-1/2 feet deep where ever the slide is located.

John Horton advised there was no room by the covered portion and to place the slide there a portion of the cover would have to be removed.

Councilman Bowden asked if the committee is considering replacing the old high dive with another low dive and Ms. Mandel said yes they are.

Councilman Bowden then said he was concerned about interfering with the swim lane and is also concerned about the danger of older kids pushing the smaller ones off the slide.

Ms. Mandel said in getting information from other pools, they were told a slide is not as much of a problem as the diving boards are.

Councilwoman Mingoia said rules would have to be established and enforced, and the only problem she sees with the slide is that it will interfere with the swim lane that is used for laps.

Mayor Descant asked how much of the deck would have to be taken out and John Horton advised most likely several feet.

Councilman Pulido does not want to take out any of the deck and Councilwoman Mingoia agreed and stated she does not see a problem with the proposed location of the slide.

Councilman Bowden said again he feels it will be best to have the slide located near the parents and asked John Horton to look into the possibility of notching out the deck as an option.

Councilman Pulido stated if we have to have a slide he doesn't mind having it put where proposed, but he would like to hear John Horton's comments after he has an opportunity to look into it.

Mayor Descant said Council is in agreement to have the slide installed, with the exact location to be determined after hearing John Horton's comments.

Mayor Descant said the next proposed project from the Parks and Landscaping Committee is the construction of a tire dragon at Clark Henry Park.

Ms. Mandel said there is an Eagle Scout that may be interested in building this dragon.

Councilman Fenley asked how much this project will cost and Ms. Mandel advised it would be very minimal since we already have the tires.



John Horton said some of the tires are very large and Ms. Mandel explained they would be dug into the ground.

Jill Mandel told Council her committee is planning to put more things in, for instance a long balance beam, etc.

Mayor Descant stated this is a quiet picnic area and doesn't think we should put too much there.

Mayor Descant asked the overall length of the dragon and John Horton said twenty-five tires would be used therefore it would be about twenty-five feet long.

Mayor Descant then asked if the committee will give us full details of this and other projects that are planned for Clark Henry Park and report back at the next City Council meeting.

There was no further action on this item.

APPROVAL OF THE FINAL PLAT OF STEEPLECHASE PARK, SECTION FIVE, RESERVE "A"

Dale Brown explained this is the final plat, which is a partial replat of Steeplechase Park, Section Five and was approved by the Planning and Zoning Commission on March 1, 1994 and recommended to Council for their approval.

It was noted all of Staff's comments on the preliminary plat have been addressed and corrected on this final plat.

Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the final plat of Steeplechase Park, Section Five, Reserve "A".

APPROVAL OF AN INTERLOCAL AGREEMENT WITH HARRIS COUNTY TO ADD SIX (6) RADIOS TO THEIR 800 MHZ SYSTEM

Dale Brown explained that several months ago the police department requested permission to purchase six used 800 Mhz radios that would be available for the police officers to carry with them that would allow them to talk directly with Harris County.

He added that in order to get on the 800 Mhz frequency with the County we have to have an Interlocal Agreement with them at a cost of \$8.50 per radio per month. This would allow our officers to talk with Harris County and also talk to each other.

Councilman Fenley asked how many radios we will have and Police Chief Lindsey advised we now have three radios that were given to us by the County to use when our canine unit is used, however, three radios are not enough. The County had previously allowed access to their frequency without charge, but they have now started charging a fee for any new or additional radios. We are not going to an 800 Mhz system, we are only trying to augment our current ability to be able to stay in better contact with the County. With the three radios we have, plus these six, we will have a total of nine radios.

Councilman Fenley asked why the six radios were purchased prior to Council approving this Interlocal Agreement. Chief Lindsey said at the time the radios were purchased there was no problem in getting on the frequency, however since that time the County has changed their agreement.

Councilman Fenley said he wanted to confirm we are not going to the 800 Mhz system and Chief Lindsey said we are not. There are many problems in getting the fire department on, etc. These radios are strictly for communication with Harris County.

Councilman Fenley said he has been advised these radios are not very good for working in emergency situations.

Dale Brown stated we had looked at going to an 800 Mhz system, however after checking into it, we found we could not because of the relationship between the volunteer fire department and the City. The technology for the pagers the fire department uses is not available as yet in the 800 Mhz system.

Mayor Descant said he is in favor and thinks this would only improve our system for communication.

A resident in attendance told Council he is with Harris County and their radio system is the best and since Jersey Village has these radios they really need to get on line, since crime is increasing all the time.

Councilman Wilson asked how many different channels we now have, and Chief Lindsey said he believes we have 8 - 10 channels.

Councilman Wilson asked if this fee is to activate radios and he was advised yes it is. He said since one of these radios will remain with the dispatcher, he wanted to know if the dispatcher will monitor these along with all the other radios in that office. He said we cannot overload the dispatch personnel.

Councilman Bowden asked if the fee applied to all nine radios and Chief Lindsey said it only applies to the six additional ones.

Councilwoman Mingoia made a motion, seconded by Councilman Bowden and the vote was unanimous to approve an Interlocal Agreement with Harris County to add six (6) radios to their 800 Mhz system.

Councilman Wilson then made a motion, seconded by Councilman Bowden and the vote was unanimous to move Item #14 to precede Item #11 on the Agenda.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE LEASE/PURCHASE OF A TELEPHONE SYSTEM

Dale Brown explained that since the last Council meeting we have contacted several additional telephone vendors. We have visited Integrated Voice and Data, which handles both Toshiba and AT&T phones, to see a demonstration of both systems. Toshiba was much easier to use and was the least expensive of the two. He said Ms. Rachel Maloney, with Integrated Voice and Data is in attendance tonight if Council has any questions.

He added another company, AmTel Communications, also handles Toshiba and they were approximately \$5,000 more expensive than Integrated Voice and Data. AmTel did not tell us about the governmental discount, that is available.

Mayor Descant asked what type of instruments World Telecommunications used and Chief Lindsey advised he was not sure except it was not a name brand. He then advised Inter-Tell Communications manufactures their own instruments. Genesis Telecom Corp. used Panasonic phones, however their system did not do what we wanted. Southwestern Bell is the vendor for Northstar Meridian equipment.

Mayor Descant then stated that at the last meeting he noted his office had the Inter-Tell System and had some problems, however he wants to now report that the problems had been worked out and their system was replaced with a more efficient system. Even though in the beginning there were severe problems, they have now been corrected, and he feels they would stand behind their products and their contract.

He then stated he agrees with Councilman Bowden in that your telephone system can really be a problem and sometimes going with the low bidder will not always get the service and the product you need.

Councilman Fenley said he does not know what each of these vendors have to offer.

Dale Brown said at the last Council meeting we discussed with the City Attorney that we do not need to go out for formal bids for this type of high technology equipment. We have basically worked up a set of standards as to what we want with employees having their direct lines; we wanted them to be user friendly; and be able to work with our existing Centrex system. We then asked all of these different vendors for a proposal.

Councilman Bowden stated we are reducing some of the lines we now have, and eventually we will need to add more lines and wanted to know how difficult this will be, and his other concern is linking the City Barn and the water plants to our system.

Dale Brown said those telephones do not come through the City Hall system now. They are strictly basic Southwestern Bell instruments that have always been separate from the ones here at the City Hall complex.

Mr. Brown said we are reducing lines, but not instruments. We are reducing direct lines for instance into these Council Chambers, the Conference Room, etc. We are currently paying for 48 direct lines, and by changing some of these lines to share instead of all being direct lines, we can reduce the number to 32, which would be a reduction of approximately \$400 per month.

Rachel Maloney explained how the lines will work and said that lines can be added simply and inexpensively.

Councilwoman Mingoia stated her company uses the Integrated Voice and Data system and have had no problems and are very well pleased.

Councilman Bowden asked if the proposals included voice mail and he was informed they do not. He then asked what we are spending on our current system.

Dale Brown said now we are paying \$2400.00 a year for maintenance on the equipment we have. The company that made our existing phones have gone out of business therefore there are no replacement parts or instruments available plus the monthly costs to Southwestern Bell, which would be the same with any system. However by reducing the number of lines this cost would be approximately \$400 a month less and we are proposing a lease/purchase plan. There would be a \$4000 down payment, with the remainder being paid through the reduction in the monthly fees.

Councilman Fenley asked if we had discussed trading in our current system and Dale Brown said we have not discussed this with

Integrated Voice and Data, but several of the other vendors were not interested. They did say they would try to help us market it if someone is interested in buying.

Ms. Maloney said Integrated Voice and Data could have our old system bid out for us.

After further discussion Councilwoman Mingoia made a motion and seconded by Councilman Wilson to accept the proposal from Integrated Voice and Data. Council members Mingoia and Wilson voted for the motion, and Council members Fenley, Bowden and Pulido voted against. The motion failed.

Mayor Descant then asked if Council members Fenley and Bowden would work with Staff on a recommendation for a telephone system.

AUTHORIZE THE POLICE DEPARTMENT TO TRADE TEN (10) SEIZED WEAPONS TO SPEED RACER DISTRIBUTORS FOR FOUR (4) OTHER WEAPONS MORE USEFUL TO THE DEPARTMENT

Dale Brown and Mike Lindsey explained the police department has some pistols and rifles that have been seized over the past few years. These weapons are not the type to be used for police work and will be destroyed in the near future. However, rather than destroying these high quality expensive weapons or using budgeted moneys for purchasing more useful weapons, the police department is asking Council's approval to trade a few of them for others that are not as powerful and would be more useful to the department.

The dealer they will be traded to will agree in writing to sell the traded weapons only to law enforcement personnel.

Councilman Fenley stated it was his understanding most of these weapons were to have been destroyed several years ago and now we are being asked to trade them.

Mayor Descant asked how much the weapons the department will be getting would cost if you would go out and purchase and Chief Lindsey said approximately \$3,000.00.

Councilman Fenley asked what other agencies do with their seized weapons and Chief Lindsey advised they are usually sold.

Councilman Fenley then asked what the 9mm carbines will be used for and Chief Lindsey stated with the dog team.

Chief Lindsey noted there are other weapons the department needs to get rid of.



Councilwoman Mingoia stated she has no problem with this trade, if this is a reputable dealer.

After further discussion, Councilwoman Mingoia made a motion, seconded by Councilman Bowden, to authorize the Police Department to trade ten (10) seized weapons to Speed Racer Distributors for four (4) other weapons more useful to the department. Council members Mingoia, Bowden, Pulido and Wilson voted for the motion. Councilman Fenley abstained. The motion passed.

#### APPROVE THE SALE OF SURPLUS PERSONAL PROPERTY AT PUBLIC AUCTION

Dale Brown explained Council had received a listing of items that Staff is asking Council to approve for disposal at public auction. It was noted these items are either no longer operable or no longer being used by the City.

Councilman Fenley asked if the City doesn't usually sell our vehicles at an Auto Auction and John Horton said yes we have in the past.

Dale Brown stated our items could be combined with items from other Cities to be auctioned off, or we could possibly have our own auction.

Mr. Brown then stated we will have another list of items to present to Council from the police department, after the Municipal Court Judge officially seizes them for the City.

Councilman Wilson made a motion, seconded by Councilwoman Mingoia and the vote was unanimous to approve the sale of surplus personal property at public auction. A list of items is attached to these minutes.

#### MONTHLY FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown explained to Council there is a transfer of \$10,000 from legal attorney's fees to a new line item.

This budget adjustment is to cover our \$10,000 deductible for a pending law suit, and Staff is asking Council's approval.

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the monthly financial update and budget adjustments.

#### CITY MANAGER'S REPORT

Dale Brown reported that at last month's meeting Mrs. L. Lapagalia

had come before Council asking for relief from penalty and interest, since the City never received her check.

He noted they only way for penalty and interest to be waived is if City Council determines the City or the Appraisal District made an error, which in this case cannot be proven.

Mr. Brown then reported we need to update our municipal codes in order to get current and asked Council how they would like Staff to handle this. He noted all the codes, including building, plumbing, electrical, mechanical, fire, gas, swimming pool, etc. must all be updated. He explained in some cases a definition may have been changed or the required size of pipe has changed.

Mayor Descant asked what would be the best and quickest way to handle this major undertaking.

Dale Brown stated we will be going from 1982 to 1994. There were some updates and revisions in 1991-92.

Councilman Bowden said it may be best to adopt the 91'-92' versions.

Mayor Descant said if they are adopted, Staff could then update and flag the changes for Council.

Councilman Fenley agreed to have the changes flagged and give to Council.

It was then noted a work session will be held on April 4, 1994 at 7:00 p.m.

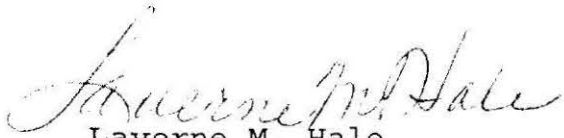
#### ADJOURN OPEN MEETING

With all business completed, Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the meeting at 10:25 p.m.

#### CLOSED MEETING

There was no closed meeting held at this time, therefore the meeting was adjourned.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

4-18-94

Ordinance No. 94-03 is on file in the City Secretary's office and is made a part of these minutes by reference.



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 486-6159

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MINUTES FOR THE SPECIAL CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: April 4, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

The meeting was convened and called to order by Mayor Mike Descant. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Darcy Mingoia; City Manager, Dale Brown; and City Secretary, Laverne Hale.

It was noted City Attorney Ken Wall was not in attendance.

CITIZEN'S COMMENTS

There were no comments at this time.

COUNCIL MEMBER'S REPORTS AND COMMENTS

Mayor Descant stated there had been an article in the Houston Chronicle This Week section that stated Jersey Village was having a Founder's Day celebration on April 11. He said this was printed in error and we are not having a Founder's Day celebration this year.

Councilman Bowden advised that he and Councilman Fenley have been looking at telephone systems and have one more they plan to look at.

It was noted there will be a meet the candidates night here at City Hall on Thursday night for the State Representative, District 135 race.

APPROVAL OF A RESOLUTION FOR A SPECIAL AMENDMENT TO THE CITY OF JERSEY VILLAGE DEFINED BENEFIT RETIREMENT PLAN

Dale Brown explained that Margaret Young, with Hand and Associates, had planned to be here for tonight's meeting and work session, however she has had to go to Indonesia for a month on business. We will plan another work session when she returns.

He explained further that last year Council had passed a Resolution concerning a special amendment to the City of Jersey Village Defined Benefit Retirement Plan.

The IRS has recently developed their model language for these Retirement Plan Resolutions and since the language in Hand and Associates is not exactly the same as the IRS, they have amended theirs to eliminate any confusion. The revised Resolution for this special amendment must again be approved by Council.

Mayor Descant said he had wanted to ask Margaret Young exactly what will happen if we changed our retirement plan from Hand and Associates to Texas Municipal Retirement System (TMRS).

Dale Brown advised we have two alternatives. We can stay the same as we are now and put nothing else into it, or change to Texas Municipal Retirement System (TMRS). The funds cannot go from Hand and Associates to TMRS. They must go into an IRA or something similar.

After a brief discussion Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to approve a Resolution for a special amendment to the City of Jersey Village Defined Benefit Retirement Plan.

APPROVAL OF AN ESCROW AGREEMENT BETWEEN THE CITY OF JERSEY VILLAGE AND AUBREY M. FARB, TRUSTEE, THE DEVELOPER OF "THE PARK AT JERSEY VILLAGE" SUBDIVISION

Dale Brown explained this is in reference to the subdivision on Village Green Drive, a garden home development.

The City's subdivision ordinance provides that the public improvements, consisting of water, sewer, streets and drainage facilities, must be constructed and approved by the City prior to the filing of the subdivision plat at the County Court House. However, our ordinance provides an alternative to this procedure if the developer provides "a deposit - either with the City Secretary or a responsible escrow agent or trust company, subject to the approval of the City Council, of money or negotiable bonds in the

same amount and of the kind approved by the provisions of law for securing deposits of public money in banks. If a cash deposit is made, the agreement may provide that progress payments may be made to the contractor or other developer out of the deposit as the work progresses".

Mr. Aubrey Farb, the developer, has made a request to provide an escrow agreement so that he may file the subdivision plat immediately.

Dale Brown said our City Attorney, Ken Wall, has worked with Mr. Farb's attorney on this agreement and Staff is asking for Council's approval in order for the developer to continue.

Councilman Pulido asked how the escrow amount was arrived at and Karen Rose, the Architect for the development, advised it was done here at the City and by contract and added, this is a firm number.

Councilman Bowden asked how long it will take to get the streets, etc. in, and Mr. Bonano, a representative for Mr. Farb, said it would take approximately two to three months.

Mr. Bonano added that when the utilities are in they can start selling lots.

Councilman Pulido then made a motion, seconded by Councilman Wilson and the vote was unanimous to approve an escrow agreement between the City of Jersey Village and Aubrey M. Farb, Trustee, the developer of "The Park at Jersey Village" subdivision.

#### ADJOURN OPEN MEETING

Councilwoman Mingoia made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the special meeting at 7:15 p.m. and go into a work session with Mr. David Fetzer of Moroney, Beissner & Company, the City's financial advisor, on refinancing current debt.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 4-18-94





16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

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MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: April 18, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

The meeting was convened and called to order by Mayor Mike Descant. Noted present were Council Members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Darcy Mingoia; City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary, Laverne Hale.

CITIZEN'S COMMENTS

Mr. Rick Faircloth, a resident, told Council he had been talking with another resident on Village Drive about traffic control in that area, specifically concerning the thirty mile an hour speed limit which makes it difficult for those residents to back out of their driveways since they cannot see oncoming traffic because of the curve in the street. He added there is a lot of construction in that area and at times the traffic is very heavy. He asked if there were plans to do a traffic study for this area.

Mayor Descant advised a resident had spoken to Council at a previous meeting about this and he then asked Dale Brown what had been decided.

Dale Brown said some preliminary analysis had been done, and according to the resident who had talked to Council before, he noted there was a sight problem while backing out of some of the town houses.

Mr. Brown added after looking into this, it could not be determined that there is a sight problem. It is very difficult to justify changing the speed limit from thirty to twenty-five on a street like this. In order to do a study to determine if there is a problem, you must have the traffic there that is creating the problem. We thought it would be best to monitor the situation and address it as the need arises.

Mr. Faircloth said the problem is caused by cars being parked on driveways and when others are trying to back out of their driveway, their view is blocked.

Mayor Descant said possibly some sort of warning signs could be installed rather than change the speed limit. He then thanked Mr. Faircloth for bringing this to Council's attention.

There were no further comments at this time.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

There were no reports at this time.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Pulido made a motion, seconded by Councilwoman Mingoa and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the March 21, 1994 regular meeting and the April 4, 1994 special meeting.
- B. Approval of the Harris County Appraisal District Supplemental Roll #15 for 1992 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$33,550 for an additional tax levy of \$244.92.
- C. Approval of the Harris County Appraisal District Supplemental Roll #7 for 1993 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$4,4439,400 for an additional tax levy of \$32,407.62.

#### REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

There were no reports at this time.

APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF CERTIFICATES OF OBLIGATION IN THE AMOUNT NOT TO EXCEED \$1,900,000 FOR THE PURPOSE OF PAYING CONTRACTUAL OBLIGATIONS TO BE INCURRED FOR THE ACQUISITION, CONSTRUCTION, FURNISHING AND EQUIPPING OF A POLICE SERVICES BUILDING; FOR THE REPAIR, REHABILITATION AND IMPROVEMENT OF WATER WELLS AND PLANTS NO. 1 AND NO. 2; FOR THE REPAIR, REHABILITATION, REPLACEMENT AND IMPROVEMENT OF SANITARY SEWER LINES IN THE SOUTHEAST QUADRANT OF THE CITY; FOR PROFESSIONAL SERVICES; AND AUTHORIZING OTHER MATTERS AND DOCUMENTS INCIDENTAL TO SUCH CERTIFICATES.

Dale Brown explained we were originally going to sell the certificates of obligation as a short term obligation to be refinanced through bonds that would also include paying off and refinancing older bonds we have with approximately \$600,000 left owed on them.

We were going to confirm these procedures tonight, however the financial advisors have informed us, the Federal Reserve Board met today and increased the interest rate, so at this point the refinancing of the \$600,000 is no longer feasible. Therefore, we are now back to just looking at a certificate of obligation to cover the existing capital improvements.

Mr. Brown added that since the financial advisors and bond counsel had geared everything to this short term obligation, instead of the long term, they now need additional time to rework the certificate of obligation and also go out for bid for the sale of the CO.

Pete Fisher, with Moroney, Beissner & Co., Inc., the City's financial advisors, advised Council that the market had fallen so that it is no longer feasible to go ahead with the refunding of the older bonds that had been discussed previously. What they now plan to do is go forth with the issuance of the certificates of obligation through a public sale. This will entail their preparing a prospectus and official notice of the sale, which they would like to conduct on June 1, 1994. If Council agrees, they would plan to hold a special council meeting on June 1 for the issuance of the CO's.

Mr. Fisher then passed out a schedule of events they propose will take place in this process. The first being to call a special meeting on May 2, 1994 for City Council to approve drafts of the official notice of sale and official statement to be used in connection with the public sale of the CO's. A day or two after that they will submit applications to Moody's Investors Service and Standard & Poor's Corporation for assignment of ratings and also submit documents to insurance companies for qualification of certificates of obligation for insurance. They then propose that on May 14 - 16 they will go to New York for rating conferences with

both Moody's and Standard & Poor's. On May 18 they propose to mail the printed official notice of sale and official statement to Municipal Bond Underwriting firms, and then receive bids and award the sale of the certificates of obligation at a City Council meeting on June 1. At this time we are approximately six weeks away from this point. He advised that Council table this item tonight and defer action until June 1, 1994, at which time City Council will adopt the ordinance to issue the certificates of obligation.

Mr. Fisher said they are disappointed that we are not able to reflect a savings on refinancing the outstanding bonds at this time. We should not put this out of our minds, because this could possibly be done at a later date, but at this time and in the best interest of the City, we should move forward to get the CO's sold.

Councilman Fenley asked if the rates come in too high on the bids, what our next option would be.

Mr. Fisher said if the rates are unacceptable, we have the right to reject any and all bids and rebid.

Mayor Descant asked about the length of time it will take to get the rating after applications for assignment of ratings are submitted on May 3, and asked if the total process could possibly be shortened.

Mr. Fisher advised there is the possibility of cutting out the rating conference trip to New York, which may shorten the process by a couple of weeks. He said it has been a long time since Jersey Village has been in the market place offering bonds for public sale, and a long time since the City's credit has been reviewed. He prefers making a personal presentation to the rating agencies, however after getting all the information, and if they do not feel the trip is necessary, it can be cancelled.

Councilman Bowden stated it seems we are now back to just getting started on this process, and it bothers him that back in February Council discussed their options and it does not seem that any progress has been made. He wonders why the prospectus has not already been prepared, since this would have been needed no matter which way we decided to go on this.

Mr. Fisher said there is a difference in the way the prospectus is prepared in regard to straight CO's or refunding the bonds. His firm has a draft prospectus now that could be used with a little cleaning up.

Councilman Bowden asked how many points the market has actually gone up in the last two months and Mr. Fisher said approximately 125 points, which is 1.25%.

Mayor Descant said this is basically the schedule we had originally planned for, we just did not know what the market would do.

Dale Brown said Council had discussed this originally in January, 1994, and noted that at that time they were given two options. One option was to move quickly and try to sell the CO's as soon as possible, or to wait until we actually needed the money and it was Council's decision at that time to wait until the police building was actually under construction. This more or less set the time for the CO process to begin around April 1, 1994.

Mayor Descant agreed and stated this time schedule would allow for the interest payments to be made in the next fiscal year.

Dale Brown explained we must get approval from the Texas Attorney General to delay action until June 1 since we had published notice that action would be taken at tonight's meeting.

Councilman Fenley then made a motion, seconded by Councilman Wilson and the vote was unanimous to postpone action on the Certificates of Obligation until June 1, 1994, at 7:00 p.m., at a City Council Special Meeting to be held in our Council Chambers.

#### APPROVAL OF AN ORDINANCE CONCERNING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES

Dale Brown explained Council had been provided with five (5) options, including drawings.

He noted further that Alternate 1 reads: "Such vehicles shall not be parked or stored in side yards on corner lots in the area between the street and the building setback line". He stated further that in the zoning ordinance, the side yard is defined as the area of the side of a lot between the building face and the property line.

Alternate 2 reads: "Such vehicles shall not be parked or stored in side yards on corner lots".

Alternate 2A reads: "Such vehicles shall not be parked or stored in side yards on corner lots except behind an opaque fence".

Alternate 3 reads: "Such vehicles shall not be parked or stored on unpaved surfaces or in side yards on corner lots except behind an



opaque fence". The only difference in 2A and 3 is that there must be a paved surface in #3.

Alternate 4 changes the time limit for parking these vehicles from the seven (7) day period to overnight and it relates everything to the front yard and the side yard.

Mayor Descant said we are adding the option of the fence that we do not have now, but noted there is not an option where the vehicle could be parked just behind the property line.

Dale Brown said any of the options that relate to the opaque fence could be considered at the property line.

Ken Wall added that none of the options allow them to be parked right at the property line without the opaque fence.

Mayor Descant said his idea was to stay behind the property line, and not have the requirement for a fence.

Ken Wall stated on a corner lot, the current ordinance allows them to be parked between the street right-of-way and the building set-back line on a paved surface.

Councilman Fenley stated he thinks all RV's parked at residences should be required to be properly licensed.

Mayor Descant drew a sketch to clarify what the ordinance means. There was some discussion concerning residents parking on sidewalks, and John Horton said his department advises those residents they are in violation and they move their vehicle, however they usually put it back in the same location.

Councilman Bowden stated he thinks Alternate 2A covers what we are trying to accomplish. He does not mind the vehicle showing if it is placed even with the garage or the set back line.

Resident Haden Lambert said he agrees with Councilman Bowden in that on the side of the corner lot, if the vehicle is parked beside their garage and if they do not have a solid fence, then it should be placed behind the building line. If they have a solid fence, then it could be brought up to the property line.

Mayor Descant and Ken Wall clarified an opaque fence as one that you cannot see through.

A resident then read the definition of "opaque" from the dictionary, and doesn't think this applies to what we are trying to do.

Mayor Descant then said it is the consensus of the Council that it cannot be totally invisible from the street.

Mayor Descant wanted to confirm that Council all agreed on the Alternate No. 2A option, and he wanted to clarify that since this alternate reads that such vehicle shall not be parked or stored in side yards on corner lots except behind an opaque fence, what happens if someone does not have a fence.

It was then noted the vehicle would have to be parked behind the building line if there is no fence.

Dale Brown noted that in the sketches Council received, drawing #2 would apply if there is no fence; and drawing #2A would apply if there is a fence.

Councilman Fenley asked again about requiring these vehicles to have a current license and Dale Brown advised without a license they would be considered an abandoned vehicle and this is covered in another section of the Code of Ordinances.

Ken Wall advised we are trying to address how these vehicles look and stated they would look the same, if they have a license or not.

A resident stated she thinks it would be advisable to state in this ordinance that the opaque fence should be a minimum of six (6) feet in height.

Mayor Descant agreed this is a good point.

Residents Ben and Bette Koudelka wanted to make certain Council is not going to change the ordinance where the RV's cannot be parked or stored overnight and Mayor Descant assured them this will not be changed.

Mr. Kasiske, a resident, asked if the residents who were in attendance at the previous public hearing will get a copy of the amended ordinance before it is approved and Mayor Descant advised Council will approve this tonight, however he thinks all of those resident's concerns have been addressed and this ordinance should be satisfactory to them.

Ken Wall said he understands Council wants the amendment to read the same as Alternate 2A with the exception of adding "not less than six (6) feet in height" after opaque fence.

Councilwoman Mingoia made a motion, seconded by Councilman Bowden to approve Ordinance No. 94-04, which is Alternate No. 2A, Section F. to read: "Recreational vehicles, including motor homes, mini-motor homes, travel trailers and campers, trucks and vans larger

than one ton, boats, and towed vehicles shall not be parked or stored in front yards, in zoning districts A and B, except for temporary periods of time not exceeding seven (7) consecutive days. Such vehicles shall not be parked or stored in side yards on corner lots except behind an opaque fence not less than six (6) feet in height. No sleeping quarters other than those within a permanent residential structure, hotel, or motel shall be used for longer than seven (7) consecutive days"; and the effective date for this ordinance to be June 1, 1994.

In discussion of the motion a resident, Rich Faircloth, asked if this means the vehicle must be parked on a paved surface and he was advised it does not.

Dale Brown explained the current requirement is that the exemption is, if it is on a paved surface it can be parked anywhere in the side yard and does not relate to a fence.

It was noted the paved surface is at the option of the homeowner.

Another resident, Jim Fields, asked if a penalty is included in this ordinance that would prohibit someone from jockeying the RV back and forth, and John Horton advised this is not included in any of the City's ordinances.

The vote on the motion was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING ADDITIONAL EQUIPMENT AT CLARK HENRY PARK AND THE MUNICIPAL POOL

Dale Brown explained the Parks and Landscaping Committee is still recommending their original location for the slide at the municipal pool. He added John Horton has looked into the removal of a portion of the canopy at the pool, that was discussed at last month's Council meeting, and has determined this can be done without too many problems if Council decides they would like the slide located in a different area.

Mr. Brown said this committee is also recommending the Tire-Rannasourus and a balance beam be added at Clark Henry Park and noted Council had received pictures and information about these in their packets for this meeting.

John Horton stated the minimum depth for a pool slide is 4'6", and he added a large portion of the canopy can be removed without structurally damaging the canopy.

Councilman Pulido said he is not sure anyone on Council really wants to remove a part of the canopy and Councilwoman Mingoia

agreed, stating there is such a small amount of shaded area at the pool and there would be the danger of kids trying to jump on the canopy.

Jim Fields, who is vice-chairman of the Parks and Landscaping Committee, demonstrated to Council where his committee proposes placing the slide. They would like to put the slide across from the canopy and move concrete tables for parents to sit near the slide area for supervision. He said they are concerned the children will try to jump to the canopy area if it is too close and their proposed location would be better for lifeguard supervision. For shade, umbrellas could be put on the tables.

Councilman Bowden said in reviewing the City's budget for the last five years, the average cost for maintaining the pool has been \$31,000 per year. We take in less than \$18,000 a year in revenues, which means it costs the taxpayers about \$13,000 per year just to operate the pool. We are now being asked to put in an item that costs about \$2,000. As more residents put in their own pools, the City's cost to maintain the municipal pool will increase each year. He thinks possibly we should just maintain what we have and not add anything to it and not invest any more money in a losing proposition.

Mayor Descant said the pool and the parks are mainly a service or benefit to the City especially for those residents who cannot afford their own pools.

Councilman Bowden said he agrees, however he does not think the addition of this slide will make a difference, it will be too far from the parents area and will cut out the swim lane.

Mr. Biggs, a resident, said after having managed a pool, you should never have more than two (2) feet of water where the slide is located because the small children would not be able to use it. He added that at the pool he managed, there were two slides that had to be removed due to damage suits. There is also extra costs for water to be on the slide at all times.

It was noted the manufacturer recommends the slide be placed where there is a minimum of four and one-half (4-1/2) feet of water.

John Horton noted a one-quarter inch line will be installed to supply water to the slide.

Mayor Descant said safety is our most important factor for the pool and the parks and he then took a poll of Council members and how they feel about the committee's recommendation.

Councilwoman Mingoia stated she likes the recommended placement of the slide; Councilman Fenley said he has never been to the pool, but thinks the slide is okay; Councilman Pulido agrees with the Committee's recommendation; Councilman Bowden is against and thinks it should be moved to the other side; and Councilman Wilson agreed with the recommendation.

Mayor Descant then said the overall consensus is that the recommendation of the Parks and Landscaping Committee is acceptable for the placement of the slide.

Mayor Descant then stated concerning the Tire-Rannasaurus, he has gone over to the park and looked at the area that is proposed for the placement and sees no problem with where they plan to put it. He noted the highest point would be approximately three and one-half (3-1/2) feet for this tire dragon.

John Horton advised the approximate length if this tire dragon is forty-five (45) feet and the width about twenty-five (25) feet. He noted there are several Eagle Scouts that are interested in doing this project.

Councilwoman Mingoia said she understands the concrete slab in the area of the proposed tire dragon is to be removed, but wanted to know when it will be done.

John Horton advised this will be done as soon as possible.

Councilwoman Mingoia then said she likes both the balance beam and the Tire-Rannasaurus.

Mayor Descant asked why this slab is to be removed and John Horton said the main reason is that it sticks up out of the ground.

Mayor Descant said he does not like the balance beam because he does not think it will keep the children's interest and is concerned about the pinch points.

John Horton advised the ends of the beam are canvass wrapped, and that also provides the hinging. The play value of this beam is being able to sit on it and rock back and forth. It would be difficult to walk on it due to the hinging and going up and down when weight is put on it.

Councilman Wilson said he is in agreement with the Committee's recommendation; Council members Fenley, Mingoia and Bowden all like the proposal and Councilman Pulido said he is agreeable, either way.



The consensus is to approve both the Tire-Rannasaurus and the Balance Beam.

LEASE/PURCHASE OF A TELEPHONE SYSTEM

This item was tabled.

RECOMMENDATIONS FOR REPAIRS TO WATER WELL NO. 1

Dale Brown explained that Water Well No. 1 has been pulled and reviewed, and he, John Horton and Rusty Clark with Walter P. Moore met with Weisinger Water Wells, Inc. on March 29, 1994 to examine the materials removed from the well.

A second visit was made by John Horton, Rusty Clark and Edwin Frederichs of Walter P. Moore and Associates; Gary McMurrey of G-M Services and Scott Weisinger of Weisinger Water Wells, to examine the well materials again and make a recommendation.

After the review, Walter P. Moore and Associates has made their recommendation with the total cost of the recommended repairs being \$75,685.00. This includes re-lining the well, replacing the column pipe, replacing the line shafts and replacing some of the line shaft bearings and tubes. Since the original base bid amount was \$72,800.00, the amount of \$75,685.00 represents an increase of \$2885.00 over the base bid.

Councilman Fenley asked why we are recommending 165 feet of 8" screen rather than what was there previously.

Edwin Frederichs stated when the well was worked on before, a lot more was put in at that time. Last year and this year when the well was pulled out it was noted that all the lower screen is clogged up. If these were cleaned out, they still would not produce, so there is no reason to put screen in that area when we can still get our proposed production rate with the 165' of screen.

Councilman Fenley then asked if the production would be lower and John Horton said they will be able to get the production rate back up to the original 1500 gallons per minute. This can be done since a new well motor will be installed.

Mayor Descant asked how long the column pipe is and Councilman Bowden asked how deep the original well was. John Horton advised the column pipe is 500 feet long and the original depth was 1310 feet.

A resident asked how long it will be before the City will be required to go on surface water and John Horton said we should be 100% on surface water by the year 2010, at a cost of approximately 2 billion dollars.

Mayor Descant then asked about the progress of the work on Well No. 2 and John Horton advised since Well No. 2 is in pretty good shape they do not plan to start any work on it until Well No. 1 is up and running.

After further discussion Councilwoman Mingoia made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the recommendations for the repairs to Water Well No. 1 at an increased amount of \$2885.00 for a total price of \$75,685.00.

#### MONTHLY FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown explained there were none at this time.

#### CITY MANAGER'S REPORT

Dale Brown reported that concerning the signage on the Beltway that the Mayor has discussed several times, Staff has been working with the highway department and they are supposed to begin installing new signs this week and revising some of the other signage in hopes of re-directing the traffic so they are aware they must turn instead of coming into the village.

Secondly, he reported that John Horton has done a preliminary analysis of the drainage at Clark Henry Park, and if Council wants to continue with putting in the underground drainage structure, it will take about ten (10) area drains, raising of the existing inlets, plus some additional topsoil, at an estimated cost of \$7500 to \$8000. If Council wants to proceed with this plan, Staff will provide a more formal plan.

Councilman Fenley asked if the work will be done by our people and John Horton said yes.

Mayor Descant said he thought Council had agreed to do this previously, but Mr. Brown explained no specifics were given as to costs, etc.

Mayor and Council agreed this should be done for safety reasons.

Mayor Descant then added that where the new Jack-In-The-Box had added their landscaping at their entrance on Senate, it does not

meet our landscaping. Will they correct this or will we need to fix it.

John Horton said he will take a look to see what needs to be done.

Mayor Descant said he would also like to get our schedule on our esplanade landscaping and John Horton advised this is the time of year for planting and he has gotten prices of some plants and has ordered. Some plants were received today and his crews are in the process of planting.

Dale Brown then reported that Early Voting started today for the May 7, 1994 City Election.

Councilman Fenley said he wanted to add that on the item that was tabled regarding the telephone system, he and Councilman Bowden have looked at several systems and are continuing to look at others. Mayor Descant asked if they were including Staff in their review and Councilman Fenley said not at this time. They will continue their review and then discuss with Staff and should have something ready in the near future.

#### ADJOURN OPEN MEETING

There being no further business Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the open meeting at 8:35 p.m. and go into a closed meeting.


#### CLOSED MEETING

The closed meeting was convened at 8:45 p.m.

#### ADJOURN CLOSED MEETING

The closed meeting was adjourned at 9:00 p.m.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

6-1-94

Ordinance No. 94-04 is on file in the City Secretary's office and is made a part of these minutes by reference.



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HOUSTON, TEXAS 77040-1999  
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MINUTES FOR THE SPECIAL CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

DATE: May 2, 1994  
TIME: 7:00 P.M.  
PLACE: Fire Station, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

The meeting was convened and called to order by Mayor Mike Descant. Noted present were Council Members Joe Pulido, Charlie Wilson, Calvin Fenley and Darcy Mingoia; City Manager, Dale Brown; and City Secretary, Laverne Hale.

It was noted Council Member Bruce Bowden and City Attorney Ken Wall were not in attendance.

CITIZEN'S COMMENTS

There were no comments at this time.

COUNCIL MEMBER'S REPORTS AND COMMENTS

There were no reports at this time.

CONSIDERATION AND APPROVAL OF DRAFTS OF OFFICIAL NOTICE OF SALE AND OFFICIAL STATEMENT TO BE USED IN CONNECTION WITH THE SALE OF THE CITY'S \$1,900,000.00 CERTIFICATE OF OBLIGATION, SERIES 1994

Dale Brown turned the discussion over to Mr. Pete Fisher, with Moroney, Beissner and Company, Inc., the financial advisors for the City, who stated that Council had received draft documents in their packets. He said he would like to review some of the highlights of these documents.

He advised there are actually three documents. One is the Official Notice of Sale, which basically sets out the terms and conditions under which the City will take bids on the Certificates of

Obligation, the second is the Official Bid Form, that will be submitted by the bidders. When this bid form is accepted and signed by the City, then it will constitute the contract of the purchase of the certificates. The third document is the Official Statement or Prospectus, which lays out all the conditions, describes the City and it's current financials, and a general information profile of the City.

He then gave a description of the Certificates of Obligation, the maturity schedule, authorization and security and use of the proceeds, with the largest being the police building.

He then said the bids can be brought in or mailed or called in to Moroney, Beissner & Co.

Council will accept the lowest bid or if they choose, they can reject all bids and re-bid.

He added Council will receive and award bids for the sale on June 1, 1994 at 7:00 p.m.

The certificates will be delivered on July 1, 1994 if possible, or no later than July 15, 1994.

Mr. Fisher then said that Jersey Village shows very good numbers from tax collections, at 98%-99%.

He added that in the profile of the City they will include pictures of some of the residential, commercial, shopping center, golf course and the new subdivision being developed.

Mr. Fisher said rating conferences are scheduled for May 16, 1994 in New York City with Moody's and S&P's, and he, Mayor Descant and Dale Brown will be attending, therefore the regular scheduled City Council meeting for May 16 will need to be rescheduled.

Dale Brown stated Council is having two special meetings in May and another is scheduled for June 1, 1994, therefore the May 16 meeting could be cancelled if Council wishes.

After further discussion Councilman Wilson made a motion, seconded by Councilwoman Mingoa and the vote was unanimous to approve the drafts of Official Notice of Sale and Official Statement to be used in connection with the sale of the City's \$1,900,000.00 Certificate of Obligation, Series 1994.

#### ADJOURN

With all business completed, Councilman Fenley made a motion,



seconded by Councilman Pulido and the vote was unanimous to adjourn the meeting at 7:40 p.m.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 6-1-94



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MINUTES FOR THE SPECIAL CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: May 9, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Mike Descant convened the meeting at 7:00 p.m. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson and Darcy Mingoia; City Manager Dale Brown; and City Secretary, Laverne Hale.

It was noted Council member Calvin Fenley and City Attorney Ken Wall were not in attendance.

APPROVAL OF AN ORDINANCE CANVASSING THE RETURNS AND DECLARE THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 7, 1994

Councilwoman Mingoia made a motion, seconded by Bruce Bowden and the vote was unanimous to approve Ordinance No. 94-05 canvassing the returns and declaring the results of the general election held on May 7, 1994, for the purpose of electing three (3) City Council members.

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED CITY COUNCIL MEMBERS, PLACES NO. 1, 4 AND 5

Mayor Descant then administered the Oath of Office to Councilman Joe Pulido, re-elected to Place No. 1 and to Councilwoman Joyce Berube, newly elected to Place No. 5.

Councilman Fenley, who was re-elected to Place No. 4 was not in attendance and will be given the Oath of Office at the next meeting.

ELECT A MAYOR PRO TEM

Motion was duly made by Councilwoman Berube, seconded by Councilman Bowden and the vote was unanimous to elect Bruce Bowden as the Mayor Pro Tem.

CITIZEN'S COMMENTS

Resident Louise Descant said she would personally like to thank outgoing Councilwoman Mingoia for all her time and a job well done.

COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilman Bowden asked Chief Lindsey if Council could get a report from the Police Department on all calls made outside the City similar to the report the Fire Department gives Council.

Councilman Wilson said he would like to congratulate Joyce Berube and Haden Lambert on a very good and positive election.

He added that Fire Chief Kathy Hutchens is in school in order to gain more knowledge to help the City and would like to have her excused from Council meetings and some upcoming budget hearings. He then also wanted to thank Councilwoman Mingoia for her service to the City.

Mayor Descant agreed and also congratulated both candidates in the election for a good campaign.

APPROVAL OF THE RESUBMITTAL OF THE FINAL PLAT FOR WYNDHAM VILLAGE

Dale Brown explained the only change on this plat, from the last time it was approved by Planning and Zoning and City Council, is to combine some of the lots and he then explained the City's platting procedures to newly elected Councilwoman Berube.

Councilwoman Berube asked where this development is located and who the developer is.

Councilman Bowden added he has no problem with these changes being done now instead of later.

Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the resubmittal of the final plat for Wyndham Village.

CITY MANAGER'S REPORT

Dale Brown said he has nothing to report at this time.

Mayor Descant asked about the agenda for the June 1, 1994 special meeting and said he would like to include a work session at that time to discuss goals and objectives for City Council.

ADJOURN

Councilwoman Berube made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the meeting at 7:20 p.m.

Mayor Descant presented a small gift to Councilwoman Mingoia and a reception was then held in her honor.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 6-1-94

Ordinance No. 94-05 is on file in the City Secretary's office and is made a part of these minutes by reference.



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MINUTES FOR THE SPECIAL CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: June 1, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:00 p.m. by Mayor Mike Descant, followed by the invocation and the pledge of allegiance. Noted present were Council members Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; and City Secretary, Laverne Hale.

It was noted Council member Joe Pulido and City Attorney Ken Wall were not in attendance.

CITIZEN'S COMMENTS

Mr. Bob Biggs, of 16540 Village Drive, commented that he has appeared before Council several times requesting that the speed limit on Village Drive be reduced. He noted there had previously been some discussion concerning doing a traffic study or survey in his area and asked if this has been done. He stated the problem is backing out of the driveways of the townhomes on Village Drive and not being able to see traffic coming around a curve in the street.

He added he would now like to ask that the speed limit be reduced to 15 mph.

Mayor Descant said he was not sure a survey was to be done, however he said Staff has looked into the problem. A survey would not accomplish very much and would not be binding if there is a need for a speed limit change. He added it would be better to put an item on a future agenda to see if Council is interested in changing the speed limit. Mayor Descant noted we have this same problem in other areas of the City.



Mr. Biggs said he would recommend that if a survey is done, cars should be parked in the driveways of the townhomes, since this makes it even more difficult and dangerous to back out.

Mayor Descant said again if Council wishes to discuss this issue, an item can be placed on another agenda.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

There were none at this time.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the following items on the Consent Agenda.

- A. Approval of the minutes of the April 18, 1994 regular meeting and the May 2, 1994 and May 9, 1994 special meetings.
- B. Approval of the Harris County Appraisal District Supplemental Roll #19 for 1991 as an amendment to the Tax Roll with a tax rate of \$ .7185/\$100 valuation and a total taxable value of \$13,000 for an additional tax levy of \$93.41.
- C. Approval of the Harris County Appraisal District Supplemental Roll #16 for 1992 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$437,110 for an additional tax levy of \$3190.90.
- D. Approval of the Harris County Appraisal District Supplemental Rolls #8 and #9 for 1993 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$654,710 for an additional tax levy of \$4779.39.

- E. Approval of a refund of 1993 advalorem taxes to Texas American Title Company for tax account No.1074470000013 in the amount of \$1204.50.
- F. Approval of the appointment of Carol Tomko to the Parks and Landscaping Committee.

DISCUSSION WITH POSSIBLE ACTION TO APPROVE AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF JERSEY VILLAGE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1994"

Mr. Pete Fisher, with Moroney, Beissner and Company, Inc., the City's Financial Advisors introduced Mr. Richard Huff, with Fulbright and Jaworski, the City's Bond Counsel who has prepared this ordinance for Council's consideration tonight.

Mr. Fisher then stated they have received eleven (11) bids, which will be opened at this time and read to Council and then make their recommendation as to the lowest bidder.

Mr. Moss Fetzner, also with Moroney, Beissner and Company, Inc., will open the bids and read them to Council. He added he has given each Council member a bid tabulation sheet.

At this time Mayor Descant recognized Councilwoman Berube, who stated she would like to present an affidavit to the City Secretary, stating that she will refrain from voting on this issue.

Mr. Fetzner advised that all the interest rates have been checked out through their computer system and they all checked out to be mathematically correct. He then opened and read all bids that were received.

After the bids were all read Mr. Fisher stated the low bidder was Morgan Keegan and Company. He added this bid is uninsured, it is a very good bid and he would like to recommend that Council award the bid to Morgan Keegan and Company, with a Gross Interest Cost of \$956,381.25; they have no Premium Cost, therefore the Net Interest Cost if \$956,381.25; with an effective interest rate of 5.5603561%.

Mr. Huff then explained the contents of the ordinance as being a standard ordinance that would authorize the issuance of Certificates of Obligation. In order to sell the certificates for cash we must levy a tax and pledge net revenues. The net revenues are going to be any revenues from the water and sewer system that do not exceed \$10,000.00, and are left after paying all the operating expenses. The ordinance otherwise sets out the terms of the certificate, which will be printed and delivered to the certificate holders. It authorizes that the official notice of

sale portion is completed with the information and the final interest rates and then distributed to the purchasers of the bonds and it also authorizes the execution of the Paying Agent/Registrar agreement with the Texas Commerce Bank as the paying agent.

Mr. Huff added this is the same ordinance form that has been used before by the City and also has been approved by the Attorney General and he recommends it be approved.

Mayor Descant asked if these rates were in line since interest rates have gone up recently and Mr. Fisher advised these are all very good bids and are lower than some that were received by several other cities in the last couple of weeks.

After further discussion Councilman Wilson made a motion, seconded by Councilman Fenley and the vote was unanimous to approve Ordinance No. 94-06 authorizing the issuance of "City of Jersey Village, Texas, Combination Tax and Revenue Certificates of Obligation, Series 1994"; levying an ad valorem tax upon all taxable property within the City and pledging the Net Revenues (hereinafter in this Ordinance defined) for the payment of the principal of and interest on said Certificates and specifying the terms and features of such Certificates and resolving other matters incident and related to the issuance, sale, security, payment and delivery of said Certificates, including the approval and distribution of an Official Statement, authorizing the execution of a Paying Agent/Registrar Agreement.

#### ACCEPTANCE OF THE SANITARY SEWER POINT REPAIR AND REPLACEMENT PROJECT

John Horton, the Director of Public Works, explained this is the completion of the second and final phase of the Sanitary Sewer Point Repair and Replacement Project by BRH-Garver, Inc.

The final inspection was done on April 22, 1994 and subsequent punchlist items have been corrected.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to accept the sanitary sewer point repair and replacement project.

#### ACCEPTANCE OF THE REPAINTING PROJECT FOR THE VILLAGE DRIVE ELEVATED STORAGE TANK

John Horton stated that Diversified Coatings, Inc. had received the bid for the repainting of the elevated storage tank on Village Drive. This project was completed on May 13, 1994.

Mr. Horton added Diversified Coatings had done a very good job and the City's Consulting Engineer is also recommending acceptance of the project.

Councilman Bowden asked how long the paint should last and John Horton said he thinks at least seven years.

Councilman Bowden then made a motion, seconded by Councilwoman Berube and the vote was unanimous to accept the repainting project for the Village Drive Elevated Storage Tank.

#### APPROVE AN AUDIT AGREEMENT BY PHONE BILLING EXAMINERS

Dale Brown explained this item is only to get Council's direction if they would like to pursue this type audit.

He stated this company audits telephone bills and charge a percentage of the amount they find in errors, if any.

Councilman Fenley asked if this is something that would be better to have done after a new telephone system is installed.

Mr. Brown stated this company may possibly point out some ways to cut costs on a new system.

Councilman Bowden asked if they would be able to determine if there are too many telephone jacks.

Dale Brown advised this company has the capability to go back five years in their audit and Mayor Descant said if there is no cost involved, then why not pursue.

Councilman Bowden made a motion, seconded by Councilman Fenley and the vote was unanimous to approve an Audit Agreement by Phone Billing Examiners (PBX).

#### CITY MANAGER'S REPORT

Dale Brown advised he has been in court for the last two weeks and has nothing to report. He then said he would like to request a short closed meeting session following this meeting.

#### ADJOURN

With all business completed, motion was duly made, seconded and the vote was unanimous to adjourn the open meeting at 7:45 p.m.

WORKSESSION

A worksession was then held to discuss goals and objectives for the 1994 - 95 year.

The worksession was then adjourned at 9:15 p.m. to go into a closed meeting.

CLOSED MEETING

The closed meeting was convened at 9:20 p.m.

ADJOURNED CLOSED MEETING

The closed meeting was adjourned at 10:00 p.m.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

6-20-94

Ordinance No. 94-06 is on file in the City Secretary's office and is made a part of these minutes by reference.





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(713) 466-6159

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MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: June 20, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:00 p.m. by Mayor Mike Descant, followed by the invocation and pledge of allegiance. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary, Laverne Hale.

INTRODUCTION OF VINCE RYAN, CANDIDATE FOR COUNTY JUDGE

Mr. Ryan was not in attendance.

CITIZEN'S COMMENTS

Mr. Bob Hartsough, a resident on Village Drive, said he would like to discuss the installation of the wrought iron fence at the end of Rio Grande, as to who authorized it, who paid for it and who installed it. He said the fence has prohibited foot and bicycle traffic from going through.

Mayor Descant and Councilman Fenley both advised the City had not put up the fence.

John Horton, the Director of Public Works, stated the fence existed when the Construction Company began their work. They took it down in order to provide access to the site. When their work was completed, they replaced the fence in it's original position.

Bob Hartsough said the fence is on the public right-of-way.

Dale Brown said this is an extension of the fence that extends all along the one side and connects with a wood fence. The contractor removed the fence in order to come into the site from the Winchester Country side on Rio Grande. He has now finished and put the fence back in place.

Mayor Descant said he does not believe you can put a fence up if you do not own the property. He then asked if the County or the City shouldn't be responsible for barricading the end of that street and Ken Wall said yes, if it needs to be barricaded. A private person cannot fence a public right-of-way.

Mayor Descant stated then we should have the fence removed and put up a barricade.

Dale Brown advised this right-of-way was not dedicated to the City, but was dedicated as a public right-of-way.

Ken Wall stated if it is in the City limits, Jersey Village would have jurisdiction over it.

Mayor Descant asked what is required by law and Ken Wall advised nothing is required, however you do have an obligation to give adequate notice of any hazard which may exist at a dead end street, and a barricade would do that.

John Horton said the barricade would be placed in accordance with the traffic flow and placed at the end where it enters the subdivision, and the area we are discussing is approximately six hundred (600) feet north of the end of the pavement that is in Jersey Village. Another barricade would need to be placed on the other side coming from Winchester Country, at the end of the pavement.

Councilman Fenley said we need to do whatever it takes to prevent vehicle traffic from ever going through.

Mayor Descant said he thinks this is the best thing to do, because he could foresee someone trying to take a shortcut through with their vehicle.

He added we need to put up a barricade where our City limits stop, then contact Harris County concerning the Winchester side.

John Horton then said bollards, which are creosoted posts, 6"- 8" in diameter, could be put in close enough together where a vehicle could not get through, but pedestrians and bicycles could.

Dale Brown verified that we want bicycles and foot traffic to be able to get through, but not vehicles. He added the City has discussed putting in landscaping and making this an open space area.

John Horton stated he has contacted everyone he could to determine whose fence this is, and thinks possibly it is the Homeowner's Association fence. He added it is not in our City limits.

It was agreed that Staff contact Harris County Precinct 4 concerning the fence and the placing of barricades or bollards.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilman Fenley said he had asked several months ago about going out for bids for a leak survey and wanted to know what has happened on this.

Dale Brown said John Horton has contacted the company and they are charging \$450.00 per day, with an estimated total amount of work for approximately \$3,500.00. We currently have this amount budgeted, so he asked Mr. Horton to have them prepare a work description and an agreement, which we just received this morning.

Mr. Brown then said he has asked Mr. Horton to proceed with the paper work and authorize them to go ahead with the work based on a payment of \$450.00 per day for whatever number of days required.

John Horton advised the company is Heath Consultants.

Councilman Fenley then said the second thing he would like to discuss is the stop light at Jones Road and U.S.290. He said he has heard from several residents about the problem of turning onto Village Green Drive into Jersey Village when going south on Jones Road.

He said he thought it would be a good idea for the City to talk with the State and ask that they install a "no right turn on red" sign going westbound at U.S.290 and Jones Road. This would help those residents turning left off of Jones Road into the Village.

Dale Brown said we can contact the Texas Department of Transportation concerning this. He added that they most likely would require their personnel to come out, do a study and give a report of the impact of a change. They will then determine from their report, or a warrant, whether or not a change could be made and then they make their recommendations. If they determine a

change can be made, they then provide all the details, including a sample ordinance that would have to be adopted.

Mr. Brown said this is the way they handle the installation of street lights, etc., however they may not be quite so extensive for something like this.

Bob Hartsough said he agrees this is a terrible corner and something should be done about the problem, but the highway department has turned the City down twice in the past on this.

Councilwoman Berube asked if a stop light could be proposed on Jones Road at Village Green Drive. It was noted this would be the County's jurisdiction, and would be too close to the lights at U.S.290.

Dale Brown advised a traffic light would cost approximately \$50,000.00.

Councilman Pulido reported there is some concern that this past Saturday morning there were a number of thefts on Acapulco. He said he understands this is the second time this has happened recently. He wants everyone to be aware of the situation and we need to work towards keeping this at a low level.

Police Sergeant Mike Kelly advised Council the police department is working on this and they have three local residents under suspicion, but lack enough evidence. The three are two thirteen year olds and one fourteen year old.

Bob Hartsough then said the shopping center has been broken into six times in the last fourteen months.

Mayor Descant said he, Dale Brown and Bob Hartsough have been discussing a plan of action on this.

Mayor Descant also said the City has been working with Bob Hartsough and will be using the vacant land at Senate and U.S.290 for the City's Men's Softball League.

Resident Haden Lambert, who owns the car wash in Jersey Village said his business had also been hit with burglaries and it always happens at night between 10:00 p.m. and 5:00 a.m.

Councilman Bowden said he has noticed the golf course has put up some no trespassing signs along the drainage ditch. He thought this was Harris County's easement, and wondered if the golf course had the legal right to prevent joggers from running along the drainage ditch easement.

John Horton said Harris County does have an easement along the ditch.

Dale Brown said and Ken Wall agreed, if it is specified this is a public right-of-way, they have a right to close it.

Mr. Brown said he thinks it probably belongs to the golf course, with a drainage easement that the Flood Control District has acquired.

A lady in attendance told Council she is employed by the Golf Course and said her manager had the signs installed and said it was their property with an easement. The reason the signs were put up is for the safety of the people. If someone gets hit with a golf ball, it will be the responsibility of the golf course.

Mayor Descant asked Staff to check into this so this can be resolved.

Councilman Bowden then said the Youth Soccer group would like to move the position of the soccer goals, so the ditch does not interfere with play.

John Horton and Mayor Descant both advised the ditch had been filled and should not be a problem.

Dale Brown suggested we work with the soccer group to determine the best place for the goals. This way City employees and everyone involved will know where they are to be located.

Mayor Descant asked Councilman Bowden to have the soccer group contact John Horton to work out an agreement as to where they would like the goals.

Councilman Wilson reported he felt there is a problem with traffic westbound on the U.S.290 feeder road. He noted at times there are several large trucks are parked in front of the Jack-In-The-Box, which makes it very difficult for traffic going around them and also traffic exiting the freeway. He asked what the City's policy concerning parking is.

Dale Brown said the City would have to adopt an ordinance, but it must first be approved by the State.

Councilman Wilson then said another problem is when people exit the freeway they go completely across the three lanes of the feeder to turn right on Hillcrest Street. He suggested making Hillcrest a one-way street coming out to keep people from turning onto that street from the U.S.290 feeder road.



Sergeant Kelly said unless the State Highway Department approves the City adopting a no parking ordinance, our police department cannot enforce no parking along the feeder road.

Councilwoman Berube then said she would like to acknowledge Councilman Fenley for his assistance in arranging for the Pinkerton's, residents on the corner of Senate Avenue and Juneau, to get drainage pipes put in beside their driveway on Senate.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the following items on the Consent Agenda.

- A. Approval of the minutes of the June 1, 1994 special meeting.
- B. Approval of a Resolution authorizing designated individuals to request special exempt license plates for police vehicles from the State of Texas.

#### REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

There were none at this time.

Councilman Bowden then made a motion, seconded by Councilman Wilson and the vote was unanimous to move Item 16 to precede Item 8 on the agenda.

At this time Mayor Descant recognized Scout Troop #273, who were in attendance at tonight's meeting.

#### CITY MANAGER'S REPORT

Dale Brown advised Council a notice has been received from the Harris County Right-Of-Way Department regarding an area in our Extraterritorial Jurisdiction that a right-of-way, that was platted many years ago off of Charles Street, has never had a road built on

it. The two adjacent property owners have gone to Harris County and requested that it be abandoned. Under the rules of abandonment, the adjacent property owners receive the abandoned land.

Mr. Brown stated Staff has no problem with this and asked Council if they could see any problems. They did not.

Mr. Brown then gave an update on the Police Services Building and showed Council the color choices that have been selected for inside the building. They have chosen different shades of gray.

Mr. Brown displayed the type of roof, which has a twenty-five year guarantee, and the brick to be used is a fired brick that is similar to the brick on City Hall.

Mayor Descant asked about problems the contractor has been experiencing in running into pieces of concrete while drilling for the piers.

John Horton stated that pieces of concrete and other debris have been run into at about twelve of the piers, which were removed, however now they have run into a larger piece at about ten feet deep. There is no way of knowing what this is, so he will meet with Henry Hermis and the contractor this Wednesday morning to come up with a resolution as to what should be done.

Mr. Horton said they have no way of knowing that this is indeed concrete. It could possibly be a very hard clay surface.

Mr. Brown then reported on a proposed one-half cent increase in Sales Tax. He said he would like Council to consider what they would like to do.

He added the State allows Cities to adopt an additional one-half cent sales tax, which is then used to directly reduce the property tax, and can be used only for that purpose.

Based upon our current income from Sales Tax, which is about \$300,000 per year on the one-cent sales, we could estimate approximately an additional \$150,000 a year if sales remained the same. This would then lower the property tax approximately \$150,000 and would result in a reduction of about six-cents on property taxes, (each one-cent providing about \$25,000).

If the City is interested in pursuing this, it would have to be put before the voters and have it approved.

City Attorney, Ken Wall, stated there would be no advantage of having this voted on before the regular City election in May, 1995, because the tax could not go into effect until the first October 1, following the expiration of the first full calendar quarter after the election and you notify the comptroller that the proposition passed in an election. Therefore October 1, 1995 is the first date the tax could go into effect.

Dale Brown said this could be included on the ballot for the May election, simply as a "yes" or "no" vote.

Mr. Brown added there is also a provision for the City to charge another one-half cent tax for economic development.

Ken Wall said in order to do this, you must have an Industrial Development Corporation that would issue Industrial Development Bonds, approved by the State, to finance private facilities that would produce additional jobs. He is not sure this is something that would Benefit Jersey Village, but it is available for Cities to do.

Mayor Descant said he has discussed this with the Mayor of Oakridge North and they are apparently doing this and rehabilitating their infrastructure for water and sewer, and possibly this is being done in conjunction with a private developer.

Ken Wall said generally this additional tax must benefit economic development.

Mr. Wall told Council again it would be of no advantage to hold a special election on this, since the tax could not go into effect until October 1, 1995 anyway. He added this provision is designed to assure that the revenues go to property tax reduction. All of your taxes levied about October 1, and the truth and taxation disclosure, if you adopt this tax, the revenues produced by the tax will have to show as a revenue. If for example, you could adopt this in August to go into effect in January, then you would have all of 1995 revenues without an offsetting reduction in the already levied property tax.

Councilwoman Berube asked if there is a minimum size if you had an Industrial Development Corporation, and Ken Wall advised it would generally need to be large enough to justify the cost of a tax exempt financing. There is a significant amount of cost involved, so the money borrowed would have to be enough to justify that cost.

Dale Brown stated the entity that would be created, would be a legal entity created by the City, and it would then look for

private companies to locate in the City and bring in a certain number of employees.

Ken Wall said most do not actually operate in this way. They wait for a user to come in, who wishes to use that mechanism to borrow money.

Bob Hartsough asked if those monies designated for economic development could be used for the extension of utilities, and Ken Wall said he did not think so unless it is tied to a specific project and will have to involve tax exempt financing as well.

Bob Hartsough then said if we have someone who wants to come into an area where we do not have utilities, could this all be tied together as a package deal and Ken Wall said yes this could be done.

Dale Brown then said if City Council agrees, he and the City Attorney will put together more information and pursue in order to put this on the ballot in May, 1995.

Ken Wall stated you must call for your May election in February and this could be included.

Mayor Descant and Council all agreed and feel that in the meantime we should start getting the word out and explaining everything to the residents.

Haden Lambert asked how this would affect property taxes and Dale Brown explained this would be a direct offset. Whatever is acquired from the one-half cent sales tax increase has to be applied toward reducing property tax, and at our current values, would result in about a six cent reduction.

The next item on Mr. Brown's report is the Houston Lighting and Power Rate Case. He said the City of Houston is considering going to the Texas Public Utilities Commission in protest of HL&P's rate increase. It is not certain what they plan to do as yet. During the past couple of months Jersey Village has received letters from HL&P, the City of Houston and a group or Coalition of Cities, headed by the City of Friendswood. The coalition also includes Pasadena, Oakridge North, Deer Park and Wharton.

This group has asked Jersey Village to join them in a possible protest of HL&P's rates. He thinks the only committment would be for the filing of a Section 42.

Houston has written us a letter informing us of their intent, and are not asking Jersey Village to join them at this point, but possibly will ask at a later date.

Mr. Brown added we have also received letters from HL&P that say Houston is involved and if there is some sort of order relating to the rates, that they will make them apply to everyone.

He said he will continue monitoring and meet with Houston and the other Coalition of Cities when invited and continue to gather information and possibly at a later date come back to Council with a recommendation to join one of the two groups or possibly do nothing.

Mayor Descant said he would like for Mayor and Council to get copies of all the information and noted that Mr. Phil Boudreau, with Houston Lighting and Power is in attendance at tonight's meeting.

Mr. Boudreau explained that HL&P always files a rate case when they want to increase rates. This instance is unique in that HL&P has been asked by the Public Utilities Commission (PUC) to file the rate case, with the possibility of reducing their rates. He added that HL&P is already in a position and are required to file a rate case by July 13, without any action by Houston or any other coalition. He believes Houston has formed a coalition with the intention of intervening and taking an active roll in that case, but he is not sure another coalition has been formed. He said HL&P's position at this time is that the cities with original jurisdiction do not need to take any action. HL&P must file the rate case, which will then be reviewed by the PUC. He said HL&P has sent out two letters, one of which explains that without any action by the City, HL&P will extend to the City the benefits of any rate reduction as determined by the PUC.

Mr. Boudreau then added the second letter was concerning timing. HL&P has determined that what one City gets, everyone will get.

Bob Hartsough stated that in the past the City of Houston has more or less controlled these situations. Jersey Village has previously done resolutions, supporting one issue or another, but have not ever gone out on their own specifically for or against the issue.

Mayor Descant said he feels we should look after our interests by joining a Coalition of Cities, but thinks consulting fees and attorney's fees will be incurred, and possibly we could end up doing what the City of Houston is doing anyway.



Dale Brown said that by filing the Section 42, there are provisions in the law that requires some of the consulting costs, etc. to be paid by HL&P.

Ken Wall said he thinks that any action tonight would be premature.

Mayor Descant again said he would like for Council members to get copies of all the information and discuss this again at a later date.

Dale Brown then reported that Council had discussed previously the possibility of totally revising our Impact Fee Ordinance. It currently only covers capacity and sewer treatment plant. He said he, John Horton, and Ken Wall had met and discussed and the City Attorney has worked up a time table for us. At next month's Council meeting we will ask Council to direct Staff to begin work, which will take until about January, 1995, at which time a revised ordinance could be adopted.

We have asked a consultant to work up a proposal and at the same time John Horton is working up a proposal, to compare and determine which one of us could do this within the time schedule.

We will bring more information to Council next month.

#### LEASE/PURCHASE OF A TELEPHONE SYSTEM

Dale Brown gave an update that Councilmen Bowden and Fenley had researched telephone systems and recommended the Panasonic System. Basically what we intend to do is go under the bidding procedures that are outlined in the State Statutes relating to high technology procurement. This requires that we go through the public notice procedure and that we formally solicit proposals for the high technology item. It does not require, as in a regular bid, that we be very specific in itemizing the equipment. The proposal format allows individual companies to bring in what they believe is the best system for us, built around our general guidelines. The criteria specifically requires that within that proposal we state what review criteria we are going to use and how much of a factor the cost of the item will be in the consideration of the purchase.

Mr. Brown said he has begun preparing a draft set of specifications. He has shown on the draft an itemized type format of items as to their importance. He lists quality, serviceability, long term existence of the company and the dealer who we would be dealing with, with cost being number five.

Mr. Brown said he would like to get Council's input as to how they would like this done, and if they agree with this format he will proceed and at next month's meeting he will bring a formal document for Council to approve and authorize Staff to go out for proposals for the equipment.

Bob Hartsough asked how old the current system is and he was advised it is about four to five years old, however there are problems with the telephones and the company has gone out of business and we are unable to get parts, etc.

There was no further action on this item.

EMERGENCY WATER INTERCONNECTION BETWEEN JERSEY VILLAGE AND WEST HARRIS COUNTY MUD #9

Dale Brown said as a result of Wyndham Village being built on the extension of Rio Grande, we now have a City water main that goes up to within fifty (50) feet of the water main of Winchester Country, which is West Harris County MUD #9. MUD #9 has written us requesting that we consider a emergency water interconnection with them, which would be similar to the interconnect we now have with Brookhollow. They propose that each share fifty/fifty in the cost of doing this, which their engineers estimate at \$12,000.00, or \$6,000.00 each. This would be helpful if we should have a problem with one of our wells and also would be good for them in an emergency.

Mr. Brown said Staff has looked at this and has no problem with the proposal and are recommending approval.

Councilman Fenley said the agreement we have with the other MUD District is that we do not have to pay anything.

John Horton said this is an "Agreement in Kind", which means when we are using their water the fee is \$225.00 per day and if they are using our water it is \$225.00 per day. Records were not kept as they should have been for this agreement.

Councilman Fenley confirmed we have not had any problems with this agreement or working with Brookhollow and John Horton said no we have not had problems and have been able to help each other out, except there are some limitations due to the 8" line coming from them, which limits the amount of pressure we are able to get.

Councilman Fenley does not see the need for us to make this interconnection since we don't need to use this very often and since we've had no problems with Brookhollow in the past.

Councilman Bowden said that since they (MUD #9) are asking us for water, they must have something planned in the future that they may need us more than we will need them. He then asked if it would be more advantageous for us to go across MUD #199 and connect with MUD #247, since they are in our ETJ.

John Horton said from his standpoint, and for the safety of our system, he would encourage an interconnect with whoever is close by. He added that this past summer when we were on the interconnect with Brookhollow we had some serious pressure problems and if we had a second interconnect, we may not have had those problems. There is no guarantee that we will not have the same problem again at some point in the future if one of our wells should go down.

Mayor Descant asked what is considered an "emergency" if, for instance, MUD #9 develops beyond the capability of their system, and John Horton said this is not considered an emergency and the Texas Natural Resources Conservation Commission, will not allow that to happen. They have a set series of laws and once they get to a certain degree of development, they will have to establish a second well.

Mayor Descant then said an emergency is defined as mechanical or electrical failure, causing a loss of 50% or more of the productive capacity of a system. He added that if Staff does not see a problem, for \$6,000 he would feel better having the extra backup.

Ken Wall advised that if there should be a problem, this contract could be terminated on a six month's notice.

Mayor Descant asked where the nearest connect to MUD #247 would be and John Horton said it would be across U.S. 290.

Councilman Fenley said he agrees if we were going to do it, it would be best to connect to MUD #247 since they are in our ETJ.

Councilman Wilson said under the payment agreement, it states \$225 per day. Would this be best or would the agreement in kind be better?

John Horton said it is best to pay each other as the water is used and it is easier to keep records.

Councilman Wilson stated last year we had pressure problems, and he feels we should make this interconnect, both for domestic water and for fire fighting purposes. He thinks going west for an interconnect across Jones Road and down U.S. 290 will not occur

very quickly and he thinks spending this \$6,000 is a reasonable investment and feels this is the best thing to do.

Councilman Pulido agreed with Councilman Wilson and we would only be obligated for six months should we decide to terminate it.

John Horton stated City crews could construct a good portion of this, which would cut our share of the costs, except for the material costs.

Councilman Fenley asked about the cost per day and John Horton advised this \$225 per day is just a figure to put in the contract.

Dale Brown stated this is a nominal cost, which would mean who ever uses the most water would be getting the better advantage.

Councilman Pulido said he does not mind the trade off, however there is no way to balance the cash, and if it ever gets out of balance this presents a problem.

Councilman Fenley said the City of Houston charges by the gallon, and John Horton said that could be done here as well since the water will be metered.

John Horton and Dale Brown explained this is a draft proposal only and changes can be made however Council would like for it to read.

It was noted the interconnect would be used only in an emergency, which is a mechanical or electrical breakdown.

Mayor Descant said we may want to consider a cost per 1,000 gallons instead of on a daily basis.

John Horton stated he could work with their engineer and get some costs that both can agree on as far as the cost of producing and selling the water.

Mayor Descant then stated he would recommend that Staff work on a per gallon cost and come back to Council with their recommendation for pricing options.

All Council members agreed and this item was then tabled.

#### APPROVAL OF THE SHORT FORM PLAT SUBMITTED FOR THE SOBRANTE CENTER

Dale Brown explained this is a plat for the area on the south side of Village Drive at the intersection of Village Green Drive. The existing tract is being divided into two tracts, Reserve A and B.

Reserve B is to be sold and an Emission Control Testing Center will be constructed there. There are to be approximately fifteen of these centers in Harris County, with this being one of them.

Mr. Brown added the Planning and Zoning Commission has approved this plat with John Horton's noted comments and has recommended Council's approval.

Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the short form plat for the Sobrante Center.

#### APPROVAL OF A PARTIAL REPLAT OF WYNDHAM VILLAGE

Dale Brown explained this is the same plat that Council approved last month combining Lots 30 and 31 into one lot.

They are now asking that Lot 30 be split back into Lots 30 and 31. They have a purchaser who prefers to have it maintained as the original two lots.

Mr. Brown explained Council's approval last month was for the entire subdivision, and this is one of eight lots that were combined into four large lots on that plat.

It is Mr. Brown's understanding there were purchasers for all four large lots, however the purchaser for Lot 30 has decided they would prefer this lot be replatted into the original two lots.

Councilman Wilson made a motion, seconded by Councilwoman Berube and the vote was unanimous to approve the partial replat of Wyndham Village.

#### APPROVAL OF A CONTRACT WITH HARRIS COUNTY FOR THE CITY OF JERSEY VILLAGE TO PROVIDE FIRE PROTECTION SERVICE IN ZONE 38 OF HARRIS COUNTY FOR 1994

Dale Brown explained this is the standard form agreement that is brought to Council every year to provide support to an area outside our city limits for fire fighting and fire protection services only. The agreement is done through the Harris County Fire Marshal's office.

After Harris County passes their budget for the year, the Fire Marshal's office then distributes funds according to this agreement. The base fee is \$7000.00 and the balance is determined by the number of calls made during the previous calendar year.



Councilman Pulido asked if this agreement would override our calls within the City and Frank Maher, with the Jersey Village Fire Department, said it would not and this is stated in the contract.

Councilman Fenley asked if this is the same contract that is presented every year and Mr. Brown said yes, this is just a renewal of the contract with this year's fees.

Dale Brown added this does not cover one area of our Extraterritorial Jurisdiction, which is MUD #247. This is in the Cypress Fairbanks area.

Councilman Wilson then made a motion and it was seconded by Councilman Pulido to approve a contract with Harris County for the City of Jersey Village to provide fire protection service in Zone 38 of Harris County for 1994 for an annual fee of \$7575.00.

Council members Wilson, Pulido and Berube voted for the motion. Councilmen Bowden and Fenley voted against. The motion passed.

APPROVAL OF THE RENEWAL OF A TWO-YEAR AGREEMENT WITH EMCET, INC.

Dale Brown explained this is again a renewal of the agreement we had last year with Emergency Medical Continuing Education and Training, Inc. (EMCET, INC.). The only difference is that last year the agreement was for one year and this is for a two year period.

This agreement allows their students to ride on our ambulance to EMS calls.

Councilman Fenley asked why we are just now approving this agreement when the effective date is shown as April 19, 1994, and it was noted that is when last year's agreement ended and there have not been any classes until now.

Councilman Pulido asked what the advantages were for this agreement and Frank Maher said it is close and convenient for us. Instead of sending our students somewhere else, we are qualified to have students ride along on our ambulance if we are teaching a class here at Jersey Village.

Frank Maher added the only down-side is that students are required to make a certain number of calls to qualify, and we usually do not have enough calls.

After further discussion Councilman Wilson made a motion, seconded by Councilman Fenley and the vote was unanimous to approve the renewal of a two-year agreement with EMCET, INC. allowing their students to do ambulance rotations with Jersey Village Fire Department.

#### APPROVAL OF THE SALE OF SURPLUS PERSONAL PROPERTY AT PUBLIC AUCTION

Dale Brown explained we are trying to get rid of old equipment and vehicles and are asking that Council declare these vehicles as surplus in order for them to be taken to the Big H Auto Auction for sale.

Mr. Brown added we also have \$2,000 in cash and thirty (30) bicycles. After our Municipal Court Judge declares these items as forfeited, we will then most likely auction them off also, however we only need authorization for the vehicles tonight.

Only dealers may buy vehicles at the Big H Auto Auction.

John Horton explained this auction charges the City a minimum of \$60 per vehicle to auction them off or a maximum of 10% of the sale price.

Councilman Pulido asked if it reduces our liability by selling to dealers and City Attorney Ken Wall said yes.

After further discussion, Councilman Wilson made a motion, seconded by Councilman Pulido and the vote was unanimous to approve the sale of surplus vehicles at public auction.

#### FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown explained a summary update of ending fund balances thus far in this fiscal year, and at this point Staff is hopeful that we will see an additional \$219,000.00 over our original projection.

He then explained the current budget adjustments. As we are coming to the end of our fiscal year, we are also adjusting our budget categories.

He stated Staff is requesting Council's approval of these budget adjustments.

After further discussion Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the monthly financial update and budget adjustments.

ADJOURN OPEN MEETING

With all business completed, Councilman Wilson made a motion, seconded by Councilman Fenley and the vote was unanimous to adjourn the open meeting at 8:55 p.m.


CLOSED MEETING

Councilwoman Berube made a motion, seconded by Councilman Pulido and the vote was unanimous to go into a closed meeting.

ADJOURN CLOSED MEETING

The closed meeting was adjourned at 10:20 p.m.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

  
July 18, 1994



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

Incorporated 1886

*A Texas Star Community*

MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: July 18, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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WORKSESSION - 6:00 p.m.

A worksession was held with Ms. Helen Campbell from the State Volunteer Fire Fighters Pension Plan, the Mayor, City Council, City Manager and the Fire Chief.

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:00 p.m. by Mayor Mike Descant, followed by the invocation and pledge of allegiance. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary, Laverne Hale.

CITIZEN'S COMMENTS

Mr. Bob Biggs, who lives in one of the townhomes on Village Drive, told Council he has spoken to them several times previously about the speed limit on Village Drive. He noted he has a problem backing out of his driveway because there is not a safe distance that he can see oncoming traffic due to the construction of four new townhomes and cars being parked on the driveways of existing homes and is again requesting that the speed limit be lowered from 30 mph to 15 or 20 mph along Village Drive in front of the townhomes. He added he is prepared to file suit against the City if he is involved in an accident at this location.

Mayor Descant said he would like to suggest that an item be placed on City Council's next agenda for discussion concerning changing the speed limit to 20 mph for approximately one-thousand (1000) feet and also install certain warning signs alerting traffic of cars backing out of the driveways.

Mr. Biggs then said that he understands there is an easement along Village Drive that belongs to the City, and asked what the feasibility would be to widen this street from two and one-half lanes to three and one-half lanes in this area because when cars are parked on the street it is very dangerous and especially difficult for emergency vehicles to get by.

Dale Brown said there are ten foot building set-back lines there and if the street is widened a full width, the edge of the building would only be ten feet off the curb line, and on the bayou side of the street we would have slightly less than a full lane width.

Mr. Biggs then stated there is a triangular piece of land on the south side of the street that the City could take over because of delinquent taxes, that could be used for parking for the residents in the townhomes.

Dale Brown said this piece of land, along with several others, are still in the name of Don Smith and he has talked to Mr. Smith about trying to solve these land problems.

Dale Brown stated in rewriting the City's development code, he is recommending doing away with all ten foot set-back lines and that all set-backs be twenty five feet.

Again Mayor Descant said he would like to discuss changing the speed limits at the next Council meeting and after that time some of these other options could be discussed.

Mr. Biggs then stated again that if the City doesn't do anything about this problem and if he gets hurt because of it, the City will have to pay. He added he has warned the City and it is on record.

#### REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

There were none at this time.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilwoman Berube stated that on her street, which is Juneau, there is a problem with loud "boom-box" radios in cars passing and wanted to ask if the Police Chief could look into possibly getting decibel meters for our patrol cars.

Chief Lindsey said getting the meters would be a possibility, however he has also talked with the City Attorney concerning getting an ordinance regarding the boom boxes. The City of Houston currently has an ordinance on this.



Dale Brown stated it is difficult using the decibel meters, keeping them calibrated, etc.

Ken Wall stated an ordinance can be written that would eliminate the need to meter the sound and added that some City's have tried the meters and none have been very effective. He will send information for Council to review.

Dale Brown said we currently have a general nuisance law concerning loud noises in our ordinance.

Mr. Biggs stated he has seen an ordinance that says if it can be heard within one hundred fifty feet, it is too loud.

Another resident suggested that before we spend money on meters, etc. he thinks an article in The Star would call attention to the problem and make people more aware.

Councilwoman Berube said she had noticed the flags in front of City Hall were tattered, and John Horton advised they had been replaced.

Councilwoman Berube also asked that since our pool is strictly by membership for our residents only, could we restrict the volleyball courts, parks, etc. for residents only and charge a very minimal fee?

Ken Wall advised we probably could not restrict the use of the parks, pavilion, volleyball courts, etc. and he will send more information to Council on this. These are considered public improvements and are for the public and it is very difficult to restrict their use.

Councilman Fenley said he wanted to ask about the water leak survey contract that had been discussed previously and John Horton advised Staff has authorized the proceedings on this and the company will call him when they have someone available and are ready to come in and begin the survey, which should be within the next couple of weeks.

Councilman Fenley said the second thing he wanted to ask about is the "no right turn on red" sign for U.S.290 and Jones Road and Dale Brown said he has not gotten any information on this as yet.

Councilman Fenley then asked Mr. Brown if he had received a call on the tennis courts. Dale Brown said he had talked with a gentleman, who is the financial advisor for the Houston Retirement Fund, and because of his relationship with the group, nothing can be done without his permission and he can do nothing without the permission of the golf course.

Dale Brown then said he explained what the City wanted to do and the gentlemen said he would discuss it with all the appropriate people and get back with him.

Councilman Fenley added he has talked with the Chairman of the Board and he sees no problem with what we are proposing, which is if the City spends a certain amount of money, and if the golf course and tennis courts are sold, would we be able to get our money refunded.

Councilman Fenley then said he had received a number of calls concerning a vehicle that was painted at a local paint shop with City of Jersey Village decals on it. He said he has talked with the City Manager about this. He wants to know who gave permission, and said he understands this is a Reserve Police Officer's car. He added if this vehicle with Jersey Village decals on it is involved in an accident, the City could be involved in a law suit.

Police Chief Lindsey said this camaro belongs to the Reserve Officer, who works with the canine team, and Jersey Village has been removed from the car. It is black and is marked for the canine team.

Mayor Descant asked who actually owns the car and Chief Lindsey said it personally belongs to one of our reserve officers. He added Chevrolet had it as a demo to sell to police agencies and it was fully equipped when our reserve officer bought it.

Resident Haden Lambert asked if a reserve officer can legally drive his personal car that says police on it, and Ken Wall said it is legal if the City authorizes it. Mr. Lambert then asked if we had indeed authorized it?

Chief Lindsey said when the officer bought the car it already had police, etc. on it. The officer bought the Jersey Village decals and had them put on. Chief Lindsey then added after talking with the City Attorney, the markings are being removed from the vehicle.

Dale Brown added we are going to have a written policy, that relates to the reserve officers, about this sort of thing in the future.

Mr. Brown then said again that a Chevrolet dealership had this fully equipped car as a demo to encourage different police agencies to purchase these vehicles. After they were finished using it as a demo, they put it up for sale.

Councilman Pulido asked if this reserve officer has emergency vehicle insurance, since he is using it as an emergency vehicle.

Chief Lindsey and Dale Brown explained he was not using it as an emergency vehicle. He drives it to our police station, and then drives one of the City's police cars to patrol.

Ken Wall said if the vehicle was involved in an accident, the City would not be liable unless he was on official City business, however you do not want the City logo on private vehicles.

Haden Lambert said he understands this car came with the lights, etc. on it, but if it can't be used as an emergency vehicle, why would anyone want to have it.

Councilman Bowden then commented that last month he had asked about the easement or right-of-way along the bayou at the golf course, and John Horton advised this is an easement that is owned by the Golf Course.

Councilman Bowden then asked if there were any plans to put some trees in on the Rio Grande easement and Dale Brown said he will be reporting on this under the City Manager's report.

Councilman Bowden then asked about the time schedule to complete construction of the police building. John Horton said they have 330 days to complete, which would be around March, 1995 and there is a penalty clause in the contract for it not being completed on time.

Dale Brown said their original schedule indicated it would be completed by December of this year. John Horton added some rain days had been requested, but they were denied.

Mayor Descant said he wanted to remind Council of the dinner meeting to be held on Thursday, July 21, 1994 by the Harris County Mayor's and City Council's Association, and also the TML Region 14 meeting will be held in Galveston in August.

Mayor Descant then said there have been several resignations from the Parks and Landscaping Committee. If anyone knows of someone who may want to participate on one of our committees please let us know.

Councilman Pulido said he has had several comments concerning our July 4th celebration and it seems we have lost track of this event.

Dale Brown said the reason we have not had one for the last two years is that none of the committee members were interested in doing it or working on it.

Councilman Pulido said possibly it could be put in The Star, to see if people are interested in having and organizing it.

Mayor Descant said our committees are advisory committees, but if Council wants to, we could form a special committee for that purpose. He thinks a lot of the residents would like to have the July celebration.

Dale Brown said that whatever Council wants to have, just let Staff know and it can be arranged.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Fenley made a motion, seconded by Councilman Pulido and the vote was unanimous to approve the following items on the Consent Agenda.

- A. Approval of the minutes of the June 20, 1994 regular meeting.
- B. Approval of the Harris County Appraisal District Supplemental Roll #10 for 1993 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$152,980 for an additional tax levy of \$1116.75.
- C. Accept resignations from Beverly Petersen, Jim Fields and Shirley Kaucher from the Parks and Landscaping Committee.

#### APPROVE A RESOLUTION PROCLAIMING "NATIONAL NIGHT OUT DAY"

Following a brief discussion, Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to approve Resolution No. 94-03 proclaiming Tuesday, August 2, 1994 as "National Night Out Day" in the City of Jersey Village.

Mayor Descant then said he would like to encourage everyone to get out that night and meet people. There are usually parties held throughout the City this night and Dale Brown added that he and the Police Chief will be going out that night meeting residents and invited Mayor and Council to join them.

REPORT FROM BEN-SINGER REGARDING WASTE COLLECTION AND RECYCLING

Rick Benson and Joe Andress, with Ben-Singer, Inc. told Council they had a major crisis last month. Their recycling house stopped taking glass and they discussed with John Horton the possibility of not picking up glass anymore. However, it is in their contract with the City to pick up glass, so they wanted Mayor and Council to know they have now found another source that will take the glass and there is no longer a crisis. They hope everyone is satisfied with their garbage service.

Mayor Descant said it seems the service is much better now and John Horton added that when there is a problem they come out right away and take care of it.

APPROVAL OF AN EASEMENT FOR HOUSTON LIGHTING AND POWER COMPANY

Dale Brown explained that Houston Lighting and Power Company has requested an additional easement of ten (10) feet along our property line adjacent to Joe Myers Ford to allow them to run an additional line and pole for the extension of service to the new Police Services Building and Staff is recommending Council grant approval of the easement.

Councilwoman Joyce Berube made a motion, seconded by Councilman Wilson and the vote was unanimous to approve an easement for Houston Lighting and Power Company for electric distribution facilities.

AUTHORIZE WORK TO BEGIN ON THE IMPACT FEE STUDY

Dale Brown explained that Council had received a memo from John Horton giving details of items that should be considered in doing an Impact Fee study. There is a proposed contract with Walter P. Moore and Associates to do the study at a cost of between \$18,000.00 and \$21,000.00, if Council wants to authorize them to do it.

Mr. Brown added that Staff can do the study, and the cost would be less, however it would take longer since it would have to be done around other work.

Mr. Brown then said he believes legislation has been changed, where the consultants fees can be put in for reimbursement through the impact fees.

If Walter P. Moore does the study, it would be completed about January, 1995.



Ken Wall wanted to remind Council the document they have is just a proposed contract, and he thinks some changes would need to be made before we come up with a final document. Secondly, he added, the United States Supreme Court decided last month on a major land use case, which would affect all cities in the country. What the Court held was that cities that require exactions, either in the form of right-of-way dedications or payments for development, will now have the burden of establishing that the exactions are roughly proportionate to the problem created by the development.

Mr. Wall thinks the Texas Impact Fee Statute will satisfy the test established by the Court, but there is going to be a lot of litigation involving cities and the planning process as a result of that decision.

Mayor Descant asked about the time schedule if Staff does the study and it was noted it would most likely be around March, 1995.

Councilman Bowden asked if we are sure we want Walter P. Moore to do the study and John Horton stated they are the City's consulting engineers and they are qualified to do the study.

Councilman Bowden then asked if this would encompass the Extraterritorial Jurisdiction and John Horton said yes it would.

Ken Wall added there will still be legislative decisions that will need to be made, as to what will be imposed.

Councilman Bowden said if we are doing a study, we need to cover the full spectrum.

John Horton stated the study has a specific time limit on it. It is based on a ten year planning period and cannot go beyond ten years. He noted that the initial study was done in a very simplified manner and was strictly for plant capacity and existing development only. This study will be much more extensive.

Councilman Bowden asked if after the study, will we re-asses the value and charge accordingly, and John Horton said yes, if that is Council's direction. He added that whatever date this goes into effect, anything after that will be charged.

Dale Brown said we may pass an ordinance that will change our current impact fee ordinance, and Ken Wall added we may levy a fee on some things that we do not have a fee for now and we may extend coverage into areas where impact fees do not presently apply.

Councilman Pulido asked John Horton if he feels comfortable in contractually binding Walter P. Moore to this timetable and he said

he feels certain with the amount of work to be done, they should be able to stay within the schedule.

Councilman Pulido said if we are going to spend this amount of money he wants to see it done within the time schedule. If they end up taking longer to do the study, than we could have done it ourselves for a lot less expense.

Mr. Edwin Friedrichs, with Walter P. Moore, was in attendance and said he sees no problem in their getting it done on schedule.

Mayor Descant said it would be his recommendation to direct Staff to proceed in working on a contract with Walter P. Moore to do the study.

Councilman Wilson made a motion, seconded by Councilman Pulido and the vote was unanimous to authorize Walter P. Moore and Associates to do the Impact Fee Study, to be paid out of the Utility Fund account.

#### TELEPHONE SYSTEM BID SPECIFICATIONS AND PROPOSALS

Dale Brown explained that he has provided Council with a revised copy of the bid specs for the purchase of a telephone system for the City.

He added this is a very general proposal and the way he arrived at this final draft is by using one from another company, then getting four or five vendors to review, and then revising again.

Mr. Brown said we should be able to get at least four or five good proposals for our system.

Mr. Brown said he had made some minor changes in this proposal and provided two other options, a lease purchase option and just a rental option.

Councilman Fenley said he had received several calls concerning the specifications for the telephone system, and after talking to Dale Brown, he is perfectly satisfied with Mr. Brown's writing of the specs. These are a good set of specifications.

Dale Brown said there have been some comments from some vendors concerning changes in standards. He understands there will be a number of new standards relating to telephone equipment coming into effect in January, 1995. These new standards have not been published as yet, but we included in the specifications the system should either meet those standards at the time of installation or

be capable of being upgraded to meet those standards when the time comes.

Mayor Descant asked about the timeframe for service and warranty work and Dale Brown said this is addressed in several different places, however there is not a time schedule. It is noted that we require a guarantee for all parts and service for a period of seven years, and we require that the software related service can either be done on site or through a modem since telephone systems now are mostly computer driven.

Mayor Descant said we need to make certain the equipment is readily replaceable and is not used or defective.

Dale Brown added that since we are doing this by the provision in the law relating to proposals based upon high technology procurement, we have established an evaluation criteria since the law specifically states we must state relative importance of the costs, etc. On our evaluation criteria, cost is number five, with the others being: (1) the firm's approach and qualifications of their personnel; (2) durability, expandability and overall performance of the product; (3) references; and (4), number of years in operation. If Council wishes to amend this evaluation criteria, that can be done.

Ken Wall added the way the evaluation criteria was done is correct in that cost is the least significant of the five.

Councilman Fenley stated he can see just one addition, and that would be to include a time frame for service.

Councilman Bowden agreed or at least to reinforce the service aspect of the priorities.

Mayor Descant suggested that we include a statement that says service calls must be completed in twenty-four hours, or something to that affect.

Dale Brown said a section can be added that will let the vendors tell us their schedule for service, and Ken Wall said we could call for a copy of their standard service agreement.

Mr. Brown said we are asking for a one-year warranty, and an option to ask for the cost of a second year service agreement.

After further discussion, Ken Wall said Council needs to authorize the publication of notice for solicitation of proposals, to include any noted changes.

Councilman Wilson said he wants to be certain this system would be functional for all departments and Dale Brown advised it should be unless something has been overlooked, but he thinks all areas have been covered. For instance, paging capability has been added to accomodate both the police and fire departments.

Councilman Wilson then asked if we lose power, will we also lose our telephone service, and Dale Brown advised we are looking at two things. The first being battery backup and secondly having the control center for the telephone system being moved to the police building when it is completed and connect it to the generator. He also understands most of the vendors keep a copy of the software and if the system goes down and we lose our programming, they can come in almost immediately and reprogram through a modem.

Councilwoman Berube made a motion to authorize Staff to solicit for proposals for a telephone system for the City; it was seconded by Councilman Bowden and the vote was unanimous.

#### FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown explained Council has received copies of the current budget adjustments.

Mr. Brown added these are basic adjustments without the detail since we are currently operating without our Senior Accountant. He noted he is interviewing at this time to fill the position.

He stated Staff is requesting Council's approval of these budget adjustments.

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the monthly financial update and budget adjustments.

#### CITY MANAGER'S REPORT

Dale Brown said we have received a letter from Cypress-Fairbanks Independent School District requesting that we consider some additional signage around school areas, especially around Post Elementary. They would like flashing school zone signs around the elementary school and adjacent to Jersey Village High School they ask that we designate school zones on Congo from 7:00 a.m. to 8:30 a.m. and 2:00 p.m. to 3:30 p.m.; and on Solomon Street from 7:00 a.m. to 8:00 a.m. and 2:00 p.m. to 3:00 p.m.

Councilman Fenley said he does not see Shanghai Street on this request and it should be included.

John Horton said the school district is not knowledgeable as to where all of our signs are located because we already have signs on Shanghai, Jersey, Congo, Equador and Solomon.

Mr. Brown said at this point Staff is just bringing to Council to see if they want to authorize them to proceed and develop more details on this. It is his understanding that for the purchase and installation of the flashing signs would be approximately \$1,000 each.

John Horton added that changing the wording to indicate different times is very inexpensive, probably less than \$50 per sign.

Mr. Horton said it would be much more expensive to install the flashing signs and noted a power pole would have to be added at each corner of Jersey, Shanghai and Congo with a meter on each and run lines to where the signs are located.

Mayor Descant said there is the possibility that some residents would not like having the electric poles placed on the streets.

Councilman Bowden noted that the crossing on Philippine is very bad and we should be concerned with it.

John Horton said several years ago there was some discussion about putting a flashing light in on Philippine, but it was cost prohibitive at that time.

Councilman Bowden said he feels that if we are going to spend money for a flashing light on Equador, he would much rather put that money on one for Philippine. The children walk across there by themselves with no crossing guards, etc.

Dale Brown said there are parents who unofficially help the children cross there in the mornings.

Councilman Fenley asked if we are considering flashing lights for each sign location, and John Horton said the school district is requesting flashing lights in areas where we do not have a sign. He thinks they are not totally aware of where the signs are currently located and they are asking for the flashing lights to be placed down Jersey, Shanghai and Congo, all about one-hundred fifty feet from the intersections. These are all to announce the school zones for Post Elementary. There are no school zone designations for the high school, however there are no-parking signs.



John Horton added the school district is just asking for these signs, and the City is not required to put in flashing lights. He agreed with Councilman Bowden, if we only put in one flashing light he believes it should be put on Philippine.

Councilman Pulido said he thinks it would be advantageous to have someone from the school district come out and discuss with the City where the signs are and what the needs are.

John Horton advised it is not up to the school district to determine our needs, this is set by City ordinance.

Dale Brown said we do not need to put up flashing signs, we could possibly install signs stating year around schools or something similar.

Councilman Bowden does not think flashing lights would be that advantageous and Mayor Descant said he would like to see some figures on installing one flashing light on Philippine and changing the wording on the others.

It was agreed to have Staff work up the details and get back to City Council at the next meeting.

Dale Brown then reported that he and John Horton have met with Centamark Development Corporation, who is the developer of Wyndham Village, and they want to install four brick ornamental columns with lights on the bridge on Rio Grande. These lights would be wired into a meter and paid for by the property owners association.

Mr. Brown said he has advised them this would require some sort of contractual agreement between the property owners association and the City.

Mr. Brown noted their second request is that they would like to landscape the street right-of-way, between where the street ends and Winchester Country. They are considering putting in berms, grass and trees and a sprinkler system that will be turned over to the City for maintenance.

Councilman Fenley said we need to make sure the lights would not be a problem or too bright for the residents near by on Koester Street.

Mr. Brown said they intend to bring in full details, but we must first get Council's input before Staff pursues further.

Mayor Descant asked if anyone had any objection with this and Ken Wall advised there is a problem with the landscaping of the right-of-way. This has been dedicated as a street right-of-way, and by

allowing someone to spend a lot of money landscaping, there could be a lot of expense to the City in the event we ever had to use it for street purposes. We may want to look at abandoning the street right-of-way. It would then go to the abutting owners, which would be Centamark and the Golf Course and the City would no longer have the responsibility. Then it could be landscaped.

Councilmen Pulido and Bowden both stated there is the possibility the golf course would not want to participate in the landscaping since it would not be in their best interest.

Ken Wall said the golf course has the title to this property, the City just has an easement for street purposes, and allowing landscaping is not consistent with our easement for street purposes. There is the possibility there would be a problem with the golf course, whether we abandon the right-of-way or not.

Councilman Pulido thinks that if we completely remove the possibility of using it as a street right-of-way, you might hear some concerns, but as long as it still maintains it's integrity, just because berms and a sprinkler system have been put there, he is not sure if that completely removes the possibility of it being used for the purpose for which it was originally intended. So we may never hear anything from the golf course.

Mayor Descant said we would have to get permission from the golf course to do this and Ken Wall advised Centamark would need their permission, because the golf course could say the City is right to use this portion of their property, but it is limited for street purposes only.

Mayor Descant said if we allow Centamark to plant trees, etc. the golf course could say not on our land, however if we relinquished it, Ken Wall added, then Centamark would have the responsibility of getting permission from the golf course and the City would be out of the picture.

Councilman Fenley stated by doing this it would eliminate the possibility of the street ever going through.

Mayor Descant said he would like to see the ornamental lights and columns put in on the bridge, and secondly he would like to approach abandoning the right-of-way.

John Horton said he understands they want to put the columns just past the bridge abutment, and at that point they would be brick clad and about five feet tall.

Councilman Fenley said he does not think there would be a problem with the golf course in doing the landscaping, however Councilman

Bowden said the golf course has just recently prevented joggers or anyone from coming onto their property along the bayou and thinks they will do the same thing here. He also thinks what will end up here is that half of this area will be landscaped and the other half will not and will be restricted from anyone getting on it.

Ken Wall advised to abandon the right-of-way, the City would need the consent of the abutting property owners, which would be Centamark and the golf course, however if one of them refuses then it cannot be done.

All of the Council members agreed they were in favor of the bridge columns and lights and agreed to direct Staff to pursue and get back to them with details.

Councilwoman Berube asked if anyone knew anything about a piece of property the Cy-Fair School District is selling on the Beltway and Dale Brown advised he would assume this is commercial property, but is out of our jurisdiction.

#### ADJOURN OPEN MEETING

With all business completed, Councilwoman Berube made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the open meeting at 8:30 p.m.

#### CLOSED MEETING

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to go into a closed meeting.

#### ADJOURN CLOSED MEETING

The closed meeting was adjourned at 8:55 p.m.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

J- 15. 94



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

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A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: August 15, 1994  
TIME: 6:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Mike Descant, followed by the invocation and pledge of allegiance. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson and Calvin Fenley; City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary, Laverne Hale.

It was noted that Council member Joyce Berube was not in attendance.

WORKSESSION

Review and discussion of the proposed 1994-95 Budget.

REGULAR MEETING - 7:00 p.m.

PRESENTATION OF A PROCLAMATION

Mayor Descant then read and presented a Proclamation to Brian Moore of Scout Troop #273, who is pursuing the Eagle Scout Award, in recognition for his efforts in the installation of a swing set and the construction and installation of a fall surface at Welwyn Park.

CITIZEN'S COMMENTS

Mr. Robert Eckels, introduced himself and stated he is a candidate for County Judge.

COUNCIL MEMBER'S REPORTS & COMMENTS

Councilman Pulido stated he noticed the slab had been poured for the police building and John Horton, Director of Public Works, confirmed and advised they will start putting up the steel this week with the deadline for completion being mid-February.

Dale Brown stated he and John Horton are meeting with the contractors every other week making sure there are no problems in communication that would delay the progress, and to make sure we stay on schedule.

Councilman Pulido asked what the completion date really means and John Horton said the contract says substantial completion, which means it should be ready for the job for which it was intended. It should be ready to be occupied, even though there may be some finishing touches still to be completed.

Dale Brown said at this time they are predicting it will be completed by February 1, 1995.

Mayor Descant said he had noticed that Houston Lighting and Power has installed several electrical poles on Village Drive near the new Emission Control facility. It was his understanding there would be underground power lines there.

John Horton advised he had recently contacted Houston Lighting and Power about the poles and was told the power lines in this area are above ground. He had originally thought power would be provided along the rear of the property parallel to the bayou, but HL&P has placed it along the public right-of-way.

Dale Brown then said he has received a brochure from the State regarding the vehicle inspection program. It explains that starting January 1, 1995, all vehicles will be required to get a vehicle emissions test before the license is renewed. The test will cost \$23.00 and the cost of a regular inspection will be reduced by \$3.00.

Councilman Pulido asked if the City would get a percentage of these fees and Mr. Brown said no.

Mayor Descant then noted that at the last meeting there had been some discussion about removing the right-of-way designation on Rio Grande and Dale Brown said Staff is pursuing and it seems the entire right-of-way, from the Bayou north to Winchester Country, was all in the reserve tract that Wyndham Village bought. If this is the case and we abandon the right-of-way it would go back to Wyndham Village. He added a meeting will be set up with Wyndham



Village to determine if they would consider an outright deed of all of the rights of that strip of land to the City. Then we could control it for whatever we determine, such as open space, etc.

Mayor Descant then asked if the City would have the right to barricade this or plant trees.

Ken Wall said if it were conveyed to the City, we could close it as a roadway and then could barricade and landscape.

Mayor Descant then asked if it stays as it is now, does the City have the right to put up barricades, and Ken Wall said at this point he is not sure, but he will review and make a determination.

Mayor Descant asked if we have determined who owns the fence that is also in this area and Dale Brown said Staff thinks the fence is owned by the homeowners association of Winchester Country, but it is in our City limits. John Horton went out a couple weeks ago and removed a three (3) foot section, which is enough to allow bicycles and foot traffic to go through.

Councilman Bowden then asked about another slab in Epernay Place that is well above flood stage. He asked if John Horton has gone to the developer and advised him he can go before the Board of Adjustment to get a one (1) foot variance if he wishes.

Dale Brown said the first one was done at this height because the developer thought it was a good selling point to have the high slab for a reduction in flood insurance.

Councilman Bowden then asked about an earlier discussion to get an ordinance drawn up giving us the ability to condemn houses that are in need of repair.

Dale Brown said this was discussed for the overall upgrade of our building codes, and thus far nothing has been done. We are waiting for the new building codes from Southern Building Code.

Ken Wall said he could supply a standard ordinance that would address this problem.

Mayor Descant then reported that the Cypress Fairbanks Independent School District Superintendent has contacted him regarding getting the City's assistance in getting an educational channel from Warner Cable when we renegotiate our current franchise with them in October. The school district has hired a consultant and they will send more information to us when it is available. The school district approached us because we are the only incorporated area within the district and we can require the cable company to reserve

four channels for various uses such as municipal or educational channels.

Dale Brown said he has had some preliminary discussions with John Olson, one of our City Attorneys, and he said September would be a good time to start the franchising process to replace our existing franchise, which is about fifteen (15) years old and will expire soon. Jersey Village's franchise is one of the last of many cities to expire, therefore John Olson suggests we watch what the other cities are doing to negotiate with Warner Cable and then we can more or less base our franchise on what others are doing.

Ken Wall advised that approximately two years ago Warner Cable wanted to renew Jersey Village's franchise and at that time the City Manager, Debra Andrews, chose to wait until it ran out.

Dale Brown added the Attorneys are working on this and there is nothing Council needs to do at this time.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the July 18, 1994 City Council meeting.
- B. Approval of the Harris County Appraisal District Supplemental Roll #11 for 1993 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$3,500 for an additional tax levy of \$25.55.
- C. Approval of a TexPool Resolution amending the authorized representatives to act on behalf of the City.
- D. Approval of the revised Pavilion Use Policy.
- E. Approval of the appointment of Reserve Officer Frederick Lawrence.

- F. Approval of the appointment of Joan Boren as the City's Representative in carrying out the truth-in-taxation requirements (Section 26.04(c)).
- G. Approval of the appointment of Valerie Walling to the Parks and Landscaping Committee.
- H. Accept the resignation of Kathleen Offner from the Motel Tax Committee.

At this time Police Chief Lindsey introduced the new Reserve Officer to Mayor and Council.

#### REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

Jill Mandel, Chairman of the Parks and Landscaping Committee, reported that her committee would like Council's approval of their plan to sell sidewalk squares around the area of the volleyball court at Carol Fox Park. They plan to use the funds from the sale for the purchase of picnic tables and other equipment for this park and other parks and landscaping projects.

She noted there will be approximately 75 squares and they will be four (4) feet by four (4) feet in size. They will be placed along Senate and Acapulco streets where there are no sidewalks at this time. There will be a bicycle ramp at the corner.

Councilman Bowden asked how close the sidewalk would be to the volleyball court and John Horton and Jill Mandel both advised it is not very close and would not be a hinderance.

Councilman Bowden said he thought it would be a good idea to ask the high school group that plays volleyball there how they feel about a sidewalk being put in on that side.

Following a brief discussion, Council concurred that this plan is agreeable but wants someone to check with the volleyball players before proceeding.

Mayor Descant then asked about the status of the water mister at Carol Fox Park and Ms. Mandel noted there had been a leak and after a period of time it was repaired, but that same night it was vandalized and the heads broken off. The committee has now decided not to keep it and possibly put a porch swing there.

APPROVAL OF A PARTIAL REPLAT OF STEEPLECHASE PARK, SECTION 5

Dale Brown explained this is a replat of the area to create a second apartment development in Steeplechase. The Planning and Zoning Commission approved this Short Form Plat at their August 2, 1994 meeting and are recommending Council's approval.

Councilman Bowden said if it meets all the criteria, then we have no other choice than to approve.

Councilman Pulido then made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the partial replat of Steeplechase Park, Section 5.

APPROVAL OF A RENEWAL CONTRACT WITH THE CITY'S DELINQUENT TAX ATTORNEYS

Dale Brown explained this is the same contract we have worked under for the past couple of years and they are requesting renewal for a period of two years.

The City does not have a lot of delinquent taxes, but it is necessary that we pursue a contract like this to collect those taxes. The Cypress Fairbanks Independent School District also uses this firm for the collection of their delinquent taxes.

Councilman Fenley made a motion, and seconded by Councilman Bowden to approve the renewal of a two year contract with Calame, Linebarger, Graham and Pena for the collection of the City's delinquent taxes.

In discussion following the motion, Councilman Wilson asked about a statement in the attorney's letter that states there are thirty (30) delinquent tax accounts which are not collectible and asked how this can happen.

Dale Brown stated most of our delinquent taxes are for personal property from businesses that have come and gone and without seeing their list, this is probably the source of most of them.

Councilman Pulido asked if property held by a developer would be included and Mr. Brown said no.

Mayor Descant said he would like to get a current listing showing all the delinquent accounts, with an itemization of who is delinquent and how much is owed.

Dale Brown said this information is in the computer and Mayor and Council can be provided with a printout.

The vote on the motion was unanimous.

APPROVAL OF A RESOLUTION JOINING A COALITION OF CITIES

Dale Brown explained we have received two requests for our City to join a coalition; one from the City of Houston, and the other from the Gulf Coast Coalition, which includes a lot of smaller cities, some of which are the cities of Friendswood, Missouri City, Oakridge North and Stafford.

He noted he has attended a couple of organizational meetings with the Gulf Coast Coalition. He understands they have been in contact with the City of Houston concerning the possibility of a representative of the Gulf Coast Coalition working with the City of Houston on it's coalition.

There has also been some discussion between the Gulf Coast Coalition directly with Houston Lighting and Power about agreeing to some basic procedural operations.

Mr. Brown stated at this point, if Jersey Village wishes to join, we would be better served by joining the Gulf Coast Coalition, since it would give us several alternatives, one of which is working through the City of Houston and another is working directly with HL&P.

Councilman Fenley asked if Council could be provided with a list of the other cities in the Gulf Coast Coalition, and Mayor Descant said he would like to know why there are two competing groups.

Ken Wall advised the two groups are not competing. The Gulf Coast group was organized this year by some cities who were disenchanted with the method the City of Houston has handled matters in the past and how it appeared they were going to handle this matter. This is a significant rate case since it involves how the South Texas Plant is going to be treated, and for that reason the coalition was created. At the time the Gulf Coast Coalition was created it did not appear the City of Houston would take an active role. That seems to be changing and it is very likely that the cities that are a part of the Gulf Coast Coalition will be working with Houston and have some influence, which will be better from a standpoint of the rate proceedings, with all the cities working together. He noted he would also recommend that Jersey Village join the Gulf Coast Coalition. If this proves to be unsatisfactory at a later date, this can be changed.



Mayor Descant said there had been a question about some of the fees and asked if there is a provision that the expenses were to be reimbursed by HL&P.

Ken Wall said this is correct and at this point Jersey Village would have no liability for any expenses. If any are incurred and are not reimbursed by HL&P, they will just not be paid.

Mayor Descant asked if the coalition would be employing consultants or attorneys and Ken Wall advised they may be, but hopefully it would be in conjunction with the City of Houston so everyone is working toward the same thing. Ken Wall added this case most likely will not be settled at the City level, but will probably be settled in Austin.

Motion was then made by Councilman Fenley, seconded by Councilman Bowden and the vote was unanimous to approve Resolution 94-04 authorizing the City of Jersey Village to participate in the Gulf Coast Coalition of Cities.

#### APPROVAL OF THE SALE OF SURPLUS PERSONAL PROPERTY AT PUBLIC AUCTION

Dale Brown explained Council had received another list of seized property, which should be the last at this time. This list of property is in the possession of the police department. A seizure hearing was held in municipal court on July 22, 1994 awarding this property and currency to the police department. They are relinquishing possession and are asking for approval to dispose of or sell at auction.

Ken Wall advised that Council needs to authorize the City Manager to sell in the best way possible, if not sold at auction.

Several Council members asked if an auction would be held here or how this will be handled and Chief Lindsey said we can get together with other cities to see how they handle the sale of property.

Ken Wall stated it would be best to find another city who plans to have an auction, and put our property in with theirs, rather than have a separate auction. He added an auction in Texas can only be conducted by a licensed auctioneer.

Dale Brown said Staff will check with other cities to see if they plan an auction, and Ken Wall suggested contacting the auctioneer to see if others are planned.

Mayor Descant asked if anything further needed to be done about the currency, and he was advised nothing more is necessary.

Councilman Bowden made a motion, seconded by Councilman Pulido and the vote was unanimous to authorize the City Manager to sell the surplus property at an auction, and any remaining property after the auction is to be sold by the best means possible.

#### FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown explained Council had not received a full financial update since up until this morning we have been working without a Senior Accountant. What Council received is a list of basic adjustments, mostly the transferring of funds from one account to another within a department.

He stated Staff is requesting Council's approval of these budget adjustments.

Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the monthly financial update and budget adjustments.

#### CITY MANAGER'S REPORT

Dale Brown reported Council had received a memo from John Horton concerning speed limits on Village Drive. He notes that after checking the Uniform Traffic Control Devices, the best sign for this street states "Limited Sight Distance". He added John Horton has measured distances for traffic and sight distances, and has determined that from Mr. Biggs driveway eastward towards Rio Grande the sight distance is 170 feet, and the sight distance westward is unlimited.

Mr. Brown said it is hard to know the best way to handle this situation. The required minimum sight distance at a rural intersection for a 30 mph speed limit should be 220 feet, however this may not be valid for driveway entrances to minor roadways.

Mayor Descant said he favors lowering the speed limit to 25 mph and doesn't think people would understand what a sign saying "Limited Sight Distance" would mean.

Councilman Fenley said he doesn't think changing the speed limit by five miles an hour will make any difference. He thinks we should try the sign first.

Councilman Bowden said he went out and tested himself going both 25 mph and 30 mph and there was only a three second time difference in time traveled. This indicates only about one second as to when you

can see Mr. Biggs house and when you can't. This isn't enough time difference for anyone to back out of their driveway, so lowering the speed limit would not make any difference. He thinks if Mr. Biggs has an accident, he will still blame the City, if the speed limit is 30 mph or 5 mph.

Councilman Bowden added it would help if we would prohibit parking on that side of the street, but Mr. Biggs doesn't want that.

Councilman Pulido said he thinks some signage that states "Watch for backing cars", etc. may work.

Councilman Fenley stated that Ray Kennedy, one of our residents, who used to be on our Planning and Zoning Commission and worked for the City of Houston in traffic for thirty-five years may be of assistance if he were asked.

Dale Brown said he thinks we are limited to the use of signs that are in the Texas Uniform Traffic Control Manual.

Councilman Bowden said we could try using a sign for six months and then review again.

Dale Brown said the highway department sets their speed limits by clocking all the traffic and determining the median traffic speed and set the speed limit at that median rate.

Councilman Bowden said we could possibly reduce the speed limit up to the HL&P easement, but Councilman Fenley said changing the speed limit for one person will not make any difference.

Councilman Wilson said he does not think changing the speed limit will help and thinks the public will be more confused since we have so many different speed limits. We can start by trying a sign.

Councilman Pulido said he prefers changing the speed limit to 25 mph and ticketing everyone who does not abide by that.

John Horton said that no engineer will state that conditions here warrant changing the speed limit. A traffic engineer at Walter P. Moore advises using a sign first, which is the least expensive way.

Councilman Fenley said he had talked with Ray Kennedy and he is the one that suggested the Limited Sight Distance sign.

It was the consensus of Council to try the sign for Limited Sight Distance before proceeding further.

Dale Brown then reported that in discussion at the last City Council meeting, it was noted that the Cypress Fairbanks Independent School District had made a request for the City to make some revisions to the school zones.

He stated that in their request they had asked for school zones to be 1-1/2 hours, and we currently have them showing 2 hours, so we may as well leave this part of their request alone, except to add year around.

If Council wants to add Solomon as a street for a school zone, as the school district requested, an ordinance will have to be passed.

The cost for sign changes is minor at approximately \$50.00 per sign, however to install flashing signs, as the school district requested, would cost \$2500.00 to \$3500.00. Also for the flashing signs, we would have a problem with poles and a meter having to be installed on Congo, Shanghai and Jersey, with electrical lines running down the sides of the property to the rear.

Mayor Descant said he thought the consensus at the last meeting was not to put in flashing lights where we already have school zone signs, but there is a need to put a flashing light on Philippine where the children cross the street with no assistance.

John Horton said the City had looked into installing flashing lights on Philippine a couple of years ago and at that time the cost was about \$2500.00. There would be two in that location, one on the north side and one on the south side, where the designated crosswalks are located.

Councilman Bowden said since there is a split school year, could these lights be programmed as to when they will turn off and on. John Horton said he is not totally certain of the details, but feels sure they can be programmed to operate whenever necessary.

Mayor Descant said he also thinks we should proceed with an ordinance to add a school zone on Solomon.

Councilman Wilson said instead of two flashing signs on Philippine, could you have one overhead flashing light in the intersection. John Horton said the cost would be about the same.

Mayor Descant said in the meantime, he would like to have non-flashing crosswalk signs put up on Philippine and also to add the school zone on Solomon.

Ken Wall advised an ordinance can be done and passed at next month's City Council meeting.

ADJOURN

With all business completed, Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to adjourn the open meeting at 8:20 p.m.

CLOSED MEETING

Councilman Pulido made a motion, seconded by Councilman Bowden and the vote was unanimous to go into a closed meeting.

ADJOURN CLOSED MEETING

The closed meeting was adjourned at 9:41 p.m.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

Sept. 19, 1994





16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

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MINUTES FOR THE SPECIAL CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: September 12, 1994

TIME: 7:00 P.M.

PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE AND INVOCATION

The meeting was convened by Mayor Descant, followed by the invocation. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; and City Manager Dale Brown. It was noted City Attorney Ken Wall and City Secretary Laverne Hale were not in attendance.

At this time Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to move Item 8 to precede Item 3 on the agenda.

AUTHORIZE STAFF TO DO A DRAINAGE STUDY OF THE LOTS WEST OF EPERNAY PLACE

Dale Brown stated a plat had been submitted to the Planning and Zoning Commission at their last meeting replatting a portion of Epernay Place. This brought on a discussion of the fact there had been some problems with drainage in this particular area. The problem came about years ago when some of the older homes were built. Some lots do not drain from back to front as required by City Ordinance. As a result some of the homes on Tahoe, which is behind Epernay Place, were left with drainage that goes to the back and across the Epernay tract. As the development has occurred in Epernay, the developer has in effect, stopped the water that previously drained across his property.

The Planning Commission has made a series of recommendations, which includes that the City look at doing a study of the drainage in the Epernay area.

Councilman Bowden said he wanted to point out that when this plat was originally approved, it was draining adequately. The developer has now chosen to bring in yards of dirt for an additional slope.

The developer has added additional dirt to the extent of at least two feet in the back of the lot to keep from exposing the slab, which must meet the flood restrictions. The end result is a two-foot plus difference in Lot 6 and the lots behind, therefore there is no place for the water to go. This happens all over the City, where the last lot to be built on, causes drainage problems for the neighbors when the lot is built up for construction and drainage.

Councilman Bowden noted that the State Constitution prohibits flooding a neighbors lot.

Mayor Descant then asked John Horton, Director of Public Works, how this situation compares with the one on Wall Street.

Mr. Horton said these are not similar situations, and the City's ordinance states that lots must be drained from back to front at 1%, except in some specific cases. In addition to this, the ordinance also says that the slab must be one foot above the 100 year flood elevation. We require surveys at three different times during the process of construction, to insure that everything is being done as required. In this case, the slope from back to front on Lot 6 is slightly above 1%, but less than 2%.

Councilman Bowden said the problem here is that this lot met the requirements before the developer brought in all the additional dirt, but John Horton advised the lot did not meet the requirements and drain properly until the dirt was brought in.

Mrs. Karen Hughes, who lives at 16022 Tahoe, said she disagrees that there is proper drainage on the Epernay lot since she feels much unnecessary dirt was brought in and makes a crown in the center of the lot.

Councilman Bowden drew a diagram of the drainage and elevation of lots in this area and Mrs. Hughes added that if the developer continues to do the same thing on all his lots, she would end up with a two-foot bulkhead running 130' down the side of her yard.

John Horton said what our ordinance provides for is that we can take additional measures to adjust drainage and make additional requirements. In the case of Lot 6, there was no other place for it to drain, but on the lot adjacent to it, we have some other choices.

Dale Brown said he thinks we have two separate problems. The buildup on the Epernay lot is not necessarily what is creating the Hughes' problem. Their problem is that their lot just does not drain properly. He said he thinks the reason for the drainage problem may be that the contractor did not back-fill properly when

the utilities were put in. He also stated that most of the lots in this area are not draining in the right direction.

John Horton said this is possible, but more likely, when the lots were graded, the homebuilders took the easy way out, which is very common, and did not grade them back to front.

Mr. Brown said the second problem is the developer building his land up. However, if he was not building his lots up at all, the other lots would still have drainage problems. Basically, City regulations imply that no water should flow across a neighbors property.

John Horton stated the 1% requirement also matched the FHA and VA requirements at the time.

Mr. Brown said he has suggested meeting with all the property owners about a "joint venture" in getting some easements dedicated, the property owners putting up the cost of materials, and the City building some drainage pipe to route the water away.

Mrs. Hughes stated the developer has said he would pay for the materials, however this would only take care of a small portion of the problem. We have not addressed the 130' at their property line.

Mr. Brown went on to say the Planning and Zoning Commission has recommended that the City take a comprehensive look at the situation and look at all the lots to determine what needs to be done.

John Horton added that the Planning Commission cannot authorize Staff to look at the problem, however they did recommend that City Council authorize Staff to proceed and come up with a plan. He noted the slabs are required to be above the 100 year floodplain by both the City and FEMA regulations.

Dale Brown said this also brings up a question about aesthetics, which is a separate problem from the drainage and thinks the two problems should be addressed separately.

Mr. Brown said we also have a problem with subdivision platting where you cannot accomplish everything. At this point in time, it is better to use the Building Code to regulate the development of Epernay Place. Basically, the subdivision regulations were fixed in place on Jay Mochizuki, the developer, when he first submitted the plat. We cannot change the regulations now and expect him to change his subdivision. For the construction of the houses, this

is a building code issue and whatever building codes are in effect when the building permit is issued would apply.

Councilman Bowden said he would like to see Council move ahead and authorize John Horton to survey this area and get a calculated number along this area, if we are talking about a 1% grade, and give us a definite number just how high that would put the back of all the Epernay lots all the way across.

John Horton said he would like to suggest, and what P&Z has recommended, is that Staff come up with a solution to this problem and a way to move all the water where it should move. He cannot see the benefit of determining how high levies would be if we are not going to put levies and bulkheads in.

Councilman Bowden said what he is saying is if you end up with a 1 to 1-1/2 foot on one end and it tapers down to 6" on the other, that is one thing; however, if it stays 18" all the way across then that would be something else. He would like to get the true impact of what the 1% grade is.

John Horton said the requirement is that there is a 1%, but the ordinance also gives a caveat, so that other adjustments can be made as long as you have someplace to take the water. He added he has no way of knowing how the lots should drain until he has an opportunity to do a study and find out what the elevations are.

Mayor Descant asked about the City's fence requirement and John Horton said we have an eight foot fence requirement, however our ordinance does not address this type situation at all. Which side would you measure the height from?

Mrs. Hughes said they are asking that no berms and bulkheads be allowed in this area and added she has talked with several other cities and they do not allow this at all.

Mr. Gary Parks, Attorney for Mr. and Mrs. Hughes, then introduced himself to Council. He does not feel a judge or jury would allow this to happen to the Hughes if these plans continue as outlined, however his approach is to try and get any achievable goal done the easy and inexpensive way first. That is why he has suggested that the Hughes work with City Council to try and find a solution that is reasonably inexpensive and works for everyone.

Dale Brown said if Council wants an ordinance that would restrict the use of bulkheading or raising land above certain percentages above adjacent property, it should be fairly easy to get the basic wording after it is determined how high it should be stopped. The



correction of the drainage will be more time consuming and the existing bulkhead would be grandfathered in.

Mayor Descant said he would like to recommend to Council that Staff go ahead and begin the study of the drainage and then get together with Jay Mochizuki and the other neighbors to try and work this out without any legal problems. He added he did not realize there was a problem with the bulkheads in addition to the drainage and will go out and look at it himself.

Mrs. Hughes showed pictures of the existing bulkhead and where the bulkhead would be running along the side of their property for 130 feet.

Councilwoman Berube asked if we could enforce a temporary restraint until we can come up with a solution and Dale Brown said not without adopting some sort of building moratorium that would not allow any building permits to be issued until you change the regulations, but he will discuss the matter with the City Attorney.

Mayor Descant said a lot of work and study needs to be done and asked if the replat approval will be on Council's agenda for September 19 and Dale Brown said yes, and unless the plat violates an existing ordinance of the City, Council cannot turn the subdivision plat down.

Mr. Brown said we need to determine where the 1% drainage standards are shown, are they tied to the development of the subdivision plat or tied to getting the building permit.

John Horton said there are three areas where it is addressed, the one that refers to building permits refers to the survey, the one the flood control deals with is the one foot above floodplain, and the other is in the zoning ordinance, but the platting ordinance does not address it at all.

Dale Brown said if Council wants to amend the ordinance, we must concentrate on that area, and not waste time discussing the subdivision or platting ordinance, which is basically a checklist of standards. If a plat meets these standards, we have no choice except to approve it.

Councilman Pulido asked if this plat approval is discussed at Council's next regular meeting, would it not have any bearing on how the issue is addressed when he comes in and asks for a building permit and Dale Brown said this is correct.

Mr. Brown said the proposed development code that Staff has been working on has an entire chapter concerning drainage, whereas in



our existing standards it is not addressed in detail.

From his observation Dale Brown thinks the problems start after the building permit is issued, therefore he thinks we need to focus on what should be done to the building permits and Mayor Descant he agrees and noted we should talk with the City Attorney concerning our legal options.

Mr. Brown said if Council wishes, an ordinance could be adopted at the October 19th meeting regulating berms or bulkheads, which could be an amendment to the building code. Then if anyone came in for a building permit, this would regulate what should be done with the dirt.

Mayor Descant said he thinks Council agrees to direct Staff proceed with work on an ordinance and have it prepared as an agenda item for the next regular meeting.

Mr. Hughes said he would like to suggest that these slabs, if they have to be 110' to the top of the slab, couldn't they build the slab on the existing grade without bringing any additional dirt in, then build a 4' high veneer brick or the finished sides of the house down to the existing grade. This way the slab would be out of the floodplain and should be an acceptable solution.

Mr. Horton said this is a workable solution, but the City does not have an ordinance that would require the builder to do this.

Councilman Bowden said he would like to see something that would require that every means would be taken for drainage and work out the problems correctly without bringing additional dirt in.

John Horton added we do not have an ordinance that requires a lot grading plan at this time. This is one way to handle this type problem because all of the surrounding areas are taken into account. We should also have a drainage plan for every subdivision that is platted.

Dale Brown said the proposed development code includes this and added that the City Attorney has been reviewing the code and has just returned it to him.

Mayor Descant there are five things that we have discussed that we need to do, with the first being to authorize Staff to study the potential drainage problem.

Councilman Fenley then made a motion, seconded by Councilwoman Berube and the vote was unanimous to authorize Staff to do a drainage study of the lots west of Epernay Place.

The second item of discussion is to authorize the City Manager to begin work in getting an ordinance addressing berms and bulkheads by the next Council meeting.

We also need to look at the lot grading and drainage plan.

Mayor Descant said the fourth item is that he would like to visit with Jay Mochizuki, the developer, to try and negotiate and try to work out a solution with him, and fifth address the idea of building on grade and putting face bricking up.

#### CITIZEN'S COMMENTS

There were no comments at this time.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilman Bowden questioned a copy of a lead and copper reporting survey Council had received. He noted it turned out very well, but there were a couple that recorded a higher level than all the others. John Horton then explained the report and how the levels may vary.

Mayor Descant said that the City Manager had a proposed amendment to the Parks and Landscaping and Recreation and Events Committees and he noted that changing each to seven members is a good idea and then to revise the purpose. For the Recreation and Events Committee Mr. Brown wanted to change the wording to say "Organize and manage temporary volunteer groups for the conduct of special events" and Mayor Descant said he thinks we should say "organize" and leave out "manage" because the operations should remain under the direction of the Parks Director. He added we may want to have it read, "Organize, with Council approval, temporary volunteer groups for the conduct of special events under the direction of the Parks Director". The same change in wording should apply to the Parks and Landscaping to say, "Organize, with Council approval, temporary volunteer groups under the direction of the Parks Director.

#### ACCEPT TAX ASSESSOR-COLLECTOR'S RESIGNATION

Dale Brown explained Joan Boren had submitted her resignation and since she was appointed by Council, according to the ordinance, he would like to ask that they accept her resignation.

Councilman Bowden made a motion, seconded by Councilman Wilson and

the vote was unanimous to accept the resignation of Tax Assessor-Collector, Joan Boren.

APPOINT TAX ASSESSOR-COLLECTOR

Councilman Bowden made a motion, seconded by Councilwoman Berube and the vote was unanimous to appoint Louis Q. Rodriguez as the City's Tax Assessor-Collector.

APPOINT THE CITY'S REPRESENTATIVE IN CARRYING OUT THE TRUTH-IN-TAXATION REQUIREMENTS

Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to appoint Louis Q. Rodriguez as the City's representative in carrying out the truth-in-taxation requirements (Section 26.04(c)).

ADJOURN OPEN MEETING AND CLOSED MEETING

Councilman Bowden made a motion, seconded by Councilman Fenley and the vote was unanimous to adjourn the open meeting and go into a closed meeting at 8:06 p.m.

ADJOURN CLOSED MEETING

The closed meeting was adjourned at 11:00 p.m.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

Oct. 10, 1994



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

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MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: September 19, 1994  
TIME: 6:00 p.m./7:00 p.m.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 6:00 p.m. by Mayor Descant, followed by the invocation and the pledge of allegiance. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; City Attorney Ken Wall; and City Secretary Laverne Hale.

At this time Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to move the Work Session on the agenda to precede Item 3.

WORK SESSION

A work session was then held to discuss capital improvements and a review of the proposed 1994-95 budget.

Following the work session Mayor Descant introduced Vince Ryan, a candidate for County Judge, who spoke briefly to Council and residents who were in attendance.

Councilman Pulido then made a motion, seconded by Councilman Wilson and the vote was unanimous to recess the work session and go into the regular meeting.

PUBLIC HEARING

Mayor Descant opened the public hearing at 7:00 p.m. on the proposed 1994-95 budget.

Joan Boren, a resident, stated she had some questions regarding the publication of the City's property tax rate information. She noted that for the 1993 property tax rate, the debt service unencumbered

fund was listed at \$154,716.00. For the 1994 tax rate, this fund is listed at \$189,515.00. She stated the 1993-94 tax debt service was \$110,000.00 off because interest payments on the police building were included that had not occurred. The City then collected \$110,000 in debt service that was not spent by the City. She then asked how we are accounting for this \$110,000. According to the published notice, we have \$100,000 being paid from unencumbered funds, however she said she had been told this \$100,000 is actually money that is supposed to be transferred from the Utility Fund into the debt service. So again, she would like to know how the City is handling the \$110,000 that was budgeted and not spent.

City Attorney Ken Wall said this money remains in debt service and cannot be spent for anything but debt service.

Mayor Descant stated it is a timing aspect. It was intended to be spent, but because of the issuance of the bonds, it was not spent.

Ms. Boren said she was questioning where this money is accounted for in the published notice this year.

Ken Wall said a mistake was made in the 1993 calculations when that money was included in debt service and there was no debt to support it. For this years calculations, it is based upon what the levy for debt service was for last year.

Ms. Boren said if the \$110,000 was collected for debt service last year and was not spent, where is it now, and Ken Wall said it is in the debt service fund where it will remain until it is spent for debt service.

Then Ms. Boren asked if that is the case, why do we only have \$34,799.00 difference in this year and last year in the unencumbered fund balance. She then added the published notice says we are going to collect 100% of our taxes, so we added \$3,985.00. This is obviously an error. If we are going to collect 100% this should be zero.

Dale Brown said all the information was given to the appraisal district and they did the calculations for us and he will be glad to look into this.

Mayor Descant then said we will respond to Ms. Boren in writing in answer to her questions.

Ms. Boren then asked why the tax base is considerably lower this year, and asked if this is because of the car dealerships and changes concerning them.



Dale Brown said information from the appraisal district is county wide and they are estimating 20% decline. This is a whole new system for the auto dealers, and the appraisal district does not know how it will affect the system. A lot is dependent on how much is sold at the car dealerships. Starting this year, the State changed the method of assessing the values of cars at dealerships. They are considered personal property. In the past whatever was on the lot on January 1 is what was valued, but now they are only assessed at the time of sale. If the car dealerships here are very volume oriented, we could possibly see an increase, if more than 100% of what has been typically on the lot January 1 is turned over in a calendar year. If less are turned over during the year, we could see a decrease in value. It is difficult for the Appraisal District to know what to expect, without having any previous history, so they have not given us any idea as to what to expect.

Haden Lambert, a resident, asked if this revenue would come in all during the year and Mr. Brown said he did not know. It will all be submitted to the County first and they will in turn reimburse the City.

Joan Boren said the car dealers are to pay the County monthly and the City is supposed to bill for the taxes.

Dale Brown said he has taken the most conservative route in this years budget and has proposed a 20% reduction.

With no other citizen's comments, Councilman Bowden made a motion, seconded by Councilman Pulido and the vote was unanimous to adjourn the Public Hearing at 7:15 p.m..

#### CITIZEN'S COMMENTS

There were no further comments at this time.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

There were none at this time.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general

order of business and considered in it's normal sequence on the agenda.

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the August 15, 1994 City Council meeting.

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

There were none at this time.

APPROVAL OF A PARTIAL REPLAT OF EPERNAY PLACE, JERSEY VILLAGE COUNTRY CLUB ESTATES, SECTION FOUR

Dale Brown stated that Staff is recommending Council's approval of this partial replat of Lots 3, 4 and 5, Block 70 of Epernay Place subject to the following comments: (1) that construction on the lot comply with Section XIII.O of the Zoning Ordinance which states in part, "a grading plan must be approved by the Director of Public Works prior to issuance of a building permit"; (2) The drainage plan be in general compliance with the attached plan prepared by Staff; and (3) An additional easement triangular in shape 10 feet by 10 feet and contiguous to the easements in the northwest corner of tract be dedicated on the plat.

Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the partial replat of Lots 3, 4 and 5, Block 70 subject to Staff's noted comments.

APPROVAL OF A REPLAT OF LOTS 18, 19 AND 20, BLOCK 71, WYNDHAM VILLAGE

Dale Brown said again Staff is recommending approval of this replat which is combining three lots into two.

Councilman Wilson made a motion, seconded by Councilwoman Berube and the vote was unanimous to approve the replat of Lots 18, 19 and 20 of Block 71, Wyndham Village.

APPROVAL OF A RESOLUTION TO IMPLEMENT A SECTION 42 PROCEEDING UNDER THE PUBLIC UTILITY REGULATORY ACT

Dale Brown stated this is relating to the Gulf Coast Coalition that has been discussed in previous meetings in regard to the Houston Lighting and Power Rate Case. At this time there are six cities in the Coalition that have adopted this resolution. They are Friendswood, Missouri City, Stafford, Bunker Hill, Hunters Creek and Oakridge North. The date for the first public hearing will be held on October 18, 1994.

Mr. Brown advised it is his understanding the City of Houston is considering filing a Section 42 also.

Mr. Phil Boudreaux with Houston Lighting and Power was in attendance and told Council they would rather the City of Jersey Village did not pass this resolution. Houston Lighting and Power wants uniform rates for all cities and they have already filed a Section 42, and thinks that another Section 42 would just be a duplication.

Councilman Bowden said he thinks we should join together with the other cities and all municipalities should stick together in trying to help the citizens as best we can.

After further discussion Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve Resolution No. 94-05 to implement a Section 42 proceeding under the Public Utility Regulatory Act.

APPROVE A RESOLUTION DESIGNATING A REPRESENTATIVE TO THE GULF COAST COALITION OF CITIES AND AUTHORIZING EMPLOYMENT BY THE COALITION OF ATTORNEYS AND CONSULTANTS TO REPRESENT THE INTEREST OF COALITION MEMBERS

Dale Brown advised this is Part 2 dealing with the Coalition of Cities and this Resolution designates him as Jersey Village's representative and also authorizes employment of coalition attorneys.

Ken Wall stated the rate consultants that have been employed, is the firm of Reed Stowe in Dallas. They have done a utility regulatory analysis every year. The costs will be recovered from HL&P in the course of the rate proceedings.

Motion was then made by Councilman Wilson, seconded by Councilman Bowden and the vote was unanimous to approve Resolution No. 94-06 designating a representative to the Gulf Coast Coalition of Cities

and authorizing employment by the coalition of attorneys and consultants to represent the interests of coalition members.

AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS FOR THE JANITORIAL CONTRACT

Dale Brown said the current janitorial service contract expires in October and we have not been satisfied with the services provided by this company so Staff is asking for approval to go out for bids. The bid specifications are basically the same as last year, except we are now including the cost of supplies in the monthly costs.

Mr. Brown expects the contract to be higher this year and has a provision in the specs to renegotiate when the police building is complete.

Councilman Fenley made a motion, seconded by Councilman Pulido and the vote was unanimous to authorize Staff to advertise and accept bids for the Janitorial contract.

At this time Mayor Descant welcomed a Scout Troop from St. Matthews Catholic Church, who were attending tonight's meeting.

APPROVAL OF AN ORDINANCE REGULATING SCHOOL ZONES

Dale Brown said this is an ordinance based upon a request from the school district to expand the school zone to include Solomon. Their other request can be handled without an ordinance.

Ken Wall said this ordinance adds to the list of current school zones and adds Solomon Street between Shanghai and Seattle and applies to the same days and hours as the other school zones.

Mr. Brown stated these regulations are to apply anytime school is in session, which allows us to handle the year around schooling.

Councilwoman Joyce Berube made a motion, seconded by Councilman Wilson and the vote was unanimous to approve Ordinance No. 94-07 regulating school zones.

APPROVAL OF THE RENEWAL OF THE CITY'S INSURANCE COVERAGE FOR OCTOBER 1, 1994 TO SEPTEMBER 30, 1995

Dale Brown said Staff recommends this item be tabled. It was noted that the reserve police officers have been omitted from this renewal. Staff will check into this and present to Council again.

After further discussion motion was made by Councilman Fenley, seconded by Councilman Wilson and the vote was unanimous to table this item.

#### RENEWAL OF THE FIRE DEPARTMENT'S ACCIDENT AND SICKNESS POLICY

Dale Brown explained this is a renewal or extension, which is the same as is done every year.

Mayor Descant noted there were some optional entries, which would also increase the premium.

It was the consensus to leave the policy as it has been without the options or increases.

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the renewal of the Fire Departments Accident and Sickness Policy to Volunteer Firemen's Insurance Services Ins./Regnier and Associates.

#### FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown explained this is the current months budget adjustments made as of the end of August. Even though he has the authority to make these adjustments, Mr. Brown said he is requesting Council's approval.

Councilman Pulido asked about the cost of printing that is included in the adjustments and Mr. Brown said this printing cost is for traffic citations.

Councilwoman Berube made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the monthly financial update and budget adjustments.

#### CITY MANAGER'S REPORT

Dale Brown reported that Staff has received proposals for a telephone system and demonstrations have been set up to go out and look at several different systems.

Councilman Bowden said he would like to see the list of proposals that were submitted so Council could get some idea of the costs involved.



ADJOURN OPEN MEETING

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the open meeting at 7:40 p.m.


CLOSED MEETING

A closed meeting was not held.

WORK SESSION CONTINUED

Council then reconvened the work session on their review and discussion of the proposed 1994-95 budget at 7:55 p.m.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

Oct. 10, 1994



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

Incorporated 1994

A Texas Star Community

MINUTES FOR THE SPECIAL CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: September 26, 1994

TIME: 7:00 P.M.

PLACE: Fire Station, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Descant followed by the invocation and pledge of allegiance. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; and City Secretary, Laverne Hale.

It was noted City Attorney Ken Wall was not in attendance.

CITIZEN'S COMMENTS

Mr. Jack Wright and Dr. Ron Lewis, from Foundry Methodist Church spoke to Council concerning their need for City utilities.

Dr. Lewis stated the church had built a nursery building and put in pipe to sprinkle the building. They are now getting ready to build a new sanctuary. They are currently on a water well system and need to get City water.

There are no water lines down Jones Road to service their area, and to get water from the MUD District across Jones Road would be too expensive due to the cost of boring under Jones Road.

Dr. Lewis said they have a small 3" sewer line. It should be larger, however they can handle this themselves if necessary.

He added the church is willing to pay one-half the cost of the water line to come up Jones Road and would like to ask City Council to consider the request as soon as possible. They would like to be into their new sanctuary by December, 1995.

At this time, Dr. Lewis said they would like to just come half way with the water line, which could be extended later.

Dale Brown said the MUD District is agreeable to work with the City to come across Jones Road with the water, however the City Attorney says we must first adopt an impact fee ordinance. Possibly the proposed document could be presented to Council in November of this year and the final document acted on in December.

Mayor Descant said he thinks when the Church is ready, City Council can assure they would have water. He then asked how long it will take to install the water line and John Horton advised if we come across Jones Road it would take 30 - 45 days, and if we come up Jones Road it would take approximately 60 - 75 days.

It was also noted that if the water line is installed going up Jones Road the Golf Course would be required to tie on.

Councilman Bowden asked if it wouldn't be easier to go north from Rio Grande at Wyndham Village with a water line. It would not be a shorter distance, but it would be easier to get easements and easier to construct.

John Horton said we will have to look at everything and get the costs.

Mr. Brown suggested coming across Jones Road and then "T" to go in both directions, and added our new budget has \$250,000 in capital improvements for utility improvements.

Mayor Descant said we will discuss and respond back to the church within their time frame.

Jack Wright stated time is critical and also the sewer must be decided on with plan changes for a treatment plant.

Dale Brown said the impact fees will show water and sewer line placement and our engineers are working on this now.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilman Fenley said he would like to comment on the tall grass at Village Drive and Village Green and how bad it looks.

Councilman Pulido noted it is to their advantage to wait and let the City cut the grass since it would be cheaper.

Dale Brown stated our prosecutors tend to dismiss these mowing cases after they have been cleaned up and John Horton added the prosecutors understand the situations, they just dismiss and do not prosecute.

Councilman Pulido then said he would like to state publicly that on all Council matters concerning Foundry Methodist Church, he will have to dismiss himself since he is the Finance Chairman for the church.

ADJOURN OPEN MEETING

With all business completed motion was made by Councilman Wilson, seconded by Councilman Pulido and the vote was unanimous to adjourn the open meeting at 7:40 p.m.

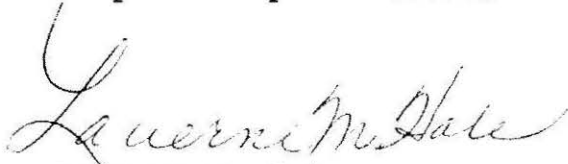
CLOSED MEETING

There was no closed meeting.

WORK SESSION

A work session was then held to review and discuss the proposed 1994-95 budget.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

Oct. 10, 1994



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

incorporated 1966

A Texas Star Community

MINUTES FOR THE SPECIAL CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: October 10, 1994

TIME: 7:00 P.M.

PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Michael Descant followed by the invocation and pledge of allegiance. Noted present were Council Members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; and City Secretary Laverne Hale.

It was noted City Attorney Ken Wall was not in attendance.

CITIZEN'S COMMENTS

There were none at this time.

COUNCIL MEMBER'S REPORTS AND COMMENTS

Mayor Descant told Council that the Jersey Village High School will be holding their Homecoming Parade on October 20, 1994 at 5:00 p.m. and have invited he and Council to participate.

Councilwoman Berube said she would like to acknowledge Mayor Descant on his article in the last "Jersey Village Star". This was a very good article.

Councilman Wilson said he wanted to advise there will be a 911 Meeting on October 21, 1994 at 10:00 a.m. and that he and our 911 Coordinator Kathy Hutchens will plan to attend. He stated our current room in the police department that houses our 911 equipment is very bad and hopes our new police building will allow for proper and correct installation of this equipment and that it will meet the NFPA standards. The room should be dedicated just to communication equipment and not for storage.



Councilman Wilson then added he appreciated Mr. and Mrs. Hughes coming to Council with their problem at the October meeting and wanted to urge all citizens to come to City Council for assistance and comments.

He then stated he wanted to recognize the Fire Department for winning first place in two parade competitions last week. One in Deer Park and the other in Jacinto City. Our Fire Department took their oldest piece of equipment and cleaned and shined it for the parades.

Councilman Wilson then said he wanted to thank Staff and City Council for their work on this years budget and thought the whole process had gone very smoothly and easily.

He added he wanted to invite everyone to the Fire Department Open House that will be held on October 29, 1994 from 10:00 a.m. to 2:00 p.m.

Mayor Descant then reported he had received a call from the Houston Lighting and Power Company Area Manager and said a report that was done by the consultant hired by the Coalition of Cities had been completed. Apparently HL&P thought the report was much more unfavorable than they had expected, so Mayor Descant said they will really be opposing whatever the Coalition comes out with.

Dale Brown said he had received this report today and would provide a copy for Council. The report says HL&P was overcharging by \$448,000,000 per year. The Coalition has planned for their public hearings to be rather short, but HL&P demands these be full fledged hearings where they are given the opportunity to call witnesses and the consultants and ask them to testify.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Wilson then made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the September 12, 1994 Special meeting; September 19, 1994 Regular meeting and the September 26, 1994 Special meeting.

- B. Approval of Harris County Appraisal District's 1991 Correction Appraisal Roll #27 as an amendment to the Tax Roll with a tax rate of \$ .7185/\$100 valuation and a total reduction in taxable value of \$6430 for a reduction tax levy of \$46.19.
- C. Approval of Harris County Appraisal District's 1992 Correction Appraisal Roll #29 as an amendment to the Tax Roll with a tax rate of \$ .7300/\$100 valuation and a total reduction in taxable value of \$428,340 for a reduction in tax levy of \$3126.88.
- D. Approval of Harris County Appraisal District Supplemental Appraisal Roll #12 for 1993 as an amendment to the Tax Roll with a tax rate of \$ .7300/\$100 valuation and a total taxable value of \$3,518,990 for an additional tax levy of \$25,688.62.
- E. Approval of Harris County Appraisal District's 1993 Correction Appraisal Roll #19 as an amendment to the Tax Roll with a tax rate of \$ .7300/\$100 valuation and a total taxable value of \$140,890 for an additional tax levy of \$1,028.49.

APPROVE THE AMENDED PLAT OF THE PARK AT JERSEY VILLAGE

Dale Brown explained this is the Garden Home Development on Village Drive that was originally approved several months ago. When the developer had the utility companies come out, Entex Gas Company had some problems of not being able to get their lines where they should be so they came to the City and asked what could be done and Staff suggested the easiest way would be to amend the plat by designating all of the private streets as utility easements also. By doing this Entex could put their lines along the private streets or under in some cases rather than create additional easements on the lots. The basic change on this amended plat is a notation that all of the private streets are also public utility easements, and Staff is recommending approval of the replat.

Mayor Descant asked if this is an unusual request and Dale Brown said it is not necessarily unusual, since it is done for public streets all the time. We don't deal with platting private streets here very often and there should not be a problem. They most likely will be tunneling under the streets.

Councilman Fenley asked if Staff had discussed this with the City Attorney because in many cases you cannot go under someone's street since it could cause damage to the street.

Dale Brown said he has done this in the past, and we are basically just creating a dual use easement since the private street is already a private easement. This is primarily for Entex and possibly Southwestern Bell Telephone.

After further discussion Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the amended plat of The park at Jersey Village.

APPROVE A RESOLUTION AMENDING THE CITY OF JERSEY VILLAGE DEFINED BENEFIT RETIREMENT PLAN

Dale Brown stated this is to provide additional sections that IRS now requires. Most of this does not directly affect us, but Hand and Associates like to keep all of their plan agreements the same, and Staff recommends that Council approve this Resolution, which is in line with the Internal Revenue Service procedure No. 94-13.

Councilman Fenley made a motion, seconded by Councilwoman Berube and the vote was unanimous to approve a Resolution amending the City of Jersey Village Defined Benefit Retirement Plan.

APPOINT AUDITOR TO PERFORM THE CITY'S AUDIT FOR YEAR ENDED SEPTEMBER 30, 1994

Dale Brown explained Staff is recommending that Council appoint Fittsroberts and Company, Inc. to do the City's audit again this year for an estimated fee of \$11,500.00. Last year the audit cost was about \$12,500.00, however it started out at \$11,500.00. The cost ended up being higher last year after the actual hours were computed.

Mr. Brown said he is hopeful he will receive the audit report by January 1, 1995 and bring it to Council at their January meeting.

Councilman Pulido asked how many years we have used Fittsroberts and Mr. Brown said this will be their third year, and he most likely will come to Council in the early part of 1995 requesting that we seek proposals for a new auditor. He would like to stay with this company this year since the same people will be doing the audit and since we have changed our accountant he thinks it could be done more easily since they are familiar with our records.

Councilwoman Berube made a motion, seconded by Councilman Bowden and the vote was unanimous to appoint Fittsroberts and Company, Inc. to perform the City's audit for the year ended September 30, 1994.

APPROVE ORDINANCE ADOPTING THE 1994-95 BUDGET

Dale Brown stated that he thinks this budget is now as Council wants it to be and the total budget including capital improvements is \$5,923,895 and without capital improvements is \$4,897,558. In accepting this budget with the capital improvements there is an overall increase of 1.97% over last year's budget.

Mr. Brown then explained some handouts that were distributed at this meeting that deal with full-time and part-time employees and the way they are listed in the budget. He then added the other pages deal with capital improvements.

Mr. Brown said one of the sheets given out tonight is the projected property tax values, and since the last Council meeting we have received an update to the tax roll. This brought the totals up from \$237,000,000 to \$245,000,000 for certified values. Keeping the same reductions due to protest, and applying that to the remainder of the amount under protest, there is now \$18,000,000 still under protest. With these figures, he would anticipate our final value and the protested amount would drop about 16%. That would make the final value \$15,723,000 for a total estimated appraised value of \$260,823,896, which based on our current needs would allow for a tax rate reduction down to \$ .71953. Again, he added this is based on estimated values.

Councilman Pulido asked Mr. Brown to explain again how the tax will be handled on the car dealerships. Mr. Brown said it is very complicated and the way he understands it, the car dealerships turned in a report to the County Tax Assessor/Collector and the Appraisal District last January that gave their monthly sales for the past year (1993). The law says you use this amount to get average monthly sales and this monthly average is what taxes are paid on. The car dealerships put this amount in escrow at the County back in January. They are supposed to be reporting their actual monthly sales. The Appraisal District will put out a report in the near future that will be reconciled against the reports from the dealerships and in turn tell us how much to bill the dealerships for their taxes. Mr. Brown said he has a letter from the appraisal district that he will provide to Council. Overall it should all come out nearly the same, this is just a different way of calculating it.

Mayor Descant asked if there is a history of valuations included in this budget and Mr. Brown said not at this time, and added that he thinks at this point we are slightly over 100%, but he will get the assessed values for Council by next week. He noted he had provided Mayor and Council with a current list of all delinquent taxes.



Mayor Descant asked Council if they thought the tax rate should remain at \$ .73, as last year, or lowered to \$ .72. It was the overall consensus to stay at \$ .73/\$100 valuation.

Councilman Bowden said if we stay with the \$ .73 tax rate, and end up with a 1 cent excess, he would suggest this money be earmarked to pay off the debt or to be put into capital improvements. This is assuming we do not need the full \$ .73.

Dale Brown said he will have an ordinance prepared for next week's meeting to set the tax rate for 1994.

Mayor Descant said he wanted to discuss Bob Hartsough's question about a 13% increase in salaries and benefits. He said Dale had checked this out and the largest item in here is that in the last fiscal year there is not a contribution to the retirement plan, because of the investment return, whereas this year we have budgeted 5% or \$69,000.00 plus the 4% cost of living increase plus there was some budgeted overtime last year that was not expended. There is also an increase in workers compensation premiums, so it is really not a 13% increase in salaries.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to approve Ordinance No. 94-08 adopting the Budget for the City of Jersey Village for fiscal year October 1, 1994 to September 30, 1995.

APPOINT A REPRESENTATIVE OF JERSEY VILLAGE TO THE HOUSTON-GALVESTON AREA COUNCIL'S 1995 GENERAL ASSEMBLY

Dale Brown advised our current representative is Mayor Descant and the alternate is Councilman Fenley.

Councilman Pulido made a motion, seconded by Councilman Bowden and the vote was unanimous to again appoint Mayor Michael Descant and Councilman Fenley as the City of Jersey Village representative and alternate representative to the Houston-Galveston Area Council's 1995 General Assembly.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE PROPOSED DEVELOPMENT CODE

Dale Brown stated there is nothing Council can do on this tonight. The Planning and Zoning Commission were going to meet tonight to discuss and review Chapter 3 of the Zoning Ordinance, however they were unable to get a quorum. He added Ken Wall has reviewed and wants Chapter 3 of the Zoning Ordinance to be included in the Development Code.



We will need to start the public hearing process, which will take 30 - 60 days, and hopefully be able to adopt the development code in December. Staff will get back to Council with more information when available.

There was no action on this item.

#### FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown said Council had received some budget adjustments and tonight he is giving them one more. This one tonight is a lawsuit contingency for \$200,000.00, which is part of the 93'-94' budget.

Mr. Brown stated the City Attorney likes the idea of getting monthly approval of all budget adjustments and thinks that at the end of each fiscal year an ordinance should be passed amending that year's budget.

Councilman Fenley asked if any other lawsuits had been paid and Mr. Brown said not in this last fiscal year.

Councilwoman Berube made a motion, seconded by Councilman Pulido and the vote was unanimous to approve the monthly financial update and budget adjustments.

#### CITY MANAGER'S REPORT

Dale Brown reported a resident on Congo, Mr. McWilliams, had called and was very upset saying the City has not fixed his sewer line, but have fixed everyone else's.

Mr. Brown said that John Horton had his crew dig up Mr. McWilliam's sewer line. The City line was clear and found that at about 90' into Mr. McWilliam's line there was a blockage.

Mayor Descant then asked if Mrs. Miller, who lives further down on Congo, is happy now, and John Horton said no, she still thinks the City is at fault, but it is not.

#### ADJOURN OPEN MEETING

With all business completed Councilman Wilson made a motion, seconded by Councilman Fenley and the vote was unanimous to adjourn the open meeting at 7:55 p.m.

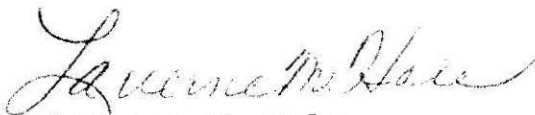
CLOSED MEETING

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to go into a closed meeting.

ADJOURN CLOSED MEETING

The closed meeting was adjourned at 8:20 p.m.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES

10-17-94

Ordinance No. 94-08 is on file in the City Secretary's office and is made a part of these minutes by reference.



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

Incorporated 1956

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: October 17, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Michael Descant followed by the invocation and pledge of allegiance. Noted present were Council Members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; City Attorney Ken Wall; and City Secretary Laverne Hale.

PRESENTATION OF A PROCLAMATION

Mayor Descant presented a Proclamation to Eagle Scout Jason Stevens of Scout Troop #1830, for his efforts in the construction and installation of the Tire-Rannasaurus at Clark Henry Park for the citizens of Jersey Village.

CITIZEN'S COMMENTS

Resident Rick Faircloth, of 16010 Lakeview, stated he had read in The Jersey Village Star where a judgement had been placed against the City in June by a terminated employee. He noted the article said the City's insurance carrier would be responsible for carrying out the action and that this judgement would not significantly impact the financial condition of the City and asked for an explanation since this is City tax money.

Mayor Descant explained there is some portion of the amount that is not insured. The judgement, he believes, was for \$1,000,001.00, which is a matter for public record. We had an insurance policy for \$1,000,000.00 and the defense was handled by the insurance company's legal counsel and the decision has been appealed.

The Mayor added we cannot discuss the details at this time but he had written the article because there were several rumors as to where the money would come from and that it would not be covered by insurance.

Mr. Faircloth asked which budget year this would affect and Mayor Descant advised there is a contingency in the last budget year for \$200,000.00.

City Attorney Ken Wall stated this \$200,000.00 is reserved for the fiscal year that ended September 30, 1994 and if the City has to pay anything as a result of this judgement, it will be paid from that reserve. The reserve does carry forward, but it will be charged as an expense to the 1993-94 fiscal year. It is also anticipated that the reserve will be sufficient to pay anything that the City may ultimately have to pay as a result of this judgement.

Mayor Descant said in view of all this and we have a 1.9% increase in the budget this year and the taxes remain at \$ .73 cents, so this is why he said there would not be a significant impact on the City because of the judgement. Obviously, it would be better if we did not have this reserve set up, but he wanted to inform the citizens so they know we are not trying to keep anything from them.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilwoman Berube said she had a comment based on the City's Depository Contract with Sterling Bank. In looking at the money that has been moved to TexPool because of interest rates, she would like to put up for discussion and review the possibility of moving some of this money back to Sterling Bank if they match whatever TexPool is currently paying.

Dale Brown said he had originally told Sterling Bank whenever they could match what TexPool was paying, so the City would not be losing money, he would be very willing to do that.

Mr. Brown added the investment policy that Council adopted about a year ago states there are only two places where we can invest, those being the depository bank or TexPool.

Ken Wall said the City Manager can do this without an agenda item or action from Council.

Councilman Pulido said he had a question about getting "teeth" in our existing ordinance to allow for the increase in penalty against those people who do not keep their lots cleaned up.

John Horton, Director of Public Works, said Staff is still working on this, however the particular lot Councilman Pulido is referring to was mowed by City crews and a lien has been filed. Prior to mowing the lot, citations had been issued, etc. He added if the case would get to court a fine of \$200/day could be assessed.

Ken Wall said he thought the most effective thing to do is to give the notice required by law, cut the property and affix a lien. The charge to the property owner should be sufficient to recover absolutely all costs involved. This cost should be greater than the cost for someone to have the work done otherwise.

Councilman Pulido said what bothers him is that other people, like himself, who own lots here have to get theirs cut. He said it is a simple process - he has someone cut it for him and he gets a bill. He finds it hard to believe we have to go to so much trouble to get someone to mow their lot.

Ken Wall said this is why we have to be sure that we recover all of our costs, and why they should be greater than the cost of them paying someone else to keep it mowed.

Mayor Descant asked if the ordinance could be changed in order to collect a higher amount when the City does the mowing and Ken Wall said no, however when all costs are calculated, it should be more than would normally be paid.

Councilman Pulido said he would like to get an update on the Police Services Building and Dale Brown said he will give that in his report later in this meeting.

Mayor Descant said he would like to know if the citizen's garbage complaints are up or down since Ben-Singer has started picking up our garbage.

John Horton advised the complaints are running about the same lately, however they are down from when BFI was picking up the garbage.

Mayor Descant then had a question on the Police Department Monthly Report, which indicates we have had only one home burglary this year. He wondered if this is an error on the report or if this is correct.

Councilman Bowden said he would like to confirm plans for the Jersey Village High School Homecoming Parade and Mayor Descant said he has asked John Horton about using a trailer with bales of hay for the parade so all council members can ride together.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general



order of business and considered in it's normal sequence on the agenda.

Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the following item on the Consent Agenda:

- A. Approval of the minutes of the Special Meeting held on October 10, 1994.

#### REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

There were none at this time, however, Dale Brown reported that originally the sidewalk squares around the volleyball courts at Carol Fox Park were scheduled to be poured tomorrow, October 18, 1994 but due to the rain it has been rescheduled to Thursday, October 20, 1994.

John Horton added that forty (40) squares had been sold out of a total of seventy-six (76) available.

#### PRESENTATION ON GULFBANK

Mayor Descant said this extension of Gulfbank was discussed earlier this year, however at that time it was understood that the Highway Department had it planned as a six-lane divided road instead of a four-lane divided road as we had thought. Visco Incorporated representatives have contacted the City and want to develop the property in this area, and obviously without Gulfbank they would be very restricted in what development could be put there. At the time it was first presented to City Council and the Highway Department was wanting to complete it, it was on the heels of the extension of Gulfbank from I45 westbound to the Toll Road and at that time the County Commissioners had withdrawn their support for that portion of it. There was also a lot of opposition from the citizens of Jersey Village.

The Mayor added that he and Dale Brown had a meeting with the representatives of Visco and they are here tonight to give a presentation of what their plans are and the high points of developing this area. Some of these high points include economic development; increased tax revenue; and controlled development if the road comes through. He stated that according to a recent HGAC traffic status of freeway and expressway systems, Gulfbank is still shown as one of the Highway Departments planned developments, so one way or another this roadway will be coming through, either by the Highway Department, the County or Metro.

Mayor Descant then stated Mr. Tom Northrup, who is here tonight, has had several informal discussions with the Highway Department, and if we can approach this on the basis of a four-lane roadway, make sure the zoning restrictions are in place and have a work session for the citizens to be informed and be able to give their input, this may work out. He feels if this is handled properly, it could be a good development for the City.

Mr. Tom Northrup then spoke to Council and said he is here representing Visco along with Mr. Sanderson and Mr. Cummins. He said they would like to re-introduce this issue of Gulfbank. They have all been working together and with other land owners in this area and feel this would be a very positive and beneficial issue for Jersey Village.

Mr. Northrup said they are here tonight to provide for Council their scenario on this and to get this issue back on the table and determine what approach can be taken to assist the City in coming up with a solution that will meet all of the concerns of the City. He said his company has worked with the Jersey Village for many years and have looked at the traffic pattern in the City as it exists now. In the past all problem areas have been discussed, both in and around Jersey Village.

In looking at all those problems, and taking into consideration the comments heard at the last public hearing, he added the planners have designed a program, while working with the City of Houston, for traffic within the neighborhoods to stop through traffic plus to provide for a lesser means for criminals to get into and out of neighborhoods. He stated they think Jersey Village has a lot of cut-through traffic now by coming in Philippine and cutting through to get to FM529 and also from FM529 cutting through to the Beltway. This happens at peak hours in the mornings and evenings and at school opening and closing times.

They feel this segment of Gulfbank between the Beltway and US290 is important to the City in getting this cut-through traffic out of the neighborhood. The City can and must control traffic, which acts sort of like water flows.

Friendswood is a good example of how traffic can be controlled and how it goes and comes from their high school, which is located in the middle of their City. The school district there and City administration have worked together and have come up with a plan that if you bring a car to school you must bring it when and how they want you to. The traffic situation at Jersey Village High School could also be controlled with Gulfbank as a means to get traffic out of the neighborhood.

Mr. Northrup added development in this area would bring in more revenue to the City, both by advalorem tax and sales tax. For a number of years the property owners in this area have worked with the City to try to come up with some plans for development that would be suitable for the citizens of Jersey Village as well as to the economic benefit of the land owners. He feels the City has done a lot in working toward providing utilities to this area; a PID has been discussed; zoning issues; and other land issues and quality of life issues have been addressed in the Zoning Ordinance. He also thinks that the opening of Gulfbank, east of the Beltway is a dead issue with the Highway Department.

Mr. Northrup stated they have taken all the comments from the last public hearing and addressed them with those people involved in transportation, which is not only the Texas Department of Transportation, but also with a committee that deals with this when Federal Funds are available as they are in this case.

The Texas Department of Transportation still says this segment of Gulfbank is a live issue and the street will happen someday, so if Jersey Village moves forward now with a positive attitude, they can have an opportunity to achieve this street and all the benefits and gain control. If they do not, it could be much more costly in the future. He also thinks if this Mayor and Council wants this to be a four-lane street, he feels this would be a workable situation with the Highway Department.

Mr. Northrup said in representing the property owners in this area, they are willing to work with the City in every way they can to help work this out in a way that would benefit everyone.

Mayor Descant said zoning for this area would have to be discussed. It is zoned as District F at this time.

Dale Brown said we could have a separate district for this area or use Gulfbank as a division point between districts. Possibly being more specific for the zoning on the north side of Gulfbank.

Mayor Descant asked about building heights and John Horton said this zoning limits the height of any structure adjacent to a residential areas and also steps it down as you get closer to residential areas. The height of the buildings get lower and lower, which is calculated so that if you are in a building that backs up to someone's house, you would not be able to see over a six feet fence.

Mayor Descant noted that Solomon Street is not shown as being cut through to Gulfbank. This is something that could be discussed, with the possibility of having it open just during school times.

Mr. Northrup said this is something that the City could have control over by making it one-way in to the school in the mornings and one-way out in the afternoons, or however is the best way. Again he said you want to get the traffic on the major thoroughfares and off the neighborhood streets.

Councilwoman Berube asked where traffic lights would be located and Mr. Northrup pointed out several locations, but he said it would be up to the Highway Department.

Councilman Pulido said Mr. Northrup says this segment will go in at some point, and emphatic that the portion east of the Beltway will not, and asked how he can be so sure.

Mr. Northrup said this is the only segment that is still in the state's program and the County has withdrawn their support of the other portion.

Councilman Pulido asked why they think people are cutting through the City to FM529, instead of going on the Beltway to the US290 feeder road and Mr. Northrup said people tend to want to cut corners and have been doing it for so long and it is hard to break old habits. He thinks getting people to go to Gulfbank to get to FM529 will be easier once they realize they do not have to cut through the Village.

Mr. Sanderson noted there is also traffic cutting through Jersey Village going from the Beltway to Jones Road. Mr. Northrup said he thinks other roads north of the City and also West Road will help direct traffic from Jones Road to the Beltway and should eliminate cutting through Jersey Village.

Councilman Bowden said he does not think anyone has a problem with cars cutting through, but as soon as Gulfbank goes in you will have eighteen wheelers cutting through on that.

Resident Rick Faircloth said we now have eighteen wheelers coming in and making illegal turns all the time. He noted he was on this City Council several years ago when this issue was first discussed and said he is definitely for this road being put in for the economic development for the City and for the access and ingress to the schools.

Councilman Bowden said until you address the truck traffic, you are not addressing the needs of the citizens.

Another resident Bob Hartsough, stated he thinks everyone recognizes that Gulfbank going through is very necessary for development in the City. We need to look to the future and get



control of this road. If we don't, the State Highway Department will control it. This way we have the control to set the speed limits; set the access; we eliminate eighteen wheelers, etc. We do those things and it becomes a part of the City.

Dale Brown said the City Attorney thinks we need to look at the fine print on federal money. We do not know at this point if we can keep trucks off the road, but the City Attorney will look into it to see what restrictions would be involved.

Tom Northrup said the road would be federally funded, but there are restrictions. After the road is completed, it will be turned over to the City for administration and policing.

Mr. Sanderson said we may be able to control trucks, etc. by setting the speed limits.

Councilman Fenley said if we consider four lanes, who would make the final decision and Mr. Northrup said the State Highway Department.

Councilwoman Berube said she thought that due to the school traffic, this road might help with school bus traffic and she also asked what type businesses would be in this area.

Mr. Sanderson said primarily retail, which will increase both sales and advalorem tax for the City.

Councilman Fenley asked if the citizens disagreed last time because of the road being six lanes and Mayor Descant said he thought that was one of the main reasons, however some of the residents on Seattle had problems of not being able to know what was coming into that area, and also the uproar with the Gulfbank extension east of the Beltway, plus he thinks it could have been handled better the last time. Mayor Descant added he thinks if everyone understands and it is handled properly, this is the time to go forward while we can gain control of the road and also the development. He added he thinks we should have a work session and give all residents sufficient notice through The Star so they are aware of what is going on.

Dale Brown asked Council if they would like to set up a work session to discuss this further and Mayor and Council all agreed that they should have a work session and also put a notice of it in The Star so residents will be advised.

Councilman Fenley stated he had voted against this project last time, but thinks now if we could gain control of the road we should



certainly discuss further and also find out how much control we would have.

Mr. Northrup said he thought it might be advisable for Council to designate Dale Brown and John Horton to go with him to meet with the State Highway Department to let them know all of the concerns and issues of the City. Even though this road is designated as a six-lane road, he thinks if we tell the Highway Department Jersey Village wants it to be four lanes, they would consider that.

Councilman Bowden said he thinks this may be the same situation we have at Jones Road and US290. We have asked for additional signs and the Highway Department will do nothing about it so we really have no control. He would like for Ken Wall to investigate further and find out exactly what the City can or cannot do before we decide if we should support this or not.

Mayor and Council all agreed we need to have all the available information and be ready to discuss this when we do set a work session.

Mayor Descant said he thinks the consensus is to have a work session possibly at the next meeting, however it was agreed later in the meeting to set a special work session for Monday, November 14, 1994 at 7:00 p.m. to discuss the extension of Gulfbank.

APPROVAL OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY STRIKING THEREFROM ALL OF CHAPTER 13-1/2; SUBSTITUTING THEREFOR A NEW CHAPTER 13-1/2; ESTABLISHING A PARKS DEPARTMENT; ESTABLISHING A PARKS AND LANDSCAPING ADVISORY COMMITTEE AND A RECREATION AND EVENTS ADVISORY COMMITTEE, AND PROVIDING THE COMPOSITION AND DUTIES THEREOF.

Mayor Descant said this had been discussed previously and then asked if we adopt this ordinance, when it would go into effect.

Dale Brown advised this ordinance calls for seven (7) members on each of the committees, and he thinks at this time the membership of both are down to about seven members now.

Ken Wall stated Council can go ahead and approve and then reappoint the members in May when a Mayor is elected.

Councilman Pulido asked if the expending of funds by these committees is under the City Manager's control and Dale Brown said yes.

Councilman Pulido then made a motion and seconded by Councilman Wilson to adopt Ordinance No. 94-09 amending the Code of Ordinances

by striking therefrom all of Chapter 13-1/2; substituting therefor a new Chapter 13-1/2; establishing a Parks Department; establishing a Parks and Landscaping Advisory Committee and a Recreation and Events Advisory Committee, and providing the composition and duties thereof.

Council members Pulido, Wilson, Bowden and Berube voted for the motion and Councilman Fenley was not present for the vote. The motion passed.

#### AWARD THE BID FOR JANITORIAL SERVICES

Dale Brown stated we had received a wide range of bids, with Elite Cleaning Services being the low bidder. He has been checking their references and has received some very good reports. He still has two more references to check with.

Councilman Pulido asked if the Bid Specifications stated how many people should be on site to do the cleaning and Dale Brown said no, except it does state that a supervisor must be on site. Most likely there will be two to three people here plus a supervisor.

Councilwoman Berube asked if this includes the new police building and Dale Brown said it does not. There is a provision that when that building is complete the costs will be reexamined and renegotiated. He does not think there will be much difference in costs, since the new building will be much easier to clean than the old building.

Mr. Brown then said that Staff recommends awarding the bid to Elite pending information from the other two references. He also noted we have been paying \$525 per month and this bid is \$600 per month, which now includes the cost of all the supplies.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to award the Janitorial Services Contract to Elite Cleaning Services pending the outcome from the other two references.

#### APPROVAL OF AN ORDINANCE AMENDING THE 1993-94 ANNUAL BUDGET

Dale Brown said as discussed previously, the City Attorney has recommended we begin a policy of adopting an amending ordinance at the end of each fiscal year that would correct the figures of the budget from what was adopted on October 1 to the ending balances for the year.

He noted Staff has worked with Incode, whose accounting software we have and have come up with a report form that shows beginning and

ending balances for the fiscal year. This is basically an accumulative report of all of those monthly budget adjustments that Council has already approved.

Councilman Pulido made a motion, seconded by Councilwoman Berube and the vote was unanimous to adopt Ordinance No. 94-10 amending the 1993-94 Annual Budget.

APPROVAL OF AN ORDINANCE FOR: SETTING THE TAX RATE FOR DEBT SERVICE; SETTING THE TAX RATE FOR MAINTENANCE AND OPERATION; AND SETTING THE TOTAL TAX RATE FOR 1994.

Ken Wall advised there needs to be three separate votes on this ordinance.

- (A) Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to set the tax rate for Debt Service for 1994 at \$ .15400/\$100 valuation.
- (B) Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to set the tax rate for Maintenance and Operation for 1994 at \$ .57600/\$100 valuation.
- (C) Councilwoman Berube made a motion, seconded by Councilman Fenley and the vote was unanimous to approve Ordinance No. 94-11 for the assessment, levy and collection of ad valorem taxes and setting the total tax rate for 1994 at \$ .7300/\$100 valuation.

ADOPT HARRIS COUNTY APPRAISAL DISTRICT 1994 TAX ROLL AND SUPPLEMENTAL ROLL #1

Dale Brown explained this is the Harris County Appraisal District 1994 Tax Roll and also Amendment No. 1 to that roll. After Council adopts this 1994 Tax Roll, the tax statements will be prepared and mailed out.

Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to adopt the Harris County Appraisal District 1994 Tax Roll and Supplemental Appraisal Roll #1 as an amendment to the Tax Roll with a tax rate of \$ .7300/\$100 valuation and a total taxable value of \$7,742,380 for an additional tax levy of \$56,519.37.

AUTHORIZE CITY MANAGER TO DISPOSE OF ALL THE CITY'S SURPLUS EQUIPMENT IN THE BEST WAY

Dale Brown explained this is to re-emphasize what we have been

doing for the past several months in order to dispose of surplus equipment. We have provided Council with several lists of surplus equipment and this is to give the authority to the City Manager to dispose of this equipment by the best means. Some items may be put in an auction of our own, some may be put in another general type auction and the vehicles possibly taken to the Big H Auto auction.

Councilman Fenley said he would like to see a complete list of all this equipment before he votes to get rid of it.

Dale Brown said all of the items have been previously approved by Council, but Staff can provide a consolidated list for them to see again.

Councilman Bowden noted we still have an old Chevrolet Police Car, that was supposed to have gone surplus three years ago, but we have never gotten rid of it.

Mayor Descant said he agrees we should get a consolidated list of all these items before taking a vote.

Resident Bob Hartsough asked what the policy is for disposing of fire arms. If we do not have one, we should get one.

Councilman Wilson said he believes the intent here is to facilitate getting rid of this equipment. He realizes Council has approved disposal of this surplus equipment previously, but thinks it is a good idea to see a complete list.

Mayor and Council all agreed and Mayor Descant said he thinks we need to set a policy for disposal of all items, including fire arms, as to when and how it will be done. He then asked Staff to provide this list and Council will discuss a policy at another meeting.

There was no further action on this item.

#### APPROVAL OF AN ORDINANCE DEFINING SUBSTANDARD BUILDINGS OR STRUCTURES

Dale Brown said that at Council's request he and the City Attorney have reviewed and looked into expanding the City's regulations regarding substandard housing. The City Attorney has come up with this ordinance. It is Mr. Brown's understanding that we have always had some sections in our building code regarding this, but they are rather general in nature and this ordinance is much more specific and more detailed in defining what a substandard building would be and provides action for the City to take.

Dale Brown said this would not require residents to repaint their homes just because the paint is peeling, and Ken Wall added this is not to correct unsightly conditions, it is just structural and hazardous.

Mayor Descant said several years ago there was a condition where someone was living in a home with no utilities and was very unsightly, but this would also not address situations of this type.

Councilman Bowden noted this does not address abandoned buildings, and asked how this would be handled. For instance where a building is abandoned and kids may be going into and Ken Wall said chances are that would be a violation of one of the Codes that is named here and if that is the case you could order the owner, following a hearing, to board it up. If that is not done, then the City could do it and charge the expense to the owner.

Councilman Bowden said he noticed there is not a minimum fine on this ordinance, and he thinks this is important on a lot of our ordinances for the City to at least be able to recoup it's costs.

Ken Wall said we could establish a minimum, but a judge could set a fine below that minimum.

Councilman Bowden said he thinks people would act more quickly if they know there is a minimum.

Ken Wall said this ordinance could be revised to include a minimum that Council agreed to set at \$250.00.

Councilman Wilson asked if a building is declared to be a nuisance, how much time do they have to act and Ken Wall said Council sets the time limit.

Councilman Wilson said in the case of a burned out building, what would the logical time frame be? He noted there have been some that have been here for long periods of time. In the City of Houston some buildings have been taken down before the fire department leaves the scene.

It was noted that our current ordinance states ten (10) days, which is acceptable, and Dale Brown said in many cases this can be delayed because of insurance.

Ken Wall said he will make the noted changes in this ordinance and bring back to Council at their next regular meeting.

There was no further action.



is having a meeting with Marilyn Oates, our TML representative, tomorrow concerning the medical and dental insurance. There is an option under the medical coverage to go to a "PPO" plan where you have the option to choose a doctor from their Preferred Provider list. The premiums for this type coverage is less than we are currently paying.

Mr. Brown then stated the police building construction is moving along real well. The sprinkler system is in and the brick work is to begin this week. The due date for completion is February, 1995, however the contractor hopes to complete it by December of this year.

Mayor Descant asked if we had gotten builder's risk insurance and asked that Staff check into this.

It was noted there have been two change orders, that have totaled less than \$5,000.00.

ADJOURN OPEN MEETING

With all business completed, Councilwoman Berube made a motion, seconded by Councilman Fenley and the vote was unanimous to adjourn the meeting at 8:55 p.m.


CLOSED MEETING

Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to go into a closed meeting at 8:56 p.m.

ADJOURN CLOSED MEETING

The closed meeting was adjourned at 9:20 p.m.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 11-28-94

Ordinance Nos. 94-09, 94-10 and 94-11 are on file in the City Secretary's office and are made a part of these minutes by reference.



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

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MINUTES FOR THE SPECIAL CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: November 7, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Pro Tem Bruce Bowden, followed by the invocation and pledge of allegiance. Noted present were Council Members Joe Pulido, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; and City Secretary, Laverne Hale.

It was noted Mayor Michael Descant and City Attorney Ken Wall were not in attendance.

HEARING

Mayor Pro Tem Bowden opened the hearing pursuant to Subsection 42 of the Public Utility Regulatory Act, TEX. REV. DIV. STAT. ANN. art. 1446c ("PURA"), for the purpose of reviewing the reasonableness of rates charged by Houston Lighting and Power Company for electric utility services with the City of Jersey Village.

Mr. Phil Boudreau, District Manager of the Greenspoint District for Houston Lighting and Power Company, spoke to Council and also presented them with copies of his prepared remarks. He said he would like to have these remarks, which are attached to these minutes, be made a part of these minutes by record.

Mr. Boudreau then read his remarks.

Following Mr. Boudreau's remarks, Mayor Pro Tem Bowden stated the City had received the report from Reed-Stowe & Co., Inc. and asked that the following documents be entered into the record and made a part of these minutes:

- A. The Reed-Stowe & Company report of Houston Lighting & Power Company's existing rates of October 7, 1994.

- B. Houston Lighting & Power Company's response to the Reed-Stowe report of October 14, 1994.
- C. The Reed-Stowe response back to Houston Lighting & Power Company of October 21, 1994.

Mayor Pro Tem Bowden then asked Mr. Boudreau if he could give the average cost per kilowatt coming out of the South Texas Nuclear Plant, including it's debt costs, and Mr. Boudreau said he did not know. When HL&P charges rates for electricity it is based on the average cost of production from all their plants and he really does not know how this is broken down.

Mayor Pro Tem Bowden then asked what percentage of the South Texas Nuclear Plant HL&P owns and Mr. Boudreau stated a little more than 30% and they are the managing partners of this project.

Councilman Pulido asked how a test year is determined for the study and Mr. Boudreau said it is based on when the rate filing occurs and tentatively look back for a full year's operation.

Councilman Pulido confirmed then that a test year always has the same consistent criteria, and Mr. Boudreau said yes and then they look at the costs during that test year to determine if they are typical or not and adjustments are then made.

#### CLOSE HEARING

With no further discussion, Mayor Pro Tem Bowden then closed the hearing at 7:17 p.m.

#### APPROVAL OF AN ORDINANCE FINDING THAT THE EXISTING RATES OF HOUSTON LIGHTING AND POWER COMPANY FOR ELECTRIC UTILITY SERVICES WITHIN THE CITY ARE UNREASONABLE

Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to approve Ordinance Number 94-12 finding that the existing rates of Houston Lighting and Power Company for electric utility services within the City are unreasonable; establishing just and reasonable rates to be observed and in force within the City; providing for rate reductions; providing that this ordinance be served on Houston Lighting and Power Company; providing for the reimbursement of rate making expenses; preserving regulatory rights of the City; making certain findings; and providing for repeal of all ordinances or parts of ordinances inconsistent or in conflict herewith.

Councilman Wilson then stated he would like to thank Mr. Boudreau for appearing and speaking to Council tonight and Mr. Boudreau said he also would like to thank the Mayor and City Council.

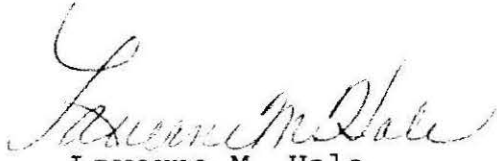
ADJOURN OPEN MEETING

Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to adjourn the meeting at 7:20 p.m.

CLOSED MEETING

There was no closed meeting.

Respectfully submitted,

  
Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 11-28-94

Ordinance No. 94-12 is on file in the City Secretary's office and is made a part of these minutes by reference.



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## MINUTES FOR THE SPECIAL CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

DATE: November 14, 1994

TIME: 7:00 P.M.

PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

### CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened and called to order by Mayor Mike Descant, followed by the invocation and pledge of allegiance. Noted present were Council Members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager, Dale Brown; and City Secretary, Laverne Hale. It was noted City Attorney Ken Wall was not in attendance.

### DECLARE PROPERTY TO BE SURPLUS AND AUTHORIZE CITY MANAGER TO DISPOSE OF IN BEST WAY

Dale Brown told Council they had received a general list of surplus items in their packet, however tonight he has provided for them a much more specific list. He said all the items have been tagged and this is a list by tag numbers. Some of the items are very old and hard to identify. Some of the items on the list from the Police Department have not been tagged because they are being stored where they are extremely hard to get to. They will be tagged later when we can take them out and leave them out to sell, and some of the items are things that have been seized by the Police Department.

For the items to be auctioned, Mayor Descant asked if we would try to tie ours in with another City and Mr. Brown advised we have looked into that and have also talked with an auctioneer who seems to think with the items we have plus all the vehicles we should be able to draw a large crowd and dispose of most everything at one auction. We had discussed taking the vehicles to a broker auction just for vehicles, however the auctioneer said without the vehicles we should probably try to go in with another City's auction because it is doubtful we could get very many people to come for the other items.

Councilman Bowden said he noticed the car numbers on the two lists do not match and he also suggested that the one police vehicle that is going to be replaced this year be auctioned now instead of waiting several years.

Dale Brown said we have not ordered the new car as yet and it would take several months to get it, but he does not mind adding the old car to this list and it could be done as an addendum and given to Council at the next meeting.

Mayor Descant said yes we can do that, however, we need to make sure we are not short on vehicles if we do this.

Councilman Pulido asked what would happen to those items that do not sell, and Dale Brown said we can just dispose of them in the trash or have them picked up.



Councilman Pulido said he would like to get a list of all the items that do not sell.

Following a brief discussion Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to declare inventory of property to be surplus and authorize the City Manager to dispose of surplus property in the best way.

#### WORK SESSION - EXTENSION OF GULFBANK

Mayor Descant explained to the residents in attendance why the extension of Gulfbank has come up again. He said several months ago we received the 1994 Transportation Improvement Program from the highway department. This program still includes the Gulfbank project in their plans as being funded and a high priority item. Then we were approached by representatives of the property owners here in the City along the Gulfbank right-of-way and who were anticipating the street going through as part of their development. After we met with those representatives, the highway department was contacted. As we all remember, the last time this was up for discussion it was proposed to be a six-lane divided highway. Up to that point we were under the impression it was to be a four-lane highway.

The representatives of the land owners have asked us to bring this up again with our options being not to discuss at all or as Council has agreed, to hold a workshop to get everyone's input, both pro and con.

Mayor Descant said he thinks some of the main issues are crime, noise, economic development, zoning in that development, and the operation of this roadway. One question that has already come up in Council's discussion is if it is legal for the City to declare this a no-thru-truck zone and require that the trucks go around U.S.290 to the Beltway and if we should have the City assume the responsibility of maintenance and ownership of this roadway so that we can control speed limits and no-truck-zones, etc.

Dale Brown said the City Attorney has called him with some of his thoughts on regulations of the street and Mayor Descant said he would also like to know what efforts could be done in regard to changes in zoning versus how it is currently zoned and how the zoning could be changed to buffer that area.

It was noted the current zoning is District K and Director of Public Works, John Horton, explained the area north of the proposed Gulfbank is currently zoned for townhouse and patio homes along with commercial development. It also limits the height of any commercial development based on a formula for a designated number of feet from the residential zone. This is to eliminate having an office building overlooking a back yard. This means that adjacent to Seattle Street there would be one story and progressively get higher to allow for three story buildings.

Dale Brown said for future zoning, the City can rezone the area, especially the strip between the residential and the proposed right-of-way. The height regulations could be reduced, the lot size could be increased to encourage larger more planned type development and some type of buffering could also be added.

Mr. Brown then noted on the map where the signal lights are to be located and stated that signals that close together should slow the traffic down, which should also discourage large trucks from coming through.

He then added that according to the City Attorney, the City may have problems regulating this road. There are two legislative issues that would affect the City's ability to regulate. One is a recently adopted intrastate commerce regulation of the Federal Government that prohibits states and political subdivisions from interfering with carrier traffic. This legislation goes into effect in January, 1995 and is broad and general enough that there will probably

be several years of argument as to what it really says and controls. One example is that this removes the City's ability to regulate wreckers.

On the local level there is a Harris County Road Act, which gives the County the authority to take control of a street anytime they decide. If the County should decide they want this as a County Road they could take it in the beginning or take it anytime later by just a County Commissioner's vote to add it to their list of County Roads and take over all authority to it. He added the only case of the County taking over a road that he is aware of, is Memorial Drive. Some of the villages along Memorial Drive were against widening it, so the County took it in order to widen it.

Mayor Descant said another idea that has been discussed is opening Solomon Street up to the Gulfbank extension, and like Friendswood, we could have controlled access where it could be used at school time opening and closing to eliminate a lot of cut-through traffic.

Mr. David Sanderson, Mr. Tom Northrup and Mr. Ed Cummins, representatives of Visco, Inc. spoke to Council and residents in attendance stating they wanted to thank them for the opportunity to discuss the issues on this road. They stated that the City annexed the 19.5 acre Visco tract in 1987. In looking at this tract of land, it is obvious that it cannot be developed successfully unless Gulfbank Road is put in, both for utilities, access and the right-of-ways for drainage.

Mr. Sanderson said they feel this road would be very beneficial to the City. There has been some concern regarding crime and traffic if this road comes through and they feel there is no way crime would increase since the road is out of the residential area. It would increase advalorem and sales tax. They also think at this time that the Texas Department of Transportation will go along with this being a four lane road. Visco is planning to eventually sell this property, probably for commercial/retail use, however you can only put there what is allowed by the City's zoning ordinances.

A number of residents were in attendance and spoke both for and against the extension of this road.

Mr. Jack Wright of 15806 Singapore spoke for, stating he has a deep interest in the City, it's well being and quality of life. Without this development we can expect higher taxes. School traffic and large trucks are a problem now and this would help alleviate this problem. He realizes City Council may need to make an unpopular decision, but they must keep in mind what is best for the City.

Mr. Jim Fields, 16413 St. Helier, said he is against due to increased access to Jersey Village. There will be more traffic and trash and does not see any benefit. He feels the citizens should vote on this issue. There is also the possibility of a compromise if the road does go through, to have a strip of green space next to the residential.

Mr. Rick Faircloth, 16010 Lakeview, said the City needs this road for the future. People need access to their property. He now cuts through the City to get to work, but with this road he would use it to get out of the residential area. The City should support this and work with the landowners in that area.

Ms. Jean Bammel, Seattle Street, said she is against and feels the residents should know exactly what can be put there. She does not see a large tax increase for the City and does not feel burglars need more ways to get in or out of Jersey Village.

Mr. Ralph Martin, 15721 Lakeview, Chairman of the Planning and Zoning Commission, spoke for, and said the Commission listened to the citizen's concerns before zoning this area. He noted the Amerada Hess property in this area is currently being used for cattle because there has been no interest in their property, but with Gulfbank, there would probably be more interest.

Mr. Sonny Sarabia, 16430 Cornwall and formerly 16205 Singapore, said noise was a problem in selling his house on Singapore. He sees no benefit in getting this road.

Mr. Ron Aspen said there would be no difference if the road is four or six lanes.

Mayor Descant said six lanes would encourage more traffic and Tom Northrup said six lanes almost doubles traffic capacity over four lanes. He added the funds for this road would go away if something is not done.

Ms. Molly Wilson, Shanghai, asked the distance between the traffic lights. She said even though there are no funds for the other extension of Gulfbank, is it still shown as a major thoroughfare and she was advised yes, it is on the City of Houston's Transportation Plan.

Mr. Mike Brown, 16025 Wall, spoke against and said he does not go along with the scare tactics that the money will go away. He feels the owners of the property should put in their own roads to access their property and thinks Visco is the only one to benefit from Gulfbank.

Mr. Russell Hammond, Koester Street, spoke for and said he does not want Rio Grande to ever go through, but he does not see a problem with Gulfbank. It will help keep the commercial development separated from the residential. It will add tax revenue and it is controlled by the City's zoning.

Ms. Ruth Polan, 15901 Seattle, spoke against and said the cut through traffic does not bother her and wants to keep our property values up.

Mr. Dale Conger, 16202 St. Helier, spoke for.

Ms. Barbara Erskine, 16118 Tahoe, asked about the signal lights and feels this should be voted on by the residents. She asked how long the construction would take and if traffic would be re-routed during that time.

John Horton advised there should be no re-routing and the construction would probably take six to nine months.

Mr. Rod Erskine, 16118 Tahoe, said he is against and is concerned about the future and how this road will look in ten years. He feels Gulfbank will only be used as a cut through.

Mr. John Tereau, corner of Lakeview and Senate, said the City should do their homework to determine how much the tax base would increase; it may be worth it to the citizens to pay more.

Mr. Alan Bammell, Seattle Street, said he is against and asked if we are going to have a referendum vote on this issue.

Mayor Descant stated this would be an item on the December City Council Agenda to discuss and decide on a referendum.

Mayor Descant then read a letter from Mr. Bob Hartsough in support of the Gulfbank extension.

After further discussion, Mayor Descant asked City Council to put any questions they may have in writing to City Staff. He then noted that the City is in excellent financial condition and there was no increase in taxes this year.

After everyone had an opportunity to speak, Councilman Fenley made a motion, seconded by Councilwoman Berube and the vote was unanimous to adjourn the meeting at 9:25 p.m.

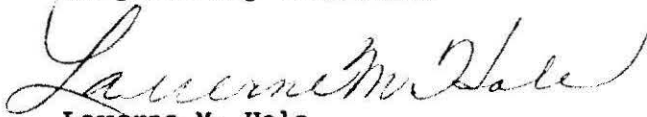
CLOSED MEETING

Councilman Wilson then made a motion, seconded by Councilman Fenley and the vote was unanimous to go into a closed meeting.

ADJOURN CLOSED MEETING

The closed meeting was adjourned at 10:00 p.m.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 11-28-94



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

Incorporated 1966

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: November 28, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Michael Descant followed by the invocation and pledge of allegiance. Noted present were Council Members Joe Pulido, Bruce Bowden and Charlie Wilson; City Manager Dale Brown; City Attorney Ken Wall; and City Secretary Laverne Hale.

It was noted Council members Calvin Fenley and Joyce Berube were not in attendance.

PUBLIC HEARING

Mayor Descant then opened the Public Hearing concerning the performance of Time-Warner Entertainment Company under it's existing Cable Television Franchise with the City of Jersey Village.

Mayor Descant added this public hearing is to get input from the citizens as to the performance of Time-Warner Entertainment, and to hear any criticism or suggestions they may have regarding programming, and what expectations there may be for the future in what the system should provide, and also to hear from Time-Warner as to what improvements or changes they are planning for the period of the upcoming franchise.

Darcy Mingoia, 15801 Lakeview, said she wanted to speak for public access from Warner Cable. She does not have a criticism of Warner Cable, just some suggestions for improvement. She would like to see a public access channel available to our school district through Warner Cable. There are four other cable companies that operate within the Cy-Fair School District, but those four do not have an organized geographical area like we have in Jersey Village. They are pursuing public access ability with all of these four



companies throughout the district, but here in Jersey Village we have a special opportunity since we are an incorporated City and in renewing our franchise now we could provide this service for the school district. The school district could use this channel as a bulletin board at first and later develop a studio in one of the schools that would give students the opportunity to work with informational and educational programming.

Ms. Mingoia added the franchise agreement renewal talks about that possibility, but also talks about a two-year period, which she thinks is too long. She feels this should be done before the other cable companies get in on it and she would like to see Jersey Village be instrumental in getting this accomplished quickly.

Mayor Descant said he is concerned about the programming by Time-Warner, especially in regard to the sex and violence on premium channels such as HBO and Showtime. He thinks scheduling should be considered to have these type movies come on at more appropriate or later times. He would like to know what the management at Warner is doing to control the programming, and feels some of the movies offered are of bad quality and not worth what customers are paying for. He asked how the movies are selected and scheduled.

Mr. Dan Dodson, president of the Cy-Fair Independent School District School Board, said the district is looking forward to having access to television to gain the ability to put out public information as quickly as possible. This would benefit the school district as well as the City. They would appreciate the City taking the lead to help get this access as soon as possible. They feel this would give all of us the opportunity to develop and have better communications.

Mr. Rick Berry, Superintendent of the Cy-Fair I.S.D., said he agrees with what has been said. He added he has been working with other Superintendents in the northern part of the county, where the different cable companies cross boundaries, to cooperate and get this sort of access throughout the school district. This will take time, but he would like to encourage Jersey Village to be a leader in this to gain better communication for the citizens and the school district. Eventually, students could take part in this and it can provide a very good learning experience, but in the beginning, the bulletin board is the easiest part to get started and would be very beneficial.

Councilman Pulido asked if this is intended to replace either the municipal channel or the Houston I.S.D. channel on cable that we now have and Mr. Berry said not to his knowledge, but if we have to free up a channel, the Houston I.S.D. is one that is really of no

value to citizens in the Cy-Fair School District. Councilman Pulido agreed.

Mr. Larry McCaskle, president of Phonoscope Communications, Inc. spoke to Mayor and Council to request a franchise to install and operate a seventy (70) channel fiber optic cable system in the City of Jersey Village. He said his company has been in the cable business for forty-one (41) years.

His company covers all of Houston and surrounding areas by fiber optics and is the only system in this area to be totally fiber optic. Eventually the other companies will have fiber optics but that will be some years down the road. Phonoscope has 70 channels, with 55 of those being basic channels and they could certainly designate one of the channels as public access for the school district.

If they are granted a franchise here, the engineering work can be completed in thirty days, the main trunk lines installed in an additional thirty days, divide the City into four sections and have the first section in operation by the latter part of March. The cost for their service is less than their competitors and they offer more channels.

At this time Mayor Descant introduced Scout Troop #273 from St. Maximillian who were in attendance and are working on their communication merit badges. They are also actively involved in service projects here in Jersey Village.

Pam Thorne, Vice-President of Community Affairs with Time-Warner spoke to Council and stated, as we are all aware, their cable franchise for television service in Jersey Village has recently expired and they welcome this public hearing tonight as a first step in the renewal process.

Ms. Thorne added that Warner Cable has operated the cable franchise in Jersey Village for the past fifteen years and they look forward to hearing from both the City and the residents. They currently serve about two hundred and forty thousand customers within the Houston Metropolitan Area and about one thousand customers in Jersey Village. They are committed to meet the needs and interests of the Jersey Village customers while at the same time being a good corporate citizen. To meet these needs and interests, they are focused on what their customers have told them is of importance, which are programming, value and customer service.

Ms. Thorne then discussed their programming and customer service and stated they are always looking for ways to improve. As a

corporate citizen, Warner Cable has supported numerous organizations and programs to help in Houston's growth. They hopefully will renew the "Hometown Hero's Program" next year. She added if anyone has questions after tonight's meeting, they can put them in writing and send them to her and she will respond and also send a copy to the City.

Again, Ms. Thorne thanked Mayor and Council for holding this public hearing. They look forward to hearing from all interested parties and also to work with City officials in the renewal of this franchise.

She said in response to Mayor Descant's comment on movie scheduling and programming on specific channels, first of all, Warner does not control any of the programming on the channels, they are basically a distributor of entertainment information. She said however, they are concerned and provide parental control on their converter boxes that allows customers to lock out any of the channels they wish. She also added that the movie channels are on a subscription basis. She added they do pass along their customer concerns to their programmers.

Ms. Thorne said they are willing and able to provide the educational channels as discussed here tonight. She cannot give an exact date as to when they will be available since they are currently undergoing a fiber optic upgrade of their entire service area. She said she could provide a specific date for this capability by tomorrow morning, and thinks these access channels can be provided before the total system is upgraded.

In response to the question about whether or not an access channel in this area would override a Houston access channel, she said the Access Houston Cable Corporation, who is contracted by the City of Houston to manage all the access channels, sued Warner Cable several years ago for providing the access channels outside the city limits of Houston. As part of their settlement, Warner is required to take those access channels off, but since they operate one system, they do not have the capability to do that until they upgrade their system. After the upgrade, the citizens of Jersey Village will not receive the four City of Houston access channels. The upgrade is done in several phases, and was started last year.

Mr. Berry stated the school district has the necessary equipment to connect to the cable channel when it is available to start their bulletin board and Ms. Thorne agreed when it becomes available Warner would just have to connect to the school district's equipment and she will advise tomorrow how long this will take.

Dale Brown said our City Attorney, John Olson, is working on the wording for the franchise renewal agreement, and most likely will have a draft available at the December 19, 1994 Council meeting.

Councilman Pulido asked what the time frame is for adopting a new franchise agreement and Ken Wall advised there is really no rush and we have time to consider, even though our current franchise agreement is expired.

Councilman Bowden asked how many channels will be offered when the upgrade is completed and Ms. Thorne advised initially there were going to be sixty-two channels, but within the next several months more channels will be launched and with the total upgrade, there will be a limitless number of channels. She added the upgrade is time consuming because they have to go to every resident's home to replace their equipment.

Resident Jim Fields asked if Warner should happen to leave, would their equipment transfer to another company. Ms. Thorne said yes it would, or it could be taken out. She said the only time they have this situation now is in a multi-family dwelling or apartment complex where the owners of the complex contract with another cable company, then the equipment is offered for sale to that company.

Mayor Descant said he appreciates everyone's attendance and thinks Council members are all in favor of the educational access channel as soon as possible.

Mayor Descant then closed the public hearing at 7:35 p.m.

At this time Mayor Descant introduced Scout Troop #1177, who meet at Foundry Methodist Church and are here tonight because they are working on their communications merit badge.

#### CITIZEN'S COMMENTS

There were none at this time.

#### COUNCIL MEMBERS REPORTS AND COMMENTS

Councilman Pulido asked if we are pleased with the current garbage company, and John Horton, Director of Public Works, said yes. There have been a few complaints, but overall they are doing a good job.

Councilman Bowden said he wanted to comment on Jones Road and to see if the City could talk to the State about putting in white lines to control turns so cars stay within their lanes when turning north from U.S.290 to Jones Road.

Mayor Descant said we now have a State Representative from Jersey Village, who may possibly be able to help us.

Police Chief Mike Lindsey said he plans to schedule officers to concentrate on the Jones Road area.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Pulido made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the October 17, 1994 Regular Meeting; the November 7, 1994 Public Hearing; and the November 14, 1994 Special Meeting.
- B. Approval of Harris County Appraisal District's 1992 Supplemental Appraisal Roll #18 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$900 for an additional tax levy of \$6.57.
- C. Approval of Harris County Appraisal District's 1993 Correction Appraisal Roll #20 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$5,150 for an additional tax levy of \$37.59.
- D. Approval of Harris County Appraisal District's 1994 Supplemental Appraisal Roll #2 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$6,595,450 for an additional tax levy of \$48,146.78.



REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

There were none at this time.

APPOINTMENT OF A CANDIDATE FOR THE HARRIS COUNTY APPRAISAL DISTRICT'S APPRAISAL REVIEW BOARD

Mayor Descant stated this appointment comes up every year, and so far our appointment has never been approved.

Dale Brown said the person designated has to agree to give a lot of his time.

Mayor Descant said he thought possibly resident Bob Hartsough would have the time that is required by this appointment.

Following a brief discussion, Councilman Bowden made a motion, seconded by Councilman Pulido and the vote was unanimous to appoint Robert "Bob" Hartsough as a candidate for the Harris County Appraisal District's Appraisal Review Board.

APPROVAL OF AN ORDINANCE DEFINING SUBSTANDARD BUILDINGS OR STRUCTURES

Dale Brown explained this is the ordinance Council reviewed last month and had asked that it be changed to include a minimum penalty of \$250.00, which has now been amended.

Councilman Bowden then made a motion, seconded by Councilman Wilson and the vote was unanimous to approve Ordinance No. 94-13 defining substandard buildings or structures; declaring substandard buildings or structures to be public nuisances; establishing remedial procedures; and establishing standards for orders of the City Council.

RENEWAL OF THE MOSQUITO FOGGING CONTRACT

Dale Brown explained this is a one-year contract with an option to extend for a second year, and Staff is asking for approval to extend to the second year at this time. If extended, this contract would continue until November 15, 1995.

Councilman Bowden asked if the pest control company has to get approval from the City if they spray a different chemical.

Councilmen Bowden and Pulido stated the contract should read "pre-approved" concentrate instead of approved.

Councilman Pulido asked if they did manhole spraying and exactly what do we get for the \$150.00 per application.

John Horton explained the spraying is done weekly and is very effective, however it is hard to keep up and control after the heavy rains.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the renewal of the Mosquito Fogging Contract with Northwest Pest Patrol to include the change to add "pre-approved" for the chemical usage.

SUBMITTAL OF CHAPTER III OF THE DEVELOPMENT CODE AND RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION TO CALL A JOINT PUBLIC HEARING

Dale Brown explained the proposed changes which includes standard type language. It has been reorganized to work more efficiently and the Planning and Zoning Commission has approved and asked that City Council call for a Joint Public Hearing.

Councilman Bowden said he had a question on Subsection #4-23 on page 3-31 regarding the 1000 square feet of ground area. This is not ground area.

Dale Brown stated a public hearing could be called for December 19 at the regular Council meeting and then adopt the Development Code in January if Council desires.

Dale Brown asked the City Attorney if there were notification requirements beyond the newspaper, such as notifying all residents, since this deals with amending the zoning regulations.

Ken Wall advised the newspaper is the only requirement in this case and the other notification applies to district regulations.

Councilman Bowden made a motion, seconded by Councilman Pulido and the vote was unanimous to call for a Joint Public Hearing for December 19, 1994 at 7:00 p.m. to discuss Chapter III of the Development Code and other matters that shall arise.

CALL A JOINT PUBLIC HEARING CONCERNING AMENDING THE ORDINANCE FOR FENCING IN DISTRICT B

Dale Brown stated a potential property owner came before the Planning and Zoning Commission about developing this tract in District "B" as a Garden Home development. They noted it is a detriment to this property being backed up to the sewer treatment plant and asked that the fencing requirement for this district only be amended.

The developer requested the ordinance be amended to allow for a 12 to 14 foot high fence and Staff is recommending 12 feet.

The Planning and Zoning Commission has asked that City Council call for a Joint Public Hearing to consider amending this ordinance.

Ken Wall advised a variance could be granted due to a hardship of this property abutting the sewer plant.

Councilman Bowden said he is concerned about the concentration of chemicals of the sulphur dioxide and chlorine from the sewer plant being harmful to the children at the daycare center if there is a 12 foot fence.

John Horton stated there is a vacuum system at the waste water treatment plant and they also have sensors that detect leaks and automatic dialers if they detect a problem.

Mayor Descant asked how high their tanks are and John Horton advised they are less than 12 feet high.

Councilman Wilson asked if we are discussing the area along the west side only and he was advised yes and also that the daycare center would have the option to put up a fence if they desire.

Dale Brown said he thinks we need more specific regulations and Mayor and Council agreed it would be more advisable to amend the ordinance and set specific regulations.

Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to call for a Joint Public Hearing for December 19, 1994.

APPOINTMENT OF A CAPITAL IMPROVEMENTS COMMITTEE

Dale Brown stated this committee needs to be appointed to review the impact fees. He thinks it should be comprised of

representatives from both the City and the extraterritorial jurisdiction.

Mayor Descant said he had several suggestions of names to appoint to this committee and John Horton said he might suggest the man who developed the apartments since he is very familiar with this.

Dale Brown advised the previous committee was made up of the Planning and Zoning Commission plus several other individuals.

Councilman Bowden said we may need to appoint members other than the Planning and Zoning Commission, but Councilman Pulido stated the Planning and Zoning Commission would have more knowledge on this.

Ken Wall said this committee needs to have five (5) members, but it is not necessary to appoint the Planning and Zoning Commission.

Mayor Descant said we will review, come up with suggested names, and discuss at the next meeting.

There was no further action on this item.

AUTHORIZE THE SUBMITTAL OF A GRANT APPLICATION FOR ADDITIONAL POLICE PERSONNEL

Dale Brown said there are federal funds available for cities with a population under 50,000 for a grant from the U. S. Department of Justice under the Violent Crime Control Act of 1994 (COPS FAST) for an additional patrol officer devoted to community policing.

Mr. Brown added since we may be considering some annexation in the near future, we may need additional patrol officers.

Councilman Pulido said he thought we were already short a police officer due to the Detective position.

Chief Lindsey said this grant is for a total of \$75,000.00 for three years and if approved and submitted, we could possibly get approval of the grant by February, 1995.

Councilman Bowden said we will need to discuss where the additional funding will come from for this additional police personnel.

Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to authorize submittal of a grant application to the U. S. Department of Justice under the Violent

Crime Control Act of 1994 (COPS FAST) for additional police personnel.

APPROVAL OF THE SALE OF ADDITIONAL SURPLUS PROPERTY AT PUBLIC AUCTION

Councilman Pulido stated he thinks this item should be tabled until all Council members are present.

This item was then tabled and there was no further action.

CITY MANAGER'S REPORT

Dale Brown reported the Subsidence District is asking the City for \$3,000.00 funding to teach water conservation at Post Elementary School.

John Horton stated the water district he represents was also approached and they went along against his better judgement.

Mayor Descant said he believes City Council has no interest in this at this time.

Dale Brown then discussed the City's swimming pool contract. He said the swim team has sent a letter to the City asking for more time to use the pool.

Mayor Descant said is there a possibility the swim team could check on using another pool, such as the one at Dean Junior High School.

There is the possibility they could use the City's pool from 8:00 p.m. to 10:00 p.m. or after the pool closes.

Dale Brown said we need to formalize the conditions for use instead of just a handshake. Originally they were to do something for the City in return for the use of the pool and Mr. Brown added there was supposed to be a formal agreement with the City last year that never came about.

Ken Wall added that money is the best way to be compensated, however if they start paying for the use, they may expect more from the City.

Councilman Wilson asked why their practice is scheduled at the times of days indicated and he was advised because of the year around school schedule.



Resident Jim Fields suggested the swim team practice in the early mornings.

Mayor Descant asked if they are required to pay for the pool, would that impose any more liability on the City and Ken Wall said it would not.

Councilman Pulido said he feels the citizens should be primary users and the swim team secondary.

Mayor Descant said possibly the best way to handle this is not to have a contract, just post the conditions for usage and all Council members agreed.

Mr. Brown noted that Christmas in the Park is planned for December 18, 1994.

Mr. Brown also stated the new police building is being painted now with January 15, 1995 set as completion date. There have been a couple of change orders, but are still at contract level.

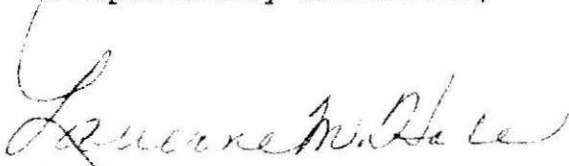
ADJOURN OPEN MEETING

There being no further business, Councilman Wilson made a motion, seconded by Councilman Pulido and the vote was unanimous to adjourn the open meeting at 9:00 p.m.

CLOSED MEETING

There was no closed meeting.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 12/19/94

Ordinance No. 94-13 is on file in the City Secretary's office and is made a part of these minutes by reference.



16501 JERSEY DRIVE  
HOUSTON, TEXAS 77040-1999  
(713) 466-6159

Incorporated 1966

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE  
JERSEY VILLAGE CITY COUNCIL

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DATE: December 19, 1994  
TIME: 7:00 P.M.  
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

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CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Michael Descant, followed by the invocation and pledge of allegiance. Noted present were Council Members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; City Attorney Ken Wall; and City Secretary, Laverne Hale.

Also in attendance at tonight's meeting were members of the Planning and Zoning Commission, which included Chairman Ralph Martin, Duane Meaux, Leroy Narendorf and Tom Eustace, who arrived late.

At this time Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to move Item 7 on the Agenda to precede Item 3.

CITIZEN'S COMMENTS

Mr. Bob Biggs, who lives on Village Drive, stated he is here again to ask that the speed limits on Village Drive be reduced. He added we currently have a 30 mph speed limit, and that the "Limited Sight Distance" sign the City put up is a joke.

Mr. Biggs said when he backs out of his driveway he is able to see for one-hundred fifty feet and has calculated the time it takes a vehicle to get there. He added that school busses violate the speed limits more than anyone else on Village Drive. He feels the speed limit should be reduced to 20 mph. Parking is allowed on one side of the street, which also causes a lot of problems since the street is only twenty-seven feet wide. With cars parked on the street it is almost impossible for an emergency vehicle to get through with the oncoming traffic.

Mayor Descant stated the last time this was discussed, he agreed with Mr. Biggs and thought that lowering the speed limit to 25 mph would help the problem and we have started by first trying the sign to warn people there is "Limited Sight Distance".

Mr. Biggs said we now have some streets with 25 mph speed limits and they are straight through streets. He added 25 mph will not help on his street, he thinks the speed limit should be 15 or 20 mph.

Councilman Pulido said he agrees with the 25 mph, and Councilman Fenley said at this time it might be a good idea to call on Ray Kennedy to help as a consultant. Mr. Kennedy is retired from the City of Houston after working forty years in their traffic and transportation department.

Mayor Descant agreed we should contact Ray Kennedy and ask for his input.

#### COUNCIL MEMBER'S REPORTS AND COMMENTS

There were none at this time.

#### CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Wilson made a motion, seconded by Councilman Pulido and the vote was unanimous to approve the following items on the consent agenda.

- A. Approval of the minutes of the November 28, 1994 Regular Meeting.
- B. Appointment of Elizabeth Blome, Doris Chandler and Cynthia Hansen to the Recreation and Events Committee.
- C. Approval of Harris County Appraisal District's 1989 Supplemental Appraisal Roll #13 as an amendment to the Tax Roll with a tax rate of \$ .7304/\$100 valuation and a total taxable value of \$6,880.00 for an additional tax levy of \$50.25.

- D. Approval of Harris County Appraisal District's 1991 Supplemental Appraisal Roll #20 as an amendment to the Tax Roll with a tax rate of \$ .7185/\$100 valuation and a total taxable value of \$3,500.00 for an additional tax levy of \$25.14.
- E. Approval of Harris County Appraisal District's 1992 Supplemental Appraisal Roll #19 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$3,500.00 for an additional tax levy of \$25.55.
- F. Approval of Harris County Appraisal District's 1993 Supplemental Appraisal Roll #13 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$45,420.00 for an additional tax levy of \$331.56.
- G. Approval of Harris County Appraisal District's 1993 correction Appraisal Roll #21 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total reduction taxable value of \$62,420.00 for a reduction tax levy of \$455.66.
- H. Approval of Harris County Appraisal District's 1994 Supplemental Appraisal Roll #3 as an amendment to the Tax Roll with a tax rate of \$ .73/\$100 valuation and a total taxable value of \$10,762,210.00 for an additional tax levy of \$78,564.13.

#### REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

Dale Brown said the committee has not yet reported on the "Holiday in The Park" that was held this past Sunday, but he said as far as he could tell, it was a success. There were several hundred people there and the City provided cookies and apple juice.

There were no further reports at this time.

Motion was then made by Councilman Wilson, seconded by Councilman Fenley and the vote was unanimous to move Item #12 before Item #11 on the agenda.

#### APPOINTMENT OF A CAPITAL IMPROVEMENTS COMMITTEE

Dale Brown stated this is a committee that is required by the same statute relative to the impact fee process establishing new impact

fees for development. He understands we need at least five members, with one member being a representative of the development community or he may also be a representative of the property owners in the Extraterritorial Jurisdiction.

John Horton, Director of Public Works, confirmed that Mr. Rick Beeler has been suggested and could serve in that position on the committee.

Mayor Descant said he wanted to add Mr. Frank Marino's name to this committee and asked Council if they had names they would like to submit. Councilman Bowden suggested Jon Bowden and Councilman Fenley suggested Mr. Ray Kennedy.

Mayor Descant said since we need a couple of more people for this committee, he would like to postpone any action tonight and discuss again at the next meeting and Council agreed.

At this time Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to go back to Item #3 on the agenda.

#### OPEN JOINT PUBLIC HEARING

Mayor Descant then opened a Joint Public Hearing with City Council and the Planning and Zoning Commission concerning a proposed development code, which includes, among other matters, zoning regulations and subdivision regulations.

Dale Brown stated that Staff and the Planning and Zoning Commission had been working on this proposed development code for quite some time and it was presented to Council several months ago. It is a reorganization of our subdivision ordinance, zoning ordinance and several other ordinances that are related to the development of land.

The subdivision ordinance has been expanded and the zoning ordinance has been reorganized to fit the new organization of the rest of this document. In this proposed development code, Mr. Brown said, we have tried to provide more standards in the subdivision ordinance, specifically for streets, that we have not had previously. There are also specific standards for the plotting of land and more indepth procedures relating to the preliminary platting process, and it also provides for additional opportunities for development, with specific sections for garden homes, townhouses, and unified development, etc.

Mr. Brown said this public hearing is to solicit input from the public on their ideas and opinions.



Mayor Descant asked which parts of the municipal code were incorporated into this development code and Dale Brown said the general administrative section is pulled from various areas of the current code that provide the designations of the Planning Commission; the subdivision and zoning ordinances, storm drainage, flood control ordinances, sign standards, off-street parking and driveway standards, landscaping and buffering for yards provisions. He said we have also added that future residential subdivisions are required to provide open space and/or park land. There are also basic standards for designating public easements and standards for the construction of public utilities.

Ralph Martin, Chairman of the Planning and Zoning Commission, added that as Mr. Brown has said, one of the major things in this document is the provision for park land to be part of any major development in a residential area, which can be calculated in a couple of different ways. Most of this proposed code is merely an update and consolidation of previous documents.

Bob Hartsough, a resident, asked if the current subdivision ordinances stay in tact and Dale Brown said yes.

Another resident asked if it allows for better control of our ETJ and Mr. Brown said yes since they must go through our development process, however, it does not address or control the land use in the ETJ since the State says we cannot regulate the use of the land through a subdivision ordinance.

This resident then asked if it also better divides and defines the residential and commercial districts, and Mr. Brown said it does not change any of the zones, with the lines of the zones and the verbiage within the zones all staying the same, with the same organizational structure.

Mayor Descant said this has been a large undertaking for both Staff and the Planning and Zoning Commission and has taken approximately a year and one-half to two years to complete.

There being no further comments, Mayor Descant closed the joint public hearing at 7:30 p.m.

#### OPEN JOINT PUBLIC HEARING

Mayor Descant then opened the second Joint Public Hearing between City Council and the Planning and Zoning Commission concerning a proposal to amend the City's Zoning Ordinance to permit fences up

to fourteen (14) feet in height in zoning District B - Eastern Business District.

Dale Brown said a potential developer of an undeveloped tract in District B, which is located in the area of Philippine and Equador Streets, has come in with a proposed development of garden homes. This tract of land is beside the daycare center and in front of the sewer treatment plant. The developer feels that since this backs up to the sewer treatment plant, this would not be appealing for sales and has requested that the City consider a proposal to amend the height restrictions for fences in that district only. They feel a higher fence would more effectively help to screen the sewer treatment plant from the development.

Planning and Zoning has approved this request and asked Council to conduct this joint public hearing.

Councilman Pulido asked if this could not have been accomplished by granting a variance.

Ken Wall said by doing it this way, the City Ordinance will set the standards, rather than each property owner asking for a variance.

John Horton explained the standards that would be required are those of the standard building codes, that it have a 100 mph windload, have galvanized metal posts set an appropriate depth, normally about one-third of their height, in the ground and in concrete. He added if Council wishes, we could also restrict the materials used. Our current ordinance allows most all types of materials.

Mayor Descant said he thinks we need to specify the materials to be used.

Resident Bob Hartsough asked if this fourteen foot fence would go all the way out to Philippine and Dale Brown said no, it would not. It will be at the back, as a screening between the undeveloped property and the sewer treatment plant.

John Horton added, this fence must still abide by all of our other ordinances. This is just to screen the waste water treatment plant which could be specifically stated in the ordinance.

Since there were no further comments, Mayor Descant closed the joint public hearing at 7:35 p.m.

EXTENSION OF GULFBANK ROAD

Mayor Descant stated this topic had been brought up again and discussed at the November City Council meeting and there were a number of unanswered questions and people were wanting more information as to where the Highway Department stood on this project, such as possible zoning changes for this property, and the element of control the City would have over traffic and development in that area.

He then asked for a summary from Dale Brown, to be followed by a representative from the highway department. Then Council will entertain any comments from the residents.

Dale Brown explained what had been discussed at the last workshop and also explained a drawing showing exactly where the road would be, along with proposed traffic lights, etc. He said the road is shown as reduced from a six lane divided roadway to a four lane divided, however the State has approved it as a six lane. They may be willing to discuss the possibility of changing it to four lanes, however, the City needs to respond to the State with their desires.

Mr. Brown added the property north of the proposed right-of-way and south of the existing residential tract is presently zoned for commercial and garden home developments. A change in zoning has also been discussed for the area between the road and the residential. He added there has also been discussion about a public referendum on this or City Council may want to make a decision on their own. He noted a representative from the Highway Department and the developers are both in attendance tonight to discuss and answer questions.

Mayor Descant said there have been some rumors that because of the clean air standards and the status of Harris County, there were no plans on the part of the Highway Department, and that they would not be able to start construction on this and asked the representative if there is any truth in this and he said no, this is not true.

Mayor Descant then said another concern is the ability to control through truck traffic in this area and the representative from the Texas Highway Department said Jersey Village can control traffic on this just as they do any other street, since it will be a City street.

Ken Wall advised there is a new federal law that relates to trucking regulations and goes into effect next month. Right now no one knows what the effect of this will be. There will be no guarantee that the City will be able to control. In addition,

Harris County could take over this road at anytime if they wish. He thinks that would be unlikely, but it is a possibility.

Resident Bob Hartsough said we really want to know what we are going to do with this land. We want local control of the street and we do not want a six lane highway. We need to look at the zoning and the people do not want commercial next to the residential.

Resident Ernie Hewitt said he agrees that we need to maintain some control in this residential area. He sees no benefit to the residents of having a six lane highway going through here.

Robert Clark said he also agrees with Bob Hartsough.

Another resident asked if Jersey Village says they do not want this road, will the State go ahead with their plans and the answer was no.

Mayor Descant said he understands that the County or Metro could go ahead with the road at anytime, if they desire.

The resident then stated she believes the City does not have to accept anything. She had thought this was a dead issue.

Another resident stated he has lived on Philippine since 1977, and he feels Gulfbank would eliminate a lot of traffic in his area and is very much in favor of it.

Mr. Ed Cummins asked the City Attorney if the County or Metro could build the road, could they as developers put it in, and Ken Wall said not without the City's approval. Mr. Cummins said the land is dedicated for the street and the land owner has been very cooperative and done everything the City has asked. He added they cannot develop the land without a street, and someone will have to put it in. He then asked if the City is comfortable with the zoning that was imposed on the land when it was annexed and also the location of the road, and if so, then why would Jersey Village object to the State putting the road and drainage in.

Mr. Cummins said the property owner has owned this land since the 1980's and agreed to the annexation, to be a cooperative citizen; he agreed to moving the West Belt away from his property to be a cooperative citizen; and he agreed to realign the street some three hundred feet south of the homes that face Seattle to be a cooperative citizen. He said the owner has done everything the City has asked him to do, now it is only fair that he be cooperated with in some way.

John Horton advised that in 1985 City Council was presented with three different alternatives for the alignment of Gulfbank through there and this particular alignment was chosen by the Council at that time.

Bob Hartsough said originally this was just a road. It needs to be a local street and the City needs to look at making overall changes to bring the zoning, etc. up to date. We certainly do not need a six lane road here.

Councilman Wilson said there are two things to consider, the road and the zoning. If FM529 comes through, should we have the zoning changes done prior to that time, and he was advised yes, zoning should always be done prior to a road coming through.

Councilwoman Berube said she has been advised by citizens of two issues concerning Gulfbank. One being the traffic congestion on Philippine may be eliminated if Gulfbank is put in, and the other is the noise factor. She confirmed with Mr. Sanderson that a greenbelt had been discussed for that area. Ms. Berube said she thinks even the buildings would help deflect some of the sound or noise.

Mr. Sanderson said there is some concern about fast food businesses being put in if Gulfbank goes in, however, he wanted to say this would not be a good location for a fast food restaurant. Possibly on the corners, but not in the middle of the block, and there would most likely be none backing up to the residential because the lots would be too deep.

Councilwoman Berube said she had received calls from Joyce Sernec, and Lynn Pritchard who both live on Australia. Mr. Pritchard was in attendance and said they were concerned and against linking Solomon to Gulfbank because of the through traffic.

Ralph Martin said the intention of having Solomon connect to Gulfbank was for school traffic and have it opened and closed at certain hours of the day. He added that on the northern side of this development and on the south side of all the residential lots, any development along there would have to put up a masonry wall, six to eight feet high, according to our present ordinances. This will help with the noise factor.

Resident Jean Bammel asked what the process is for the Highway Department to change, if the City comes to them and says we want the road, but we only want a four lane divided and not a six lane.

The Representative from TDOT said right now the entire Gulfbank Road is on the County Thoroughfare Plan, and until the entire



roadway plan is killed, they have to continue with the way it was planned. If Jersey Village wants it changed to a four lane, he would suggest, is that it be built using the existing plans taking the inside lanes out, making a wider boulevard or median. Then if they were forced at some time, or the County took over the road, then they could take that out and make it a six lane road.

Ms. Bammel said she thinks this gentleman made an important point, and hoped Council all heard, about possibly later changing to a six lane road. We are not under any timeclock about developing this road, except for the people who own property in this area. She said she thinks these people took a gamble, and there is never a guarantee anyone will make money on buying or selling property. This City was developed for residential and for the people and it is very important to take into consideration what is best for the City. Any taxes generated from this road going through will not be enough to make any difference and she feels the City should be for residential only, as it was developed.

Mayor Descant said we have to decide what our options are and what direction should be taken. Our options are, number one, we do not want the road under any circumstances; two, form a group to look at development and zoning for this area; third, approve it; fourth, have a referendum; and fifth, do nothing at this point.

Councilman Fenley said Council had voted this down some time before, and he agrees we must decide now if it should go through or not and have a referendum. However, he is not sure if this will make any difference, since the County could decide at any time to go through with it. He thinks we need to make sure, if it goes through and we don't want it, that we have the proper zoning in place that will enhance the City.

A resident said he does not think anyone is forcing this road on Jersey Village and it will also create a very dangerous intersection.

Dale Brown said he would like to explain that when Gulfbank was initiated eight to ten years ago, there were two names on the sponsorship that went to the State. They were the County of Harris and the City of Jersey Village. The City of Jersey Village has dropped out, but the Harris County sponsorship is still there, and they can continue their sponsorship.

Mr. David Sanderson said prior to the vote against this road, last year by City Council, a lot of work had been done with the City. The City also has a Resolution that was submitted for the construction of this road back in 1988.

Another resident said a year ago they had 800 signatures against this road. We do not want the road, if its six, four or two lanes. Then another resident said if a subdivision east of here can get this road blocked, he doesn't see why Jersey Village couldn't do the same thing.

Councilman Bowden said again we need to put some names together and start work on this looking at the land use and the zoning.

Councilman Pulido agreed, but added he would like to see this study completed at least by the March City Council meeting. We may also need to have a workshop to set out guidelines for this committee.

Councilmen Fenley and Bowden said there are many options to look at, such as just putting in a street to service the needs of the developer, but not a through street, etc.

After further discussion the consensus was to name a Gulfbank Advisory Committee, and hold a workshop on January 9, 1995 at 7:00 p.m. to set out guidelines to complete study in sixty days.

#### AWARD BID FOR THE OPERATION AND MAINTENANCE OF THE POOL

Dale Brown explained bids had been received for the operation and maintenance of the City pool and The New Advantage, who had the contract last year, was again the low bidder and Staff is recommending the contract be awarded to them.

Councilman Fenley then made a motion, seconded by Councilman Pulido and the vote was unanimous to award the bid to The New Advantage in the amount of \$25,706.95.

#### APPROVAL OF THE SHORTFORM PLAT FOR THE VILLAGE DRIVE OFFICE PARK

Dale Brown said this is on Village Drive and subdivides the tract into office lots. The Planning and Zoning Commission has reviewed and approved it and has recommended Council's approval. This area is zoned as District F.

Councilman Pulido made a motion, seconded by Councilwoman Berube and the vote was unanimous to approve the Short Form Plat for the Village Drive Office Park.

Councilman Wilson then asked if there would be sidewalks on Village Drive, for bicycles, etc. and Mr. Brown said if the ordinance requires it, then they will be there. John Horton advised there is a sidewalk located between the fence and the street.

APPROVAL OF AN ORDINANCE APPROVING A RECORDS MANAGEMENT PLAN

Dale Brown said this completes the process of an ongoing plan mandated by the State that all cities establish a records management plan. After a couple years of work, we have completed this plan, submitted it to the State and have gotten approval and now Council needs to adopt it into law as an ordinance.

Councilman Pulido asked if the standards were established by the State for the procedures and Debbie Loesch, the Records Management Officer said yes and explained the process.

Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve Ordinance No. 94-14 approving the Records Management Plan.

TELEPHONE SYSTEM FOR THE CITY

Dale Brown explained that in October we had received proposals for a new telephone system for the City. Eleven proposals were received and Staff, along with Councilmen Bowden and Fenley, are recommending the Panasonic Telephone System.

Mr. Brown added two companies had submitted bids on Panasonic telephones. After thoroughly checking out both companies, we found they both offer the same service guarantees and equipment. Both companies have been in business for a number of years. Datavox is a slightly larger company with more technicians, but Hooper Communications is a little lower in price, therefore Staff is recommending Hooper Communications.

Councilman Bowden asked if Hooper will be able to do service work through a modem and Mr. Brown said yes and noted that most all the companies offer service that is done remotely unless it is a major problem or equipment failure. He also understands there is some sort of lightning protection included in the equipment.

Councilman Fenley noted Datavox has 53 employees, and Hooper only has 19, and said he wonders if we can expect the same service.

Dale Brown said he has since received information that the company that handles the 911 maintenance County wide also sells Panasonic telephones, and would also be available should we need them for maintenance at a later time.

Mayor Descant said he thinks that Councilman Fenley came up with a valid point about the number of technical employees at these two companies and asked if we could legally award the bid to Datavox,

even though their cost is higher and Dale Brown said yes, because on the specifications, we placed maintenance as a higher priority than the cost.

Councilman Pulido asked if we could change later for the maintenance if Hooper does not perform and Mr. Brown said yes.

Chief Lindsey confirmed that references had been checked on both companies and they both guarantee two hour emergency service if a problem arises or any other service will be taken care of the next day. He added that the first year service is included in the contract.

Resident Haden Lambert asked if the new police building had surge protection for the entire building because of the lightning problems we have had in this building.

Chief Lindsey said all the computer equipment, etc. will have protection.

Another resident said he would recommend putting a UPS on the system, which works similar to a computer battery backup. If you lose power, you lose electronic digital equipment, unless you are guaranteed some sort of power backup.

Councilman Bowden asked if this would be a lease/purchase agreement and Dale Brown said his idea would be to do the lease/purchase for forty-eight months rather than an outright purchase. The reason for this recommendation is that we can make the down payment, which would cover the cost of installing the phones in the police building and the rest of the telephones could be paid out over the course of the time period, and the monthly costs can be paid by reducing the number of direct lines into the building.

Ken Wall said we have not as yet seen the lease agreement and the City and the vendor may have a problem agreeing on the lease. One problem being if the City obligates itself beyond the current fiscal year there must be a provision in the lease that authorizes us to cancel the lease if the money is not appropriated in any subsequent fiscal year. This may not be satisfactory to the vendor.

Mayor Descant said we could approve this pending that a copy of the lease agreement be sent to the City Attorney.

Councilman Fenley said it seems that it would make a difference or change Council's vote if one of these companies would sign our lease agreement and one would not.

Councilman Bowden said we could make the approval on the lease agreement only, and if it is not agreeable with the vendor, we could give the option to go to the other company.

After further discussion, Councilman Bowden made a motion, seconded by Councilwoman Berube and the vote was unanimous to award the bid for the telephone system to Hooper Communications if lease/purchase agreement terms can be worked out satisfactorily between the City and the vendor.

#### LIABILITY INSURANCE COVERAGE FOR THE CITY

Dale Brown explained that at the Mayor's request the liability insurance coverage has been re-examined with the possibility of increasing. Council has received a memo summarizing the \$1,000,000, \$3,000,000 and \$5,000,000 coverage. Our liability coverage is divided into four sections; General, Automotive, Law Enforcement and Errors and Omissions. For the past couple of years we have been budgeting the same amount of money, and at the same time we have had two rate reductions from TML. We currently have \$1,000,000 coverage with \$10,000 deductible for each occurrence at an annual premium cost of \$41,618. The premium for \$3,000,000 would be \$52,220 and \$5,000,000 would be \$56,366 with the same \$10,000 deductible. Since we have not reduced the amount budgeted for liability insurance, we have sufficient funds to cover any of these three options that Council would like to consider.

Mr. Brown said Council has also received a print out that shows increases of \$1,000,000 each. He also noted that we get a Package Credit from TML because they also carry our Workers Comp coverage.

Councilman Pulido said he does not think just because we are still under budget that we should go to the \$5,000,000.

After further discussion Councilwoman Berube made a motion, seconded by Councilman Wilson and the vote was unanimous to approve and accept liability insurance coverage increase to \$3,000,000 through TML.

#### AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS FOR A NEW AMBULANCE

Dale Brown said Council had received a set of specifications and contract documents for going out for bids for a new ambulance, that is budgeted for this fiscal year.

Fire Chief Kathy Hutchens then gave Council copies of the initial justification for the ambulance that had been included with this year's budget.



Chief Hutchens then explained to Council some of the specifications and asked if they had any questions.

Councilman Pulido said he would like the Fire Chief to tell everyone how much time has been spent putting these specifications together and she advised probably about one hundred, including putting them together and a lot of research.

Ms. Hutchens explained there are two options here, and Council can instruct her which ever way they would like for her to do it. One is to contact HGAC to purchase through them, or to go out for competitive bids.

Councilman Pulido asked which vehicle these specs imply and Ms. Hutchens said it is built around the Wheelcoach, which was the larger of the vehicles Council had seen.

Councilman Bowden said this is such as large truck, and Councilman Pulido asked if our existing fire house could accommodate this size and the Fire Chief said yes, they had looked at this very carefully in writing up the specs.

Councilman Pulido then asked if we will still be able to stay within the budget, and Chief Hutchens said yes, that's what she anticipates.

Mayor Descant asked if we have talked with HGAC or if we would be able to get a Wheelcoach from them. Chief Hutchens said yes the Wheelcoach is the vehicle that is currently bid by HGAC. It is a medium duty ambulance and the price will be good through the end of March, with delivery within about six months.

Councilman Fenley asked what diesel engine is being proposed and Rob Kaale advised it is a Freightliner. They offer a two, but we have chosen the Cummings engine, which is a 130 Horsepower diesel engine.

Councilman Wilson asked what the benefit is by going out to competitive bid versus purchasing through HGAC who has already done that.

Chief Hutchens said she had checked into this, and other than the advertising, which would cost \$250 to \$300, there is really not a whole lot of cost difference.

Dale Brown said the vehicle from HGAC is a strip-down version and then you would add whatever options you wanted. All costs involved are available and can be gotten from HGAC, whereas with the bid process, you can never tell if they would be higher or lower.

Chief Hutchens said HGAC strictly handles the paperwork and do not do anything as far as the manufacturer. We would go directly to the Wheelcoach dealer and tell them what we want. If we should choose HGAC, then the options that are added on are not subject to competitive bid.

Chief Hutchens said she could see advantages of going both ways. To assure that we get the best possible deal, we should probably go out for bids. And there is nothing that says we cannot still go back to HGAC if that is better after soliciting competitive bids, as long as this is done before the end of March.

Councilman Bowden said he is concerned that the bids will come in over the budgeted amount and things would have to be cut.

Chief Hutchens if that should happen, she would certainly come back to Council to advise exactly what we are getting.

After further discussion motion was made by Councilman Pulido, seconded by Councilman Wilson and the vote was unanimous to authorize Staff to advertise and accept bids for a new ambulance.

#### UPDATE ON POLICE BUILDING AND THE APPROVAL OF CONSTRUCTION CHANGE ORDERS

Dale Brown advised the police building should be ready for occupancy on January 16, 1995. To this point there have been two change orders that he has approved and would like Council to authorize amendment to the original contract.

The first change order was to provide additional select fill to raise the foundation slab four inches for a cost of \$3,016.00. The second was when the footings were being put down and they could not go any further, they added more piers for a cost of \$1,458.00. This would make the total change orders \$4,472.00, which brings the revised contract amount to \$936,272.00.

There has been discussion of other changes, but at this time we do not have the detail paper work. One of the change orders should be a deduct of approximately \$2,000.00.

John Horton explained this has to do with automatic door closers that are not required.

Another change is furnish and install fire alarm work for an increase of \$1,150.00; and another is the air intake and grill cover size.

Mr. Brown said we are now arguing with the contractor as to who pays what. If we pay what they are asking, the amount would be about \$10,000.00, however, at this time we are only asking for approval of the two change orders.

Councilman Fenley then made a motion, seconded by Councilman Wilson and the vote was unanimous to approve construction change orders No. 1 and No. 2, as submitted by the contractor.

#### APPROVAL THE SALE OF ADDITIONAL SURPLUS PROPERTY AT PUBLIC AUCTION

Dale Brown explained this was postponed from last month until all City Council members were present.

Council has received a list of additional equipment that has been found.

Councilman Fenley asked why the motorcycles are on the list, because they also received a memo from Chief Lindsey asking to keep them.

John Horton said there are repairs that are needed on the motorcycles which have been put on hold pending Council's decision as to what they want to do with them.

Councilman Pulido said he thinks we should sell the motorcycles and not replace them.

Councilman Bowden said he understands a new motorcycle would cost approximately \$15,000 and if this is correct and you can purchase a car for \$17,000 he would always go with the car.

Dale Brown said the motorcycles are able to go places that cars cannot get to, and Chief Lindsey agreed, but said even though the pool of officers to ride the motorcycles has dwindled, this is a very viable program.

After further discussion, Councilman Pulido made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the sale of all the additional surplus property.

#### AUTHORIZE STAFF TO ENTER INTO A CONTRACT WITH AN AUCTIONEER

Councilman Fenley made a motion, seconded by Councilwoman Berube and the vote was unanimous to authorize Staff to enter into a contract with an Auctioneer for the sale of all surplus property.

CITY MANAGER'S REPORT

Dale Brown reported Staff has met with Sterling Bank about creating some sort of investment mechanism with them. We have asked them for something geared to the same lines as TexPool, where we can put a certain amount of money into and they invest it, but also be available to us if we need it. The bank is still working on this. There is a meeting in Houston tonight with the Treasury to discuss TexPool.

He then said he wanted to get Council's guidance as to how they would like a plaque to be made up for the new police building. He gave the dates when the bid was awarded, the contract was signed and the groundbreaking was held, which were under one City Council. After the election in May the only other action by the next Council was the issuance of the Certificates of Obligation.

He said he would like Council's opinion as to whose names should be put on the plaque.

After discussion, Mayor and Council agreed just the names of the seated Council should be on the plaque.

ADJOURN OPEN MEETING

With all business completed, Councilman Pulido made a motion, seconded by Councilman Fenley and the vote was unanimous to adjourn the open meeting at 10:00 p.m.

CLOSED MEETING

There was no closed meeting at this time.

Respectfully submitted,



Laverne M. Hale  
City Secretary

APPROVED AS MINUTES 1-16-95

Ordinance No. 94-14 is on file in the City Secretary's Office and is made a part of these minutes by reference.