

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JANUARY 12, 2010 AT 1:30 P.M. AT FIRE DEPARTMENT TRAINING ROOM, 16501 JERSEY DRIVE, JERSEY VILLAGE, TEXAS 77040.

A quorum of the members of the Jersey Village City Council met on Tuesday, January 12, 2010 at 1:30 p.m. at the Fire Department Training Room, 16501 Jersey Drive, Jersey Village, Texas 77040, for the purpose of attending the project overview workshop conducted by Consultant, Kimley-Horn and Associates. The purpose of the workshop will be for the Consultants to meet with members of the City Council, the Planning and Zoning Commission, City Staff, Stakeholders, and the general public in order to obtain input concerning the design layout of the structure for the Transit Oriented Development Site located south of Highway 290, proximate to the future extension of Jones Road.

The following Council Members attended the Project Overview Meeting held from 1:30 p.m. to 3:30 p.m.:

Mayor Russell Hamley;
Council Member Joyce Berube;
Council Member Rod Erskine; and
Council Member Curtis Haverty

The following Planning and Zoning Members attended the Project Overview Meeting:

Chairman, David Paul;
Commissioner, Rick Faircloth;
Commissioner, Debra Mergel; and
Commissioner, Harry Beckwith

Staff in attendance:

City Manager, Mike Castro	City Secretary, Lorri Coody
Finance Director, Isabel Kato	Information Technology, Bob Blevins
Chief of Police, Charles Wedemeyer	Fire Chief, Mark Bitz
Public Works Director, Danny Segundo	Director of Parks, Michael Brown

Kimley Horn Consultant, Joe Willhite opened the workshop at 1:41 p.m. by explaining the purpose of the meeting. He then stated that a good place to start would be to review the findings of Phase I of the feasibility study. Mr. Willhite stated that Phase I was designed to consider:

- Barriers to the Implementation
- Stakeholder Input
- Land Stability
- Market Feasibility

He explained the difference between commuter rail and light rail and that the station being sought for the Transit Oriented Development (TOD) is commuter rail. This type of rail will have one locomotive with 4 passenger cars and the City of Jersey Village is a good location because many lines of transportation join here.

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Mr. Willhite stated that Kimley Horn is not proposing that we look at the entire 700 acres that comprise the City's ETJ for the TOD project, but the entire area was studied in order to know how the whole of the ETJ affects those parts of the project that will comprise the TOD.

He explained that the study also considered if this location was feasible for a TOD and in doing so considered:

- Current Zoning within the Annexed Area
- Lack of Cohesive Development Patterns
- Floodplains
- Industrial Nature of Current Development

He explained that the City of Jersey Village is in a unique position because Jersey Village is the only zoned community in the area.

Mr. Willhite also explained the Stakeholder involvement. The consultants conducted "one-on-one" interviews with:

- Harris County
- HGAC
- METRO
- Stakeholder Landowners

They also conducted group meetings with these groups wherein they summarized environmental findings and validated market assumptions.

Mayor Hamley left the meeting at 2:00 p.m.

Consultant Willhite fielded questions about meetings with the TXDOT and the 290 managed lanes expansion project. Mr. Willhite stated that they have been in close contact with this project and that TXDOT is having funding issues so the project has slowed. He also stated that he does not see the 290 expansion project affecting the Jersey Village TOD project. He did say that the US 290 Corridor is moving into the preliminary design phase and it will be important for the City of Jersey Village to position itself in such a way to say to the decision makers "pick me." He explained that once the design concept is complete, Kimley Horn will meet with the Rail Board and present the City of Jersey Village's Plan.

He explained that the environmental analysis resulted in no barriers.

Mr. Willhite explained the competition for rail and as a result he explained why the TOD project is focused such that the rail chooses the TOD development and not that a TOD is developed due to a rail station.

Additionally, Mr. Willhite looked at sales tax trends, unemployment and the City's preliminary market area and how all of this equates to growth for this region and the capture of revenue based upon that growth.

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Discussion was had about the project and the City's part. Mr. Willhite explained that there has been a ½ day workshop set aside to plan for that during the next two days.

There was discussion about the following topics:

- Noise (from the trains) and the impact of same on the development
- The number of trains – six in the morning and six in the evening
- No trains will be stored in Jersey Village
- Trains Technology makes them quieter
- Appropriate placed housing
- METRO and how involved the City will be with this organization
- Stimulus money for rail
- The Tiger Funding
- The approximate size of the TOD (200 acres)
- How the land acquired from present landowners

The Gateway team was introduced

There was discussion about the residential capture rate, which is projected at 1% over the next 20 years or 1,000 residents. The consultants were interested in feedback and in knowing if the residents wanted this kind of residential growth or if the interest would be in commercial and office space growth.

The consultants explained that in terms of rail, we do need and should want some kind of residential growth as it makes the City more accessible and it increases the ridership numbers which increases the likely hood of getting a station.

Mayor Hamley rejoined the meeting at 2:30 p.m.

Discussion was had about parking and how this issue would be handled. The consultants explained that surface parking is discouraged, as there is no tax base in this concept. Structured parking is a must to handle the volume and to utilize the land efficiently. It is expensive and will be part of the economic model.

The meeting attendees do not want the rail area to be just a park and ride. There is interest in planning and designing the area.

There was discussion about how 290 will separate the TOD from Jersey Village proper and how this issue should be tackled. There was discussion about:

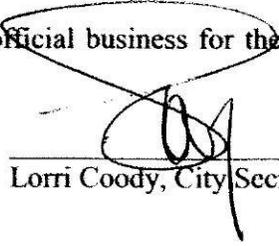
- getting to the other side and concern about the existing roads;
- about apartment living and that if there is apartments they must be high-end; and
- the wetlands and how they will be incorporated into the plan.

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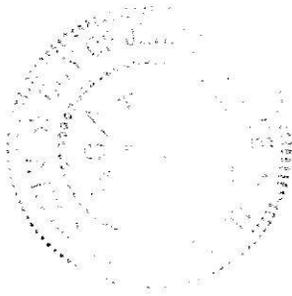
The Consultants explained that the housing will most likely be more on the condo style and it will be high-end urban living. As far as the wetlands, there is not enough information available but the wetlands will be incorporated as best as they can be once the information is available.

There was discussion about the TOD project generating revenue. The Consultants explained that while the TOD will have Urban units mixed with commercial; revenue will be increased with this development.

The meeting closed at 3:30 p.m. with no official business for the City of Jersey Village being conducted at this meeting.



Lorri Coody, City Secretary



MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JANUARY 12, 2010 AT 7:00 P.M. AT THE JERSEY VILLAGE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS 77040.

A quorum of the members of the Jersey Village City Council met on Tuesday, January 12, 2010 at 7:00 p.m. at the Jersey Village Civic Center, 16327 Lakeview Drive, Jersey Village, Texas 77040, for the purpose of attending the project overview work session conducted by Consultant, Kimley-Horn and Associates. The purpose of the work session was for the Consultants to obtain input concerning the design layout of the structure for the Transit Oriented Development Site located south of Highway 290, proximate to the future extension of Jones Road.

The following Council Members attended the Project Overview Meeting held from 7:00 p.m. to 9:00 p.m.:

Mayor Pro-tem Ernie English;
Council Member Joyce Berube;
Council Member Rod Erskine;
Council Member Curtis Haverty; and
Council Member Jill Klein.

The following Planning and Zoning Members attended the Project Overview Meeting:

Chairman, David Paul; and
Commissioner, Rick Faircloth;

Staff in attendance:

City Manager, Mike Castro
Finance Director, Isabel Kato
Chief of Police, Charles Wedemeyer
Public Works Director, Danny Segundo

City Secretary, Lorri Coody
Director of Parks, Michael Brown
Fire Chief, Mark Bitz

Mayor Pro-Tem English opened the meeting at 7:00 p.m. Mayor Pro-Tem English explained the purpose of the meeting and asked City Manager, Mike Castro to give an introduction.

City Manager Castro thanked everyone for coming. He introduced the Transit Oriented Development (TOD) topic and gave background on how we got to tonight's meeting. He began with the Houston/Galveston Area Council (HCAC) rail study that was done some 18 months prior and how he brought the idea of a TOD to Council based upon the results of this study. After discussion in Council, approximately 12 months ago, Consultants Kimley-Horn and Associates were hired by Council to perform a feasibility study of the area south of Highway 290 proximate to the future extension of Jones Road. Council wanted the Consultants to look at costs and development options that will work for our City as we have unique needs and population.

City Manager Castro explained that tonight's meeting is about getting citizen input about the TOD. It will begin with a presentation to understand the TOD and the options. Mr. Castro explained to the residents that the keyword for the residents to consider tonight is "opportunity."

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He told them that there will be rail running up and down the 290 corridor. The question that residents must ask and answer is “do we want to participate in the design of that process?”

Joe Willhite with Kimley-Horn and Associates addressed the residents. He began his presentation with an Overview of the Phase I Feasibility Study. He stated that Phase I was designed to consider:

- Barriers to the Implementation
- Stakeholder Input
- Land Stability
- Market Feasibility

Tonight he would like for the citizens to consider likes and dislikes about their current lifestyle and provide feedback concerning how the new development might offer opportunities for change.

Mr. Willhite explained the size and location of the area to be developed. He explained that the study also considered if this location was feasible for a TOD and in doing so considered:

- Current Zoning within the Annexed Area
- Lack of Cohesive Development Patterns
- Floodplains
- Industrial Nature of Current Development

He explained that the City of Jersey Village is in a unique position because Jersey Village is the only zoned community in the area.

Mr. Willhite also explained the Stakeholder involvement. The consultants conducted “one-on-one” interviews with:

- Harris County
- HGAC
- METRO
- Stakeholder Landowners

Mr. Willhite also explained the following areas of the Phase I Feasibility Study and its findings:

- Environmental Analysis
- Recent Market Indicators
- Sales Tax
- Preliminary Market Area
- Current Employment by Sector in the Market
- Overall Market Forecast
- Overall Real Estate Demand
- Contributing Market Factors
- Impact of Rail Transit

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➤ Redevelopment South of 290

The residents had questions about the commuter rail right-of-way and how this would work. Mr. Willhite explained that rail would be coming to the 290 corridor within the next 10 years. There was concern about the businesses along 290 and what would happen to them as a result of the rail. The consultants explained that the businesses will be bought out because of the 290 rail project or the Hempstead Managed Lanes Project will acquire the properties.

There was a question as to where the money would come from to fund the TOD. Consultant Willhite explained that at this time, it is unknown. However, the funding process was explained. The Consultants also explained that all of the funding cannot be from tax dollars. There will have to be monies from the private sector. Mr. Willhite stated that the goal for the TOD is that the improvements pay for themselves.

Scott Polikov, with Gateway Planning Group, Inc. addressed the residents. He explained what the elements of Phase II of the feasibility study would accomplish. The Consultants addressed questions about how the TOD may affect property values and taxes on property in Jersey Village proper. There were discussions about the present Volunteer Fire Department and what the fire fighting needs might be for the TOD. There were concerns that a volunteer fire department might not be sufficient to serve the new TOD.

There was also discussion about traffic and the problem that might be created by the TOD.

Some residents liked the idea of having a Civic Center located in the TOD. They wanted the consultants to consider parks with perhaps a splash pad for the children, outside activities, more restaurants and stores and less automobile sales. There was a great interest in upscale restaurants. One resident wanted to see no delay in accomplishing this development - the faster it is built, the better.

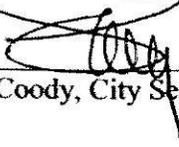
There was discussion about the length of the rail station being 800 to 1,000 feet and there would be 4 to 6 trains in the morning and 4 to 6 trains in the evening with ridership being somewhere around 1200 to 1500 people.

There was discussion concerning desired height of the buildings in the TOD development. It ranged from 4 stories is too high to 15 stories is acceptable. The consensus seemed to be that many were in favor of having a development like the Sugar Land Town Center or City Centre at Memorial City.

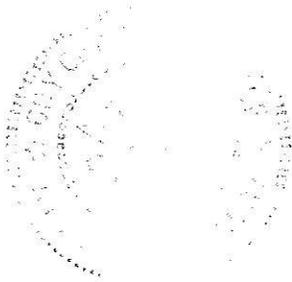
The final thoughts for the evening were that residents do not want to see more through traffic in Jersey Village proper and they would like the train terminal to be sufficient to last and handle the Jones Road and City of Tomball riders.

The meeting closed at 9:00 p.m. with no official business for the City of Jersey Village being conducted at this meeting.

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Lorri Coody, City Secretary



MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JANUARY 13, 2010 AT 4:00 P.M. AT FIRE DEPARTMENT TRAINING ROOM, 16501 JERSEY DRIVE, JERSEY VILLAGE, TEXAS 77040.

A quorum of the members of the Jersey Village City Council met on Wednesday, January 13, 2010 at 4:00 p.m. at the Fire Department Training Room, 16501 Jersey Drive, Jersey Village, Texas 77040 to attend the transit oriented development design workshop conducted by Consultant, Kimley-Horn and Associates. The Consultants met with members of the City Council, the Planning and Zoning Commission, City Staff, Stakeholders, and the general public in order to obtain input concerning.

The following Council Members attended this portion of the workshop which was held from 4:00 p.m. to 5:45 p.m. and pertained to the design layout of the structure for the Transit Oriented Development Site located south of Highway 290, proximate to the future extension of Jones Road:

Council Member Joyce Berube;
Council Member Rod Erskine; and
Council Member Curtis Haverty

The following Planning and Zoning Members attended:

Commissioner, Debra Mergel

Staff in attendance:

City Manager, Mike Castro
Finance Director, Isabel Kato
Chief of Police, Charles Wedemeyer
Public Works Director, Danny Segundo

City Secretary, Lorri Coody
Director of Parks, Michael Brown
Fire Chief, Mark Bitz

The workshop opened at 4:00 p.m. with discussion on the presentation of designs from yesterday's meeting input. The discussion included:

- the placement of the TOD;
- the boundary streets;
- the size of the buildings in the development;
- location of apartments in the TOD and the type of apartment housing; and
- the placement of a City Hall in the TOD is a good idea and why.

After this discussion, sketches of different options were displayed by the Consultants on what the developed area might look like.

Option One

Demonstrated grids for a station on Jones Road for two kinds of rail – rail for long distances and for short distances. The sketch showed the drainage being used as a public walkway/green space and it demonstrated the possible layout for the TOD in relation to the rail station. The sketch

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took into consideration hike and bike options and displayed how all the options for the town center were located within ½ mile radius or within a 10 minute walk.

Discussion was had about the design of Jones Road and if the design of this road could be changed. City Manager Castro explained that changing the design of Jones Road was not an option and no longer possible.

There was also discussion about the speed on Jones Road and once the extension is complete this may be even more of a problem. There was discussion that there may need to be discussion with the County concerning adjustments for speed considering the TOD may now be part of the equation. The Consultants agreed that these discussions would take place, but also explained that during the design of the TOD, much can be done to make the streets look less “freeway” like and that street appearance in and of itself can have a large impact upon speed.

There was also discussion about the drainage channel and how it will be converted into a “public walkway.” There was concern that it may not retain water. It was stated that the channel stays wet most of the time and that the Corp of Engineers is requiring it to remain wet.

Option Two

This option was similar to Option One with the location of the two rail lines on Jones Road. It also used the drainage channel as a public walk way. Therefore, discussion continued about this channel and how it could be made into a public area green space – walkway. There was continued concern about how much water would be retained in the channel at any given time.

There was also discussion about the need for other green areas – activity parks and/or recreational areas. This option located a recreational park in the top northern corner near 290. It would serve as a buffer. The sketch also provided for a Civic Center with parking. The Consultant explained that mixed use and office could be located along Jones Road near the rail station and then showed where the residential units would be located.

There was discussion about how residents from Jersey Village proper would get to the TOD via pedestrian traffic.

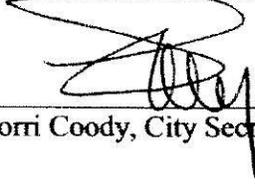
Option Three

The final option contained many of the attributes of the other options except this consultant explained where the restaurants might be located and stabilized them with the City Hall as the center of the TOD. She stated that parking could be located along Jones Road and the Highway frontage property along 290 could be used for large office buildings. She stated that the residential property would be located west of the TOD area.

The challenge in developing an area such as this is designing something that makes the area distinctive or unique while at the same time serves the citizenry. There was discussion about this challenge. For now the answer seemed to be green spaces and architecture.

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The meeting closed at 5:45 p.m. with no official business for the City of Jersey Village being conducted at this meeting.



Lorri Coody, City Secretary

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JANUARY 14, 2010 AT 7:00 P.M. AT THE JERSEY VILLAGE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS 77040.

A quorum of the members of the Jersey Village City Council met on Thursday, January 14, 2010 at 7:00 p.m. at the Jersey Village Civic Center, 16327 Lakeview Drive, Jersey Village, Texas 77040, for the purpose of attending the public closing work session conducted by Consultant, Kimley-Horn and Associates. The purpose of the work session was for the Consultants to obtain input concerning the design layout of the structure for the Transit Oriented Development Site located south of Highway 290, proximate to the future extension of Jones Road.

The following Council Members attended the Project Overview Meeting held from 7:00 p.m. to 8:20 p.m.:

Mayor Pro-tem Ernie English;
Council Member Joyce Berube;
Council Member Rod Erskine;
Council Member Curtis Haverty; and
Council Member Jill Klein.

The following Planning and Zoning Members attended the Project Overview Meeting:

Chairman, David Paul; and
Commissioner, Rick Faircloth;

Staff in attendance:

City Manager, Mike Castro
Finance Director, Isabel Kato
Chief of Police, Charles Wedemeyer
Public Works Director, Danny Segundo

City Secretary, Lorri Coody
Director of Parks, Michael Brown
Fire Chief, Mark Bitz

Mayor Pro-Tem English opened the meeting at 7:00 p.m. Mayor Pro-Tem English explained the purpose of the meeting and turned the presentation over to Consultant Joe Willhite with Kimley-Horn and Associates.

Mr. Willhite began the presentation with an explanation about the Houston Regional Growth Totals and he compared the totals from 2005 to a projection of these totals for the year 2035. He used these numbers to review the employment density and the projected growth for the City of Jersey Village. Based upon his findings, he told those attending that the City could expect a 28% increase in growth, a 55% increase in employment, and a 35% increase in households.

This information was presented to explain that growth is coming to the City of Jersey Village and a TOD is a planned method for capturing that growth. Mr. Willhite then showed pictures of a strip center seven eleven store versus a downtown building. He explained that over time, the downtown structure has a sustaining value while the seven eleven store's value begins to decline after year seven.

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Keeping all this in mind, Consultant Willhite explained that the key to a successful development is to find the right mix, a mix that makes a tax base sustainable and one that will weather recessions. Good development patterns are pedestrian friendly, include mixed use development in its design, and provide for open public spaces. Additionally, housing styles are a key to success, meaning there must be variety with a design for pedestrians. All of this is achieved by architectural scaling.

Mr. Willhite explained that during the public meeting held on Tuesday, January 12, 2010, certain information was collected upon which proposed sketches have been prepared that depict how the TOD might appear. The input gathered from the January 12, 2010 meeting indicated that citizens want the area developed so that it provides a place to live, a place to work and a place to play. Citizens want a development that is:

- Positive to the tax base
- Insures safety of residents and businesses
- Provides access to cross Highway 290
- Leverages the investment in transportation
- Provides alternative choices for housing

Mr. Willhite closed his portion of the presentation by reviewing pictures of the current area and looking at general barriers to the development.

After this portion of the presentation, sketches of different options were displayed by the Consultants depicting how the developed area might appear.

Option One

Demonstrated grids for a station on Jones Road for two kinds of rail – rail for long distances and for short distances. The sketch showed the drainage being used as a public walkway/green space and it demonstrated the possible layout for the TOD in relation to the rail station. The sketch took into consideration hike and bike options and displayed how all the options for the town center were located within ½ mile radius or within a 10 minute walk.

Option Two

This option was similar to Option One with the location of the two rail lines on Jones Road. It also used the drainage channel as a public walk way. This option located a recreational park in the top northern corner near 290. It would serve as a buffer. The sketch also provided for a Civic Center with parking. The Consultant explained that mixed use and office could be located along Jones Road near the rail station and then showed where the residential units would be located.

The Consultants also explained how the TOD might be laid out using scaling. They explained how the TOD Core would be comprised of buildings of 3 to 5 stories with buildings of 4 to 6 stories along Highway 290. Then the height of the buildings would transition as the

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development moved away from the core to the TOD neighborhood and then transition again as the development moved away from the neighborhood.

The public was also shown sketches of what the train station might look like as well as what Wright Road looks like today and what it might look like in the future.

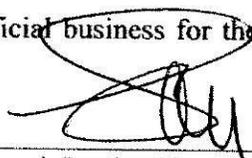
The presentation closed with the next steps for the Consultants which are:

- Obtain feedback
- Redefine the development
- Investigate the fiscal impact
- Generate implementation strategies
- Present findings to Council

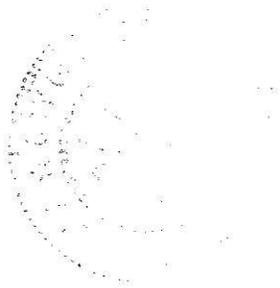
Those attending the meeting had questions and discussion was had concerning the following areas of concern:

- The TOD coverage area
- Parking – structures and on-street parking
- Noise from the trains
- Who owns the land and the process of obtaining the land for the development
- Flooding and drainage
- Increase in taxes for current Jersey Village residents
- Funding for the rail project
- Jones Road Construction

The meeting closed at 8:20 p.m. with no official business for the City of Jersey Village being conducted at this meeting.



Lorri Coody, City Secretary



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JANUARY 18, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Curtis Haverty	
Council Member, Ernie English	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. **Prayer by: Jimmie Baughman, Chaplain, American Legion Post #324**
2. **Pledge by: Howard Mead, Commander of American Legion Post #324**

C. PRESENTATIONS

1. **Presentation of Police Department Employee of the Quarter and 2009 Employee of the Year Award.**

Commander of American Legion Post #324, Howard Mead and Russell Hamley, Mayor, presented the award of Employee of the 4th Quarter of 2009 to Police Department employee, Sherry Jackson. Commander Mead stated that Ms. Jackson has played a vital role in the Police Department since 1992 and is a dedicated employee.

An award was also presented for the 2009 Police Department Employee of the Year. This award is made based upon the accomplishment of the 4 recipients of the Employee of the Quarter Awards for 2009. The 2009 Police Department Employee of the Year Award was presented to Corporal Art Woolery.

D. CITIZENS COMMENTS

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

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 937-0408 – Mr. Maloy thanked Council and the City Manager for meeting with the Harris County Toll Road Authority (HCTRA) on January 6 to discuss Noise Abatement issues. However, he

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was not happy with the outcome of that meeting and wanted to inquire about the information posted on the HCTRA website concerning noise abatement and wanted to know if the city had knowledge of this information. Mr. Maloy also spoke to Council about spending tax money on the proposed Transit Oriented Development (TOD) project. He is not in favor of spending tax dollars to subsidize developers for the TOD development on the south side of 290. He named several projects for which the city could and should be spending tax dollars.

Jerry Fowler, 16205 Saint Helier, Jersey Village, Texas (832) 875-8641 – Mr. Fowler spoke to Council concerning the Transit Oriented Development (TOD). He read a letter. He spoke to the current tax base for the City of Jersey Village, stating that it is comprised of four components, with two of those being tax exempt. He pointed out that there is little opportunity for shopping/stores and while we have some restaurants; most of the residents in the Village must go outside of the City for entertainment and other needs.

With this in mind, he told Council that he sees the TOD as an opportunity that the City should take advantage of and not sit by the sidelines while other communities around us continue to grow and take advantage of the revenue. He would like Council to consider the TOD concept, as it will bring only positive results to the City of Jersey Village, by increasing current property values and preventing strip center sprawl.

E. CITY MANAGER'S REPORT

Council asked for a brief update on the Recreational Vehicle Ordinance. Accordingly, Code Enforcement Officer, Gordon Gibson gave a brief update concerning the experience with the code changes and enforcement issues as it relates to this new ordinance.

1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Quarterly Investment Report, and Governmental Funds Report.
2. 2009-2010 Open Records Requests, CD 2009-2010 Open Records Requests and Solicitor's Permit Requests
3. Fire Department Monthly Report
4. Police Activity Report, Crime Prevention Unit, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report, Promotions and New Assignments Report and Staffing/Recruitment Report.
5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, and Revenue Comparison Report.
6. Public Works Departmental Report, Construction Update – Detail and Construction Update Summary
7. Combined Monthly and Annual Mileage Report
8. Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report
9. Report from Code Enforcement
10. Capital Improvements Projects Report

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11. White Oaks Bayou Capital Improvements Projects Report
12. Introduction of Officer Arthur Petitt

F. CONSENT AGENDA

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

1. **Consider approval of the Minutes for the Regular Session Meeting held on December 21, 2009.**
2. **Consider Resolution No. 2010-01, authorizing a contract with the law firm of A Linebarger Goggan Blair & Sampson, LLP for the collection of delinquent taxes.**

RESOLUTION NO. 2010-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ENTERING INTO A CONTRACT WITH THE LAW FIRM OF LINEBARGER GOGGAN BLAIR & SAMPSON, LLP FOR THE COLLECTION OF DELINQUENT TAXES.

3. **Consider Ordinance No. 2010-01, amending Chapter 62 of the Code of Ordinances of the City of Jersey Village, Texas, relating to approval of Section 33.11 penalty under Texas Property Tax Code for delinquent tangible personal property taxes.**

ORDINANCE NO. 2010-01

AN ORDINANCE AMENDING CHAPTER 62 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, RELATING TO APPROVAL OF SECTION 33.11 PENALTY UNDER TEXAS PROPERTY TAX CODE FOR DELINQUENT TANGIBLE PERSONAL PROPERTY TAXES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL.

4. **Consider Resolution No. 2010-02, authorizing a Memorandum of Understanding with the Harris County Flood Control District (HCFCD) which allows the District to process letters of map revisions (LOMAR) and conditional letters of map revisions (CLOMAR) in Jersey Village.**

RESOLUTION NO. 2010-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE HARRIS COUNTY FLOOD CONTROL DISTRICT (HCFCD) GRANTING PERMISSION FOR THE DISTRICT TO BE THE CUSTODIAN OF THE MASTER COMPUTER MODEL SETS AND SUPPORTING DATA FOR HARRIS COUNTY.

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- 5. Consider Resolution No. 2010-03, authorizing and adopting a revised City of Jersey Village Financial Accounting Policy.**

RESOLUTION NO. 2010-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AND ADOPTING A REVISED CITY OF JERSEY VILLAGE FINANCIAL ACCOUNTING POLICY.

- 6. Consider Ordinance No. 2010-02, amending the budget of such city, for the fiscal year beginning October 1, 2009 and ending September 30, 2010, to cover the cost of the Sanitary Sewer Control Easement proposal.**

ORDINANCE NO. 2010-02

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

- 7. Consider Resolution No. 2010-04, authorizing a contract with West Belt Surveying, Inc., for the surveying services, research, and report indicating findings pertaining to the sanitary sewer control easements.**

RESOLUTION NO. 2010- 04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ENTERING INTO A CONTRACT WITH WEST BELT SURVEYING, INC., FOR THE SURVEYING SERVICES, RESEARCH, AND A REPORT INDICATING FINDINGS PERTAINING TO THE SANITARY SEWER CONTROL EASEMENTS.

Council Member English moved to approve items 1 through 7 on the consent agenda. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

G. REGULAR AGENDA

- 1. Consider Resolution No. 2010-05, reviewing and accepting the 2009 Comprehensive Annual Financial Report.**

Isabel Kato, Finance Director presented the item. She told Council that The City of Jersey Village is required to publish each year a complete set of financial statements

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presented in conformity with Generally Accepted Accounting Principles (GAAP) and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants.

Monica Kohlenberg, an Auditor with our external auditing firm Belt Harris & Associates LLLP, made a presentation based on the audit findings and the financial position of the City.

Upon completion of the presentation and a short question and answer period, Council Member English moved to approve Resolution No. 2010-05, reviewing and accepting the 2009 Comprehensive Annual Financial Report. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTANCE OF THE 2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT.

2. Consider Resolution No. 2010-06, approving 90-Day Review Period for Municipal Court Judge Compensation.

Isabel Kato, Finance Director, introduced the item by reminding Council that at the December 21, 2009 Council Meeting, City Staff was instructed to analyze the cost of each docket and meet with the Presiding Judge in order to come to an agreement concerning compensation for the judges in the City of Jersey Village Municipal Court.

On January 4, 2010 a meeting took place between the Presiding Judge, Gene Frohbieter, the City Manager, Mike Castro, and the Finance Director, Isabel Kato. In this meeting, due to the implementation of the new ticket writer system by the Police Department which began on December 24, 2009, the parties agreed to delay any changes to the judges' compensation rate for a period of 90 days. It is expected that the new system will change the dynamics of "how court is conducted."

Consequently, City Staff is hopeful that this new ticket writer system will substantially change the operations of the Court thereby reducing the number of defendants appearing before prosecutors and judges.

Staff estimates that within 90 days enough data will have been gathered to analyze how the new court operations are affecting the Court's dockets which ultimately affect compensation costs. The information gathered from this analysis will be reported to

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Council with solutions beneficial to both the City and the Municipal Judges after this 90 day period.

Council engaged in discussion concerning what took place involving this item at the last Council meeting as well as the significance of a “90-day” review period.

With limited discussion, Council Member Berube moved to approve Resolution No. 2010-06, approving 90-Day Review Period for Municipal Court Judge Compensation. Council Member English seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING 90-DAY REVIEW PERIOD FOR MUNICIPAL COURT JUDGE COMPENSATION.

3. Consider Ordinance No. 2010-03, amending Section 70-77 of the Code of Ordinances to allow for an 8% water and sewer rate increase.

Danny Segundo, Public Works Director introduced the item. He pointed out that while the item was posted for an increase in water and sewer, the increase being requested, only applies to water rates.

Background information on the item is as follows: On December 11th, 2009, the City of Houston notified the City of Jersey Village of a 16% water rate increase effective January 1, 2010. The City will now pay \$ 2.18 per thousand gallons used. The previous cost was \$ 1.88 per thousand gallons used. The new rate will increase our annual water purchase budget by \$ 120,000.00.

Upon receipt of this letter, staff contacted the City of Houston in order to negotiate a reduction in the rate increase. During the negotiations, the City of Houston stated that according to the water rate studies the increases were necessary. Additionally, it is their position that the water and sewer fund is a proprietary fund which needs to be handled like a business. During the negotiations, Staff learned that the City of Houston is conducting additional rate studies and it is possible that as a result of these additional rate studies, the City of Jersey Village can expect more rate increases in the coming years.

In addition to negotiations with the City of Houston, the city manager has contacted several other cities that contract with Houston for water service. None of these cities were willing to pursue any form of action against the City of Houston in relation to the increased rates.

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Therefore, in order to accommodate this increase, City staff recommends an 8% increase in water rates for fiscal year 2009-2010 and with an additional 8% increase in rates for fiscal year 2010-2011. The recommendation is over and above the CPI adjustments required by Section 70-77 of the City of Jersey Village Code of Ordinance which are made annually for the water and sewer system. For FY 2009-2010 this amount was a 3% adjustment.

The recommended increases are necessary to:

- Adequately fund the utility fund balance;
- Enable the City to maintain adequate fund balance required by City ordinances and credit rating agencies (Standard & Poor's, Moody's);
- Allow for the continuation of services; and
- Fund important projects such as the Sewer Rehabilitation every other year.

Based upon an average water bill from March 2009 which was \$22.69, the recommended increases for FY 2009-2010 (3% CPI and 8% due to the City of Houston) would increase this bill (water only) to \$25.19 or \$2.50 more for the average resident.

The residential lowest bill of 3,000 gallons or less for the month of March 2009 was \$12.63. The recommended increased for FY 2009-2010 (3% CPI and 8% due to the City of Houston) would increase this bill (water only) to \$14.02 or \$1.39 more for the lowest paying resident.

The average water bill for a commercial account in the month of March 2009 was \$263.21. The recommended increased for FY 2009-2010 (3% CPI and 8% due to the City of Houston) would increase this bill (water only) to \$292.16 or \$28.95 more for the average commercial account.

If passed, the rate effected by Ordinance No. 2010-03 will be effective January 25, 2010 for this fiscal year.

Council engaged in discussion concerning the time frame of when the City stopped pumping its own water and began buying water from the City of Houston. Mr. Segundo explained that in the late 90's the City lost its water well and looked to the City of Houston to help with our water needs. Additionally, it was at that time that the State required that 80% of the water be from surface water. City Manager Castro explained that the problem pushing this was subsidence issues. The only other avenue for purchasing water is the North Harris County Regional Water Authority, but this entity also purchases its water from the City of Houston.

There was discussion concerning the fact that currently there are no controls in place that govern how the City of Houston may implement increases on the sale of its water. Our only recourse is a 30-day out in the contract.

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Council Member Berube moved to approve Ordinance No. 2010-03, amending Section 70-77 of the Code of Ordinances to allow for an 8% water rate increase. Council Member English seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-03

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING SECTION 70-77 OF THE CODE OF ORDINANCES OF SAID CITY; ESTABLISHING RATES FOR WATER AND WASTEWATER SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

4. Receive Update Regarding Meeting on January 6 with Harris County Toll Road Authority Officials.

Mike Castro, City Manager explained to Council that on January 6th, 2010, the Harris County Toll Road Authority (HCTRA) staff met with the Mayor, Councilwoman Berube, Councilman Haverty, and the City Manager to discuss noise mitigation efforts.

At the meeting, the following items were discussed:

1. Recap of the Noise Abatement Material laid at 4 locations with sites receiving a 2 to 3 decibel reduction in noise;
2. The Hempstead Managed Lanes would not be pursued by HCTRA for noise mitigation;
3. High rail to be used as a barrier to sound – HCTRA stated that the roadway is not built such that it could support the weight of such a structure. HCTRA also stated that high rail would not be effective beyond 150 feet, but that within 150 feet there would be a 1 to 2 decibel reduction in noise.
4. A lower speed of 5 miles per hour would decrease the noise by 1 decibel
5. Earthen Berm – HCTRA explained that an earthen berm would require a significant commitment of land, some 14 to 16 feet and the area being discussed does not contain enough room for such a project.

Council discussed pursuing a high rail that was not comprised of concrete and that TXDOT be contacted concerning noise abatement materials and about extending the retainer wall past Philippine. Since staff has prior authorization to contact TXDOT concerning such matters, no further action was taken by Council at this time.

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5. Consider Ordinance No. 2010-04, re-imposing the city's one and one half percent (1.5%) sales and use tax on the residential use of gas and electricity.

Mike Castro, City Manager explained that at the December 2009 Regular Meeting, Council motioned to postpone consideration of this item until the January Council meeting, pending receipt of data on sales tax figures and a letter to residents explaining the potential tax increase.

A draft of the letter was forwarded to council on January 8, 2010, for comment and included with the Council packet was the original draft of the citizen communication. City Manager Castro explain that the comments he has received to date are at odds with each other and he does not feel that it is possible to incorporate all of the comments received so far into a communication that would satisfy all individual concerns. He told Council that the January 2010 sales tax figures for November 2009 are down 12.5% compared to the January 2009 sales tax figures.

Discussion was had by Council. Staff's efforts are appreciated, however, before this Ordinance is implemented, more information is needed. Council Member Erskine moved to defer further discussion on re-imposing the city's 1.5% sales and use tax on the residential use of gas and electricity as well as on the informational letter until the budget workshop meetings later this year. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

6. Discuss and take appropriate action concerning communication issues.

Council Member Klein introduced the item. She told staff that she appreciated receiving the most recent correspondence concerning the sales tax increase and being given the opportunity to provide input.

She told Council that the main purpose of this item was to impress upon Council that communication with the residents of Jersey Village such as the most recent letter concerning the Trash Bag Ordinance and the Mayor's Newsletter are all representations of the City Council. As such, she believes that Council should have an opportunity to review these communications and provide input before being disseminated to the residents. She stated that this could best be accomplished through a Public Relations staff member to assist with Council Communications.

The City Manager stated that adding staff is a budget move – an added expense. It is hard to justify this expense. He told Council that he has been tracking communications between staff and the residents for several months and has recorded 150 such

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communications in the past two months. He told Council that the level and quality of communication has improved over what it was 5 years ago. It is not practical for Council to review all citizen communications. City Manager Castro told Council that he realizes that there was a short coming with the Trash Bag Ordinance Letter and he accepts responsibility for this letter. He told Council that we will do better; we understand the direction that Council wants us to take.

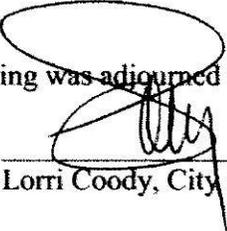
Discussion was had about the recent TOD meetings and how this project might require communication with the residents in the future. There was communication about the level of expertise the consultants had on the subject matter and how this expertise may be of value during communications with the residents both in written communications and during public forums. City Manager Castro explained that the consultants will be of some value but should the City decide to fund the TOD through a bond election, any communication with the residents will have to be approached very cautiously as the law is very specific as to what can and cannot be done during bond elections as it relates to “political advertising.”

Discussion continued about how a public relations consultant might be helpful to staff in crafting communications for important topics rather than the day to day operation communications. There was also discussion about the Mayor’s Newsletter and how this communication sometimes contains “personal opinions” and that such communications should “stick to the facts.” It was discussed that perhaps it might be beneficial to have this Newsletter reviewed before it is released to the public.

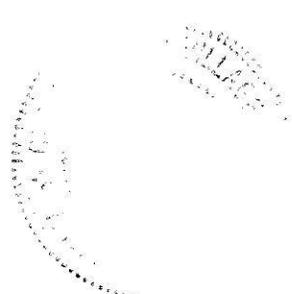
Mayor Hamley commented about the letter containing “personal comments.” He stated that he has heard the criticisms pertaining to the content of the Newsletter, and is happy to step aside and let others on the Council have a chance to write something for the letter. He told Council that preparing this letter is work and he explained the process and the deadlines associated with same.

H. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:30 p.m.



Lorri Coody, City Secretary



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON FEBRUARY 15, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Curtis Haverty	
Council Member, Ernie English	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Sgt. Shawn Horton; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

Charles Wedemeyer, Chief of Police was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

- 1. Prayer and Pledge by Cadet/2Lt. Joshua Campbell – Jersey Village HS Air Force JROTC**

C. PROCLAMATIONS

- 1. Proclamation encouraging all citizens to participate in the 2010 Census count and a call for all citizens of the City of Jersey Village to join in helping ensure a full and accurate count in 2010.**

Mayor Russell Hamley presented the Proclamation encouraging all citizens to participate in the 2010 Census count and calling for all citizens of the City of Jersey Village to join in helping ensure a full and accurate count in 2010 to Ida Love, Partnership Specialist with the U.S. Census Bureau. Ms. Love accepted the Proclamation and told those present that the Census is:

- Safe – Your responses are protected;
- Important – \$400 Billion will be allocated as a result of the responses; and
- Easy – There are only 10 questions and it takes only 10 minutes.

D. CITIZENS COMMENTS

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

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Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 937-0408 – Mr. Maloy spoke to Council about the purpose of the Bond Election held in 2002. He stated that the citizens of the Village voted at that time to pass the 2003 bond issue and intended that the funds be used for certain projects. He told Council that there were monies left over from these projects that Council is now going to use on the Jones Road Extension Project. He feels that the use of the 2003 bond monies for the Jones Road Extension Project is not appropriate and believes that the City should hold an election in order that the citizens can decide how the left over funds should be spent.

Mr. Maloy also told Council that he is concerned about the future of the City. The decisions made today will need to be financially supported by the citizens tomorrow. As a result, he believes that any long-term capital projects should be voted on by the citizens.

E. CITY MANAGER'S REPORT

City Manager, Mike Castro presented the following reports in his Manager's Report calling special attention to the Racial Profiling Report.

1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, and Governmental Funds Report.
2. 2009-2010 Open Records Requests, CD 2009-2010 Open Records Requests and Solicitor's Permit Requests
3. Fire Department Monthly Report
4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report, and Staffing/Recruitment Report.
5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, and Revenue Comparison Report.
6. Public Works Departmental Report, Permit Departmental Report, Construction Update – Detail and Construction Update Summary
7. Combined Monthly and Annual Mileage Report
8. Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report
9. Report from Code Enforcement
10. Capital Improvements Projects Report
11. White Oaks Bayou Capital Improvements Projects Report
12. 2009 Racial Profiling Report

F. CONSENT AGENDA

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

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1. **Consider approval of the Minutes for the Special Session Meetings held on January 12, 2010 at 1:30 p.m., January 12, 2010 at 7:00 p.m., January 13, 2010, and January 14, 2010 and the Regular Session Meeting held on January 18, 2010.**
2. **Consider Ordinance No. 2010-05, ordering a general election on May 8, 2010 for the purpose of electing three (3) council members (Place 1, Place 4, and Place 5).**

ORDINANCE NO. 2010-05

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 8, 2010, FOR THE PURPOSE OF ELECTING THREE (3) COUNCILMEMBERS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

3. **Consider Ordinance No. 2010-06, approving a revised Records Management Plan and adopting the use of the TX State Library's Retention Schedules.**

ORDINANCE NO. 2010-06

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING A REVISED RECORDS MANAGEMENT PLAN, ADOPTING THE USE OF THE TX STATE LIBRARY'S RETENTION SCHEDULES, AND PROVIDING FOR SEVERABILITY.

4. **Consider Ordinance No. 2010-07, amending the budget of such city, for the fiscal year beginning October 1, 2009 and ending September 30, 2010 for the purchase of three radar units and related equipment for two Motorcycle Units and One Traffic Safety Unit for the Jersey Village Police Department.**

ORDINANCE NO. 2010-07

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

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

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

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G. REGULAR AGENDA

1. Consider Resolution No. 2010-08, receiving the recommendation of the Proposal Review Committee and authorizing the City Manager to enter into a contract for the Police Department Expansion Project.

Michael Brown, Director of Parks and Recreation introduced the item. The background information on this item is as follows:

In September 2007, City Council authorized HBL Architects to prepare a Master Plan for the expansion of the Police Department building. Bill Hall, with HBL Architects, presented this plan for expansion in February 2008. After reviewing the report Council accepted the plan and directed staff to add the expansion to the Capital Improvement Program for FY 2009-2010 budget.

The Proposal Process began in mid December with advertising in the Houston Chronicle followed by a Pre-Proposal meeting on January 12, 2010 at 2:00 PM. The Proposal opening was held on January 26, 2010 at 2:00 PM in the Civic Center located at 16327 Lakeview in the City of Jersey Village.

A total of 14 Proposals were received on Tuesday, January 26, 2010. The proposals were evaluated by the review committee for price, qualifications, financial stability, experience in constructing municipal projects, proposed work plan, and safety record.

Mr. Brown told Council that the review committee unanimously recommends JC Stonewall Constructors, L.P. for the award of this contract in the amount of \$633,000.

Discussion was had on the methods used by the review committee to evaluate the references. Mr. Brown explained that all the proposals were reviewed and references were called. Any input from references was discussed by the committee as a whole. Therefore, the outcome is a representation of the recommendation.

Discussion was also had on the amount of the documentation from the proposal process that will be public record. Mr. Brown explained that the information provided in the Council packet will be public record.

Council engaged in discussion about any recourse that has been built into the contract process that will protect the City for unexpected problems resulting during and after the project. Mr. Brown explained that there will be a warranty which varies by component; however, standard maintenance issues are not covered under the warranty and will be addressed by the City. He explained that no monies will be withheld at project completion for unexpected problems.

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Mr. Brown was asked if other city records were used when reviewing the local offeror's proposal. He told Council that all proposals were reviewed equally, giving no preference to local offerors.

There was discussion about the amount of monies that were discussed during the 2009-2010 budget hearings for this project. Mr. Brown told Council that we had budgeted \$700,000 and expect that we will need to come back to Council next month for a budget amendment.

There was discussion about the bid price of \$633,000 and if it had any contingencies built into the price. Mr. Brown explained that the price had allowances built in for such items as furniture but there were not contingencies.

City Manager Castro explained that of the \$700,000 budgeted in the 2009-2010, \$100,000 was for architect fees and \$600,000 for the construction of the building. It did not include a budget for allowances such as furniture. Therefore, considering that the proposal includes the allowances if one were to deduct those out, the base proposal would be in the neighborhood of \$433,000.

The project is expected to take 8 months from start to finish.

Council discussed the experience of JC Stonewall Constructors, L.P. Frank Brooks, the City's Engineer addressed Council. He told Council that in reviewing all of the proposals, this contractor had the most experience with municipal projects.

Council Member Klein moved to approve Resolution No. 2010-08, receiving the recommendation of the Proposal Review Committee and authorizing the City Manager to enter into a contract for the Police Department Expansion Project. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE RECOMMENDATION OF THE PROPOSAL REVIEW COMMITTEE, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE POLICE DEPARTMENT EXPANSION PROJECT.

- 2. Consider Resolution No. 2010-09, authorizing the City Manager to enter into a contract with Pate Engineers, for the re-design of the Jones Road Lift Station, in connection with the extension of Jones Road.**

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Danny Segundo, Director of Public Works explained that the purpose of the re-design of the Jones Road Lift Station is to accommodate the anticipated future wastewater loading in the proposed Transit Orient Development area south of Highway 290. The previous design would not have the capability of handling the potential increase. The re-design will increase from a duplex (2 pump) lift station to a triplex (3 pump) lift station.

Staff is requesting approval of a contract agreement with Pate Engineers to furnish the necessary engineering services in relation to the re-design of the Jones Road Lift Station as more specifically described in the attached proposal. The re-design will be completed within six (6) weeks after notice-to-proceed is received from the City of Jersey Village.

Discussion was had about the re-design and what the increased capacity will mean in terms of increased construction costs. Paul Wallick with Pate Engineers, Inc. addressed Council in connection with the question. He told Council that while the capacity is increasing by 1/3rd the costs will not increase by 1/3rd; rather he believes the costs will increase from \$275,000 to around \$300,000. He told Council that the 3rd pump is needed for whatever development might happen in that area, whether it is the Transit Oriented Development or some other type of development. This re-design is simply planning for the future.

Council Member Berube moved to approve Resolution No. 2010-09, authorizing the City Manager to enter into a contract with Pate Engineers, for the re-design of the Jones Road Lift Station, in connection with the extension of Jones Road. Council Member English seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PATE ENGINEERS, FOR THE RE-DESIGN OF THE JONES ROAD LIFT STATION, IN CONNECTION WITH THE EXTENSION OF JONES ROAD.

- 3. Consider Ordinance No. 2010-08, amending the budget of such city, for the fiscal year beginning October 1, 2009 and ending September 30, 2010 in order to allow for the allocation of \$18,000 from the 2003 Street Bond fund to fund 13-92-7107 for engineering services in connection with the re-design of the Jones Road Lift Station.**

Danny Segundo, Director of Public Works explained that this item is the budget amendment associated with the previous item. The amendment is necessary to appropriate additional funds to allow for the engineering services in connection with the re-design of the Jones Road Lift Station.

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As a result of the Citizen Communication comment earlier in the evening, discussion was had about the leftover monies from the 2003 bond project and if this allocation is appropriate. City Manager Castro explained that during the 2002 election, the citizens voted to use the monies for certain “types” of projects. The re-design of the Jones Road Lift Station is in line with the intended usage or type of project that was voted on in 2002. He told Council that the expenditure will be a one-time cost and not a recurring cost.

Discussion was had about the 2003 bond project fund balance. Public Works Director, Danny Segundo reported the balance to be \$321,241.72.

Council Member English moved to approve Ordinance No. 2010-08, amending the budget of such city, for the fiscal year beginning October 1, 2009 and ending September 30, 2010 in order to allow for the allocation of \$18,000 from the 2003 Street Bond fund to fund 13-92-7107 for engineering services in connection with the re-design of the Jones Road Lift Station. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-08

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

4. Consider with possible action authorizing the City Manager to advertise for public bid the Jones Road Extension Project.

Danny Segundo, Director of Public Works introduced the item. He told Council that Staff is requesting permission to place the Jones Road Extension project out for public bid. He explained that all bid documents and bid specifications are to be handled by Pate Engineers and that the Jones Road Project has been a part of the city’s Capital Improvement Plan for several years. After selection of a contractor the City will ask Harris County to release the remaining portion of funding to pay for the construction cost of Jones Road.

Council Member Berube moved to authorize the City Manager to advertise for public bid the Jones Road Extension Project. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

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The motion carried.

5. Consider with possible action authorizing the City Manager to advertise for public bid the City of Jersey Village Honolulu Paving, Storm Sewer, and Water Line Improvements.

Danny Segundo, Director of Public Works introduced the item. He told Council that Staff is requesting permission to place the Honolulu Street Rehabilitation project out for public bid. He explained that all bid documents and bid specifications will be handled by Brooks & Sparks, Inc.

City Council met in a work session in April of 2009 to discuss the possibility of adding additional streets to the 2007-2008 Street Bond Project. It was determined that street/drainage and waterline repairs to Honolulu Street would be added. The funds will come from the fund balance of the current 2007-2008 Street Bond Project.

Discussion was had that the project would be located from Lakeview to Hawaii. There was concern about the poor quality of road near Welwyn. City Engineer Brooks stated that this section might be worked in as a change order should there be any project overage.

Council Member Haverty moved to authorize the City Manager to advertise for public bid the Honolulu Street Rehabilitation project. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

6. Consider Ordinance No. 2010-09, amending the budget of such city, for the fiscal year beginning October 1, 2009 and ending September 30, 2010, allowing for the transfer of \$70,697 from Jones Road fund balance to 14-93-7102 – Engineering Design.

Danny Segundo, Director of Public Works introduced the item. He told Council that the City of Jersey Village received \$70,697 on April 15, 2009 from Harris County to cover additional engineering cost associated with the Jones Road Project. Since this check was received in the previous fiscal year, the funds are available in the Jones Road fund balance. Staff is requesting that this amount be allocated with the approval of city council to line item 14-93-7102 (Engineering Design). The allocation of these funds will allow staff to pay any additional engineering services related to the Jones Road extension.

Council Member English moved to approve Ordinance No. 2010-09, amending the budget of such city, for the fiscal year beginning October 1, 2009 and ending September

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30, 2010, allowing for the transfer of funds from Jones Road fund balance to 14-93-7102 – Engineering Design. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-09

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

7. Consider Resolution No. 2010-10, appointing a Commissioner to fill the unexpired term ending September 30, 2011 for Position Three on the Planning and Zoning Commission.

Lorri Coody, City Secretary introduced the item. She explained that the Planning and Zoning Commission is a seven member Commission appointed by the Mayor with approval of the Council. Each member shall be a resident of the city and shall be appointed to serve a term of two years. Should a vacancy occur, the Mayor, with approval of the Council, shall appoint a person to complete the unexpired term for the position.

On January 11, 2010, via email, John Hanley, who serves in position three on this Commission tendered his resignation due to health reasons. Mr. Hanley has served on this Commission since June of 2004 and his current term expires September 30, 2011.

The applications of those qualified candidates who have expressed interest in serving on this Commission are attached for Council's review.

Council was pleased with the amount of interest from the citizens in this open position. Discussion was had on the applicants. Applicant Justin Ray was present and addressed Council. He stated his interest and background. Applicant Joe Pennington was also present.

Council Member English moved to appoint Justin Ray as Commissioner to fill the unexpired term ending September 30, 2011 for Position Three on the Planning and Zoning Commission. The motion died for lack of a second.

Council Member Haverty moved to appoint Barbara Freeman as Commissioner to fill the unexpired term ending September 30, 2011 for Position Three on the Planning and Zoning Commission. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

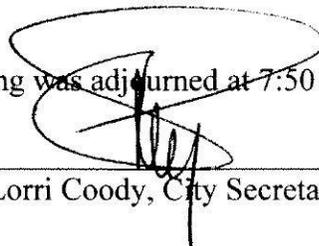
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Nays: None

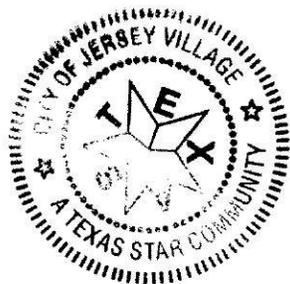
The motion carried.

H. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 7:50 p.m.



Lorri Coody, City Secretary



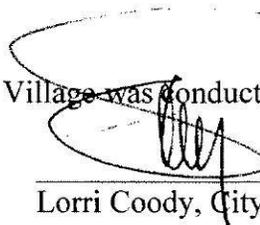
MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON FEBRUARY 18, 2010 AT 6:30 P.M. AT KIM SON, 2001 JEFFERSON, HOUSTON, TEXAS 77571.

A quorum of the members of the Jersey Village City Council met on Thursday, February 18, 2010 at 6:30 p.m. at Kim Son, 2001 Jefferson, Houston, Texas 77571 for the purpose of attending a meeting of the Harris County Mayors' & Councils' Association.

The following members attended the meeting:

Council Member Joyce Berube;
Council Member Rod Erskine; and
Council Member Jill Klein

No official business for the City of Jersey Village was conducted at this meeting.



Lorri Coody, City Secretary



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MARCH 15, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Ernie English	
Council Member, Jill Klein	

Council Member, Curtis Haverty was not present.

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

B. INVOCATION AND PLEDGE OF ALLEGIANCE: Russell Hamley, Mayor

C. CITIZENS COMMENTS

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

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430 – Mr. Maloy addressed Council about the need to have the arbitrage process explained so that the general public can understand the item that is on this council agenda. He wants it clarified why this process is necessary and why the City must pay for this service.

Jeff Kopecky, 16125 DeLozier, Jersey Village, Texas (713) 849-2918 – Mr. Kopecky spoke to council about foreclosed homes in the City, and the problems these homes have with un-kept grass and weeds. He also asked Council to check into the number of junk cars as this too is becoming a problem.

C. CITY MANAGER'S REPORT

Mike Castro, City Manager called attention to items 12 and 13 on his management report. He pointed out that the City has earned the SILVER Leadership Circle Award for success in implementing financial transparency. He also pointed out that the management report contains the budget projections through February 2010 as requested. Council engaged in discussion about the budget projections report. The City Manager answered questions about the sales tax revenue collections, explaining that in past months the revenue had been 13 to 14% lower, but in recent months it has been 9% lower, so the decline is beginning to turn in the right direction.

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Council also asked questions about revenues in general and for the City Manager to explain any revenues that are significantly lower than projected. City Manager Castro explained that there are some individual line items that are lower than projected. However, the biggest concerns for revenue shortfalls are in the areas of Sales Tax, Permits, Interest, and the Golf Course Fund.

In connection with these shortfalls, Council discussed the increase of water rates and the reasons why the Golf Course revenues are off. Council also discussed code enforcement.

1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, and Governmental Funds Report.
2. Departmental Request Report and Open Records Request, CD 2009-2010 Open Records Requests, and Solicitor's Permit Requests
3. Fire & Emergency Services Departmental Report
4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report and Staffing/Recruitment Report.
5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, and Revenue Comparison Report.
6. Public Works Departmental Report, Permit Departmental Report, Construction Up-Date Detail Report, and Construction Update Summary
7. Combined Monthly and Annual Mileage Report
8. Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report
9. Report from Code Enforcement
10. Capital Improvements Projects Report
11. White Oaks Bayou Capital Improvements Projects Report
12. SILVER Leadership Circle Award for success in implementing financial transparency
13. Budget Projections as of February 2010

E. CONSENT AGENDA

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

- 1. Consider approval of the Minutes for the Regular Session Meeting held on February 15, 2010 and the Special Meeting held on February 18, 2010.**
- 2. Consider Ordinance No. 2010-10, approving the request of the Board of Directors of the Crime Control and Prevention District to amend the District's fiscal year 2009-2010 budget (Police Department Expansion Project).**

ORDINANCE NO. 2010-10

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE REQUEST OF THE BOARD OF DIRECTORS OF THE CRIME CONTROL AND

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PREVENTION DISTRICT TO AMEND THE DISTRICT'S FISCAL YEAR BUDGET BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

- 3. Consider Ordinance No. 2010-11, approving the request of the Board of Directors of the Crime Control and Prevention District to amend the District's fiscal year 2009-2010 budget to hire a temporary part-time person to handle computer based technical tasks directly related to the Police Station Expansion Project.**

ORDINANCE NO. 2010-11

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE REQUEST OF THE BOARD OF DIRECTORS OF THE CRIME CONTROL AND PREVENTION DISTRICT TO AMEND THE DISTRICT'S FISCAL YEAR BUDGET BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

- 4. Consider Ordinance No. 2010-12, amending the City of Jersey Village fiscal year 2009-2010 annual budget, for the purchase of a 2010 unmarked Chevrolet Tahoe and all related police and investigative equipment.**

ORDINANCE NO. 2010-12

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

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

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

F. REGULAR AGENDA

- 1. Consider Resolution No. 2010-11, adopting a concept plan for the Jersey Village Transit Oriented Development study area.**

Mike Castro, City Manager explained the item to Council. He stated that on January 12 and January 14, 2010, the city conducted two public hearings to receive comments regarding Transit Oriented Development (TOD). At the January 14 meeting, two concept plans were presented by KHA. The plans were based upon feedback received from citizens, council, and staff.

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The item before Council tonight is to approve the concept plan which will form the basis for the cost-benefit analysis to be conducted in subsequent months. Mr. Castro introduced Joe Willhite from Kimley Horn and Associates who gave a presentation on the concept plan.

Mr. Willhite explained that the concept plan needs to be approved so that the consultants can proceed with the financial side of the project. His presentation explained the concept plan. It included a slide that explained how the land will be used, displaying percentage points for each category of mixed use. His presentation also explained the importance of how the TOD should be structured and its step down flow in building height as the development extends away from the core of the TOD. Mr. Willhite explained the next steps in the project as:

- Gather feedback from public and City Council
- Investigate financial impact of proposed development
- Generate implementation strategies
- Present finding to Council

Discussion was had about the recent Channel 13 News Report concerning the Dallas area TOD. A link to this report will be placed on the City of Jersey Village website.

There was also discussion about the rail connection being made to downtown Houston. Mr. Willhite explained that currently the plan is to have inter-city passenger rail between Houston and Austin and in order for this to happen it must include downtown. However, the current maps do not show a downtown connection. He explained that several designs exist and within the next 2 to 3 months we will see a downtown connection on the maps.

Discussion was also had about what is being approved by this agenda item. Mr. Willhite explained that the concept plan is being approved which permits the fiscal analysis to proceed.

Council also discussed:

- If rail does not happen, what that means for the TOD; and
- The City is still being considered for the stop and the study provides the necessary information to help the decision makers choose Jersey Village.

Mr. Willhite was asked about the existing property owner involvement. He explained that they have been involved and the feedback has been positive.

Mr. Willhite explained the need for a ½ day work session meeting on April 19.

Council Member Berube moved to approve Resolution No. 2010-11, adopting a concept plan for the Jersey Village Transit Oriented Development study area. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

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Nays: None

The motion carried.

RESOLUTION NO. 2010-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ADOPTING A CONCEPT PLAN FOR THE CITY OF JERSEY VILLAGE TRANSIT ORIENTED DEVELOPMENT STUDY AREA

2. Consider Resolution No. 2010-12, authorizing the City Manager to engage the services of Arbitrage Compliance Specialists, Inc. for Arbitrage Rebate Computation and Reports.

Isabel Kato, Director of Finance, explained the item. She stated that in order to proceed with the preparation of the arbitrage compliance computations as required by the United States Department of the Treasury for the tax exempt bond issuance and in order to comply with one of the findings of our auditors Belt Harris and Associates LLLP, the Finance Department is respectfully requesting that council authorize the engagement of Arbitrage Compliance Specialists, Inc., to provide this service to the City. Arbitrage Compliance Specialists, Inc. was recommended by our auditor and after meeting with Mr. Richard Fletcher Senior Account Manager, Staff felt that they were more suitable to provide this service to the City.

Ms. Kato also explained the arbitrage process and why arbitrage is needed. City Manager Castro explained that the rules for arbitrage have changed and as a result of these changes, it is necessary for the City to make these calculations to insure that we are in compliance. The specialist is needed to make the calculations in order to comply with the audit finding and to comply with IRS rules and regulations.

Richard Fletcher, Arbitrage Specialists addressed Council. He explained the process. He told Council that the Federal Government wants to identify issuers who sell bonds and profit by the bond deal. If there is a profit, the IRS is to get the spread back at 100%.

Council Member English moved to approve Resolution No. 2010-12, authorizing the City Manager to engage the services of Arbitrage Compliance Specialists, Inc. for Arbitrage Rebate Computation and Reports. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE,

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TEXAS, AUTHORIZING THE CITY MANAGER TO ENGAGE THE SERVICES OF ARBITRAGE COMPLIANCE SPECIALISTS, INC. FOR ARBITRAGE REBATE COMPUTATION AND REPORTS SERVICES.

- 3. Consider Ordinance No. 2010-13, amending the City of Jersey Village fiscal year 2009-2010 annual budget, allowing for the allocation of \$2,600 from the Water and Sewer Fund Balance and \$9,400 from the General Fund Balance to pay for the service of the preparation of the arbitrage compliance computations.**

Isabel Kato, Director of Finance, explained that this item is necessary to appropriate the money in order to pay for the arbitrage expense.

Council Member Berube move to approve Ordinance No. 2010-13, amending the City of Jersey Village fiscal year 2009-2010 annual budget, allowing for the allocation of \$2,600 from the Water and Sewer Fund Balance and \$9,400 from the General Fund Balance to pay for the service of the preparation of the arbitrage compliance computations. Council Member English seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-13

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

- 4. Consider Resolution No. 2010-13, awarding the bid and authorizing the City Manager to enter into a contract for the Honolulu Paving, Storm Sewer, and Water Line Improvements Project.**

Danny Segundo, Director, Public Works explained that City Council previously met in a work session to discuss the possibility of adding additional streets to the 2007-2008 Street Bond Project. It was determined that street/drainage and waterline repairs to Honolulu Drive are necessary.

The bid process began in February with advertising in the Houston Chronicle followed by a Pre-Bid meeting on March 3, 2010 at 2:00 PM. The Bid Opening was held on March 10, 2010 at 2:00 PM in the Civic Center located at 16327 Lakeview in the City of Jersey Village.

We received a total of 9 bids on March 10, 2010. The bids were evaluated by the City Engineer who recommends the low bidder SER Construction Partners, Ltd. for the award of this contract in the amount of \$945,696.10.

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Funding for this project will come from the fund balance of the 2007-2008 Street Bond Project.

This item is to award the bid based upon the recommendation from the city's engineer and authorize the City Manager to enter into a contract for the Honolulu Paving, Storm Sewer, and Water Line Improvements Project.

Council engaged in discussion concerning the work product of this contractor on current projects. Public Works Director, Danny Segundo reported the work as satisfactory.

Council Member Erskine moved to approve Resolution No. 2010-13, awarding the bid and authorizing the City Manager to enter into a contract for the Honolulu Paving, Storm Sewer, and Water Line Improvements Project. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AWARDING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE HONOLULU PAVING, STORM SEWER, AND WATER LINE IMPROVEMENTS PROJECT.

- 5. Consider Ordinance No. 2010-14, amending the City of Jersey Village fiscal year 2009-2010 annual budget, allowing for the allocation of \$945,696.10 from the 2007-08 Street Bond fund to the Honolulu Paving, Storm Sewer, and Water Line Improvements Project to pay project costs.**

Danny Segundo, Director, Public Works explained that City Council previously met in a work session to discuss the possibility of adding additional streets to the 2007-2008 Street Bond Project. It was determined that street/drainage and waterline repairs to Honolulu Drive are necessary.

Funding for this project will come from the fund balance of the 2007-2008 Street Bond Project.

This item is to approve the allocation of appropriated funds from the 2007-2008 Street Bond Fund balance to the Honolulu Paving, Storm Sewer, and Water Line Improvements Project as follows:

- \$237,756.00 to Account 13-95-7314 for Honolulu Allowances;
- \$135,000.00 to Account 13-95-7214 for Honolulu Waterline; and

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- \$572,940.10 to Account 13-95-7114 for Honolulu Street/Drainage.

Council Member English moved to approve Ordinance No. 2010-14, amending the City of Jersey Village fiscal year 2009-2010 annual budget, allowing for the allocation of \$945,696.10 from the 2007-08 Street Bond fund to the Honolulu Paving, Storm Sewer, and Water Line Improvements Project to pay project costs. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-14

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

6. Consider Ordinance No. 2010-15, amending Chapter 2 “Administration,” Article IV “Schedule of Fees and Special Funds,” Division 2 “Schedule of Fees,” Section 2-142 of the Code of Ordinances, Jersey Village, Texas, to provide for adjustments to various permit inspection and re-inspection fees.

Danny Segundo, Director of Public Works explained that the Public Works Department has completed its annual review of fees related to departmental services and has determined that certain fees should be increased in order to compensate for time spent by the Building Official in performing inspections.

Specific areas in the Code of Ordinances under Sec. 2-142, Fees and Charges Imposed, which require an adjustment, are as follows:

1. b1 – Roof Permits – Increase from \$25.00 to \$50.00, add a re-inspection fee of \$50.00, and add an after hour inspection fee of \$100.00,
2. b2 – Plumbing Fees – Add an after hour inspection fee of \$100.00 and remove the Fire sprinkler system fee of \$45.00 since it is addressed elsewhere in the code;
3. b3 – Mechanical Permit Fees – Add a \$50.00 re-inspection fee; and an after hour inspection fee of \$100.00;
4. b4 – Electrical Permit fees – Add an after hour inspection fee of \$100.00;
5. b6 – Gas Permit Fees – Correct the re-inspection fee to accurately reflect the current charge of \$50.00, and add an after hour inspection fee of \$100.00

Mr. Segundo pointed out that the proposed ordinance submitted to Council in the packet inadvertently outlined a \$50.00 “Roof Re-Inspection Fee” for Sec. 2-142(b)1 above

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instead of a \$50.00 re-inspection fee. He asked Council to make this change when approving the Ordinance.

Council engaged in discussion about the amount of estimated additional revenue these changes will render. The Building Official, Christian Somers addressed the Council. He explained that the goal in asking for the increases is to restore equitability to the fees. He explained that it is more of a true user fee and meant to make sure contractors do not abuse the inspection service.

Council Member Berube moved to correct Ordinance No. 2010-15 as submitted in the Council packet by changing Section 2 of the Ordinance at item (g.) to read “(g.) For each re-inspection, \$50.00.” and then approve Ordinance No. 2010-15, amending Chapter 2 “Administration,” Article IV “Schedule of Fees and Special Funds,” Division 2 “Schedule of Fees,” Section 2-142 of the Code of Ordinances, Jersey Village, Texas, to provide for adjustments to various permit inspection and re-inspection fees. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

ORDINANCE 2010-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE IV “SCHEDULE OF FEES AND SPECIAL FUNDS,” DIVISION 2 “SCHEDULE OF FEES,” SECTION 2-142 OF THE CODE OF ORDINANCES, JERSEY VILLAGE, TEXAS, TO PROVIDE FOR ADJUSTMENTS TO VARIOUS PERMIT INSPECTION AND RE-INSPECTION FEES; CONTAINING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

- 7. Consider Ordinance No. 2010-16, amending the City of Jersey Village fiscal year 2009-2010 annual budget, allowing for the allocation of \$12,000 for overtime in the Communications Division.**

Kimberly Maldonado, Communications Division Supervisor explained the item. She told Council that over the past several years, the Communications Division has budgeted for overtime valued at \$17,000. Each year we have had to either ask for more money or do a budget transfer. Again, a budget transfer in the amount of \$12,000 is being requested so the Division has the funding for expected overtime.

In fiscal year 2008-09 we had utilized our entire overtime budget by December because we were short two personnel for two positions. In the latter part of that year, we were able to fill one of those positions. Nonetheless, in fiscal year 2009-10, we still had one

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position unfilled until November 2009. The plan was to take the November hire full time and use overtime for expected holidays, vacation, and unscheduled sick leave. However, we were just informed that the November hire will be leaving the City's employ. Additionally, Council should be aware that we anticipate one employee to have scheduled military leave in the upcoming months.

Staff has made an effort to reduce overtime usage through the use of part time staffing to fill open positions and unscheduled and scheduled leave of our full-time staff. At one point there were several part time employees, working several days a week. However, several of these part time employees have left the employ of the city and currently the Division only employs two part time staff members that work only one day a week on average. Nonetheless, we constantly are in search of qualified part time staff to help fill unscheduled sick leave, scheduled holidays and vacations, but finding qualified part time personnel has been a challenge. The Division budget does not provide for training unqualified part time personnel so they must be already trained when hired.

Keeping in mind the information provided herein, it is recommended that Council approve this budgetary amendment by transferring \$7000 from Salaries (23-3001) and \$5000 from Wages (23-3002) to the Communication Division overtime account (23-3007). It is not expected at this time that additional funding above the \$12,000 being requested will be needed for the remainder of this year.

Discussion was had on departmental recruiting. Ms. Maldonado explained that the department is utilizing the City's website as well as other communication websites to post job openings. She stated that she will fax the part-time openings to surrounding agencies to see if any of those employees are interested in picking up part-time work.

Council Member Berube moved to approve Ordinance No. 2010-16, amending the City of Jersey Village fiscal year 2009-2010 annual budget, allowing for the allocation of \$12,000 for overtime in the Communications Division. Council Member English seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-16

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010, ALLOWING FOR THE ALLOCATION OF \$12,000 FOR OVERTIME IN THE COMMUNICATIONS DIVISION; AND PROVIDING FOR SEVERABILITY.

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8. Consider Ordinance No. 2010-17, amending Chapter 2 “Administration,” Article IV “Schedule of Fees and Special Funds,” Division 2 “Schedule of Fees,” Section 2-142b(11) of the Code of Ordinances, Jersey Village, Texas, to provide for adjustments to the fire code permit fees.

Mark Bitz, Fire Chief explained that In May 2000 the Fire Marshal’s Office requested an adjustment to fees associated with permitting and inspections. In review of the current fee schedule and looking at other agencies within our area it has been determined that our office continues to have minimal fees for permitting and inspection. I have attached fee schedules for four area agencies. These agencies are the main represented agencies in the area. I have also compiled these fees in a one page spreadsheet in chart form for you to compare. You will see Jersey Village current fees are still below the average fees being received in comparison to other agencies. It is our intent to bring our fees more towards the average standard taking into account the increase in cost associated with the plan reviews and inspections.

Specific areas in the Code of Ordinances under Sec. 2-142b(11), Fire Code Permit Fees, which require an adjustment, are as follows:

1. 11(a)1 – Add a \$100.00 New Construction Plan Review Fee, add a \$50.00 existing Construction Plan Review Fee, and remove the “includes the first 400 heads, additional heads \$.25 per head” requirement and replace with plus \$.25 per head for the Wet Sprinkler Fee;
2. 11(a)2 – Remove the “includes the first 400 heads, additional heads \$.25 per head” requirement and replace with plus \$.25 per head for the Dry Sprinkler Fee;
3. 11(a)4 – Increase the Special Agent System fee from \$50.00 per system to \$75.00 per system;
4. 11(a)5 – Increase the Commercial cooking extinguishing system from \$50.00 per system to \$75.00 per system;
5. 11(a)6 – Remove the “first 250 devices included, additional devices \$.25 per device” requirement and replace with plus \$.25 per device for the Fire Alarm Systems; and
6. 11(a)8 – Increase the afterhours inspection from \$200.00 to \$250.00.

Discussion was had concerning the need for the increase. Council wanted to understand if the department was experiencing an increase in the amount of time it takes to perform investigations or if there was an overall increase costs. Chief Bitz explained that it is an increase in costs and the number of weekend and night inspections has increased. He explained that this increase brings the fees in line with what other departments in neighboring cities are charging.

Council Member English moved to approve Ordinance No. 2010-17, amending Chapter 2 “Administration,” Article IV “Schedule of Fees and Special Funds,” Division 2 “Schedule of Fees,” Section 2-142b(11) of the Code of Ordinances, Jersey Village,

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Texas, to provide for adjustments to the fire code permit fees. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

ORDINANCE 2010-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE IV “SCHEDULE OF FEES AND SPECIAL FUNDS,” DIVISION 2 “SCHEDULE OF FEES,” SECTION 2-142b(11) OF THE CODE OF ORDINANCES, JERSEY VILLAGE, TEXAS, TO PROVIDE FOR ADJUSTMENTS TO VARIOUS FIRE CODE PERMIT FEES; CONTAINING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

- 9. Consider Resolution No. 2010-14, authorizing the City Manager to enter into a contract with K. & P. Assoc., Inc., d/b/a Specialized Billing & Collection Systems of Texas for fire response recovery services.**

Mark Bitz, Fire Chief, explained that this item is a request to enter into contract with “Specialized Billing” for fire response recovery. He explained that currently the Fire Department bills for Medical Services to non-resident/non-tax paying individuals. We bill medical insurance for transports to hospitals. Highway 290 is a major thoroughfare with thousands of people traveling on it daily through our city. Major accidents, vehicle fires, and calls similar in nature are responded to throughout the year. Our fire apparatus respond to handle each call with no recovery cost at all. We pay for personnel and we use expensive equipment that either needs replacement at the time of use. Some equipment used may not get replaced at the time, but eventually the equipment used will need replacement as it wears down.

On the South side of Highway 290 is an area we call the Extra Territorial Jurisdiction (ETJ). Every year we contract with Harris County to cover this area for fire and medical response. The contract brings minimal revenue to the city for these responses and the cost associated with our response is greater than the current recovery we see written in the contract.

The contract between Harris County and the city allows for the city to continue to receive compensation from Harris County, yet recover additional costs incurred if we desire. In the next year we expect a \$10,000 contract with Harris County for coverage of this area. This will be a decrease of \$10,000 from the current contract year. In speaking with our billing company, we have the potential to bill for calls on Highway 290 and in the ETJ with a recovery amount of \$50,000. The Contractor (Specialized Billing) shall receive as

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its fee for services rendered the sum equivalent to Ten percent (10%) of all payments obtained for and on behalf of the City of Jersey Village.

Council engaged in discussion concerning the industry experience for recovery rates on these fees. Bruce Glover with Specialized Billing Services fielded and answered Council's questions about the process and about the company. Mr. Glover told Council about the history of recovery rates. He explained that the recovery rate is about 60% throughout the United States and that the rate of recovery is dependent upon the type of call and if insurance coverage is involved.

Discussion was had about the fee list and how it was composed. Mr. Glover explained that the list was prepared by his company and is industry standard. There was further discussion about the revenue that the charges will produce. Mark explained the past history of the department and the types of calls made. He explained how these calls would equate to a revenue stream of approximately \$50,000 annually in collections. Specialized Billing only gets paid when we get paid.

Council Member Klein moved to approve Resolution No. 2010-14, authorizing the City Manager to enter into a contract with K. & P. Assoc., Inc., d/b/a Specialized Billing & Collection Systems of Texas for fire response recovery services. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH K. & P. ASSOC., INC., D/B/A SPECIALIZED BILLING & COLLECTION SYSTEMS OF TEXAS FOR FIRE RESPONSE RECOVERY SERVICES.

10. Discuss and take appropriate action on receiving a 2010 Census Update Report regarding the activities undertaken by staff to facilitate an accurate count in the City of Jersey Village.

Lorri Coody, City Secretary presented the report. She explained that the work for the Census began back in 2007 with the mapping program. However, more recently, City Staff has been working diligently on encouraging residents to participate in completing and mailing back the 2010 Census Questionnaires. Ms. Coody told Council that the questionnaires will arrive in mailboxes this week and April 1 has been designated as Census Day.

Ms. Coody highlighted a few activities from the report that staff has accomplished in order to promote an accurate count in the City of Jersey Village. She told Council about the articles

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that have been placed in the JV Star, in the water bills and sent out via eBlast. She mentioned the postings to the website and to the City's Marquee signs.

She also told Council about the partnerships with the US Census Bureau and Harris County and the meeting that was held in the City of Jersey Village to promote the help of local leaders in getting out the word to residents to complete and return census questionnaires.

The complete list of activities included:

1. Participated in the 2010 Census Address Up-Date Program. Activities for this Program began in 2007.
2. January 2010 JV Star Article – “The Census Is Underway”
3. Included “The Census is Underway” Article on the backside of the Mayor's Newsletter, mailed with the water bill, and posted to the City's website.
4. Attended the February 4 Harris County Complete Count Committee meeting.
5. February 5, began working with the US Census Bureau Partnership Specialist, Ida Love to insure an accurate count in the City of Jersey Village.
6. Presented a Proclamation to the City Council on February 15. The Proclamation encourages citizen participation in the 2010 Census.
7. February 16 - Posted the Proclamation to the City's website.
8. Attended the February 16 Harris County Complete Count Committee meeting.
9. February 17, Placed Census Posters throughout City Buildings to promote the Census.
10. February 17 - Posted “2010 Census – Be Counted” on all five of the Marquee Signs in the City.
11. February 17 - Conducted a City of Jersey Village 2010 Census Meeting. Invitations were sent to all apartment complex managers, leaders in our churches (including St. Maximillian Kolbe Catholic Church), and leaders from our three schools. The purpose of the meeting was to work with community leaders toward the common goal of ensuring a full and accurate count in 2010 and encouraging all citizens to participate in the 2010 Census count. Distributed 2010 Census Posters and other Census Materials.
12. February 18 - Began working with Harris County's communications firm “PierPont.” Jesse Dickman attended the February 17 meeting and has been assigned to our City to insure an accurate count.
13. February 19 - Wrote a follow-up email to apartment complex managers and school and church leaders concerning the outcome of the February 17 meeting and passed along Census information and ideas for promoting the 2010 Census.
14. February 22 - Wrote an email to the local churches encouraging them to participate in “Census Sabbath.”
15. March JV Star Article – “The 2010 Census”
16. Asked the Mayor to use his Mayor's March 2010 Newsletter to promote the 2010 Census.

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17. Used the Mayor's March Newsletter for distribution of approximately 1,000 inserts to the two major apartment complexes in the City for inclusion in their March Newsletters.
18. Used the City's e-Blast system to send out a notice to residents to support the 2010 Census
19. Made arrangements with PierPont Communications to visit all of our Churches and Apartments to insure they are aware of the Census and informed about how to help residents find answers and help for completing the Census Questionnaire.
20. March 12 - Made arrangements to have the City of Jersey Village logo included on a Power in Numbers Census banner that will be featured at several events Neighborhood Centers, Inc. is hosting throughout the next month.

11. Consider Resolution No. 2010-15, setting a date to conduct the annual Council/Staff Budget Retreat.

Jill Klein, Council Member presented the item. Every year, after the May Election, Staff meets with Council in a retreat setting to discuss the financial condition of the city. During this retreat, in addition to receiving information about the overall condition of the City, Council receives information about:

- Accomplishments achieved since the last retreat
- Supplemental requests being made for the upcoming budget year
- Short-term concerns for the City with a review of both short and long-term incentives
- Departmental presentations

Proposed dates for the annual Council/Staff Budget Retreat are the:

- 1st Friday following the General Municipal Election
- 1st Saturday following the General Municipal Election
- 2nd Friday following the General Municipal Election
- 2nd Saturday following the General Municipal Election

This item is to select a date for the annual Council/Staff Budget Retreat.

Discussion was had on the best time to have the retreat. After discussing same, it was decided that it would be best to conduct the retreat at night and during the week. Two nights will be needed to cover the information. It was the consensus of Council that the City Secretary poll availability of Council Members and 2010 Council candidates for the following dates: May 10, May 11, May 12, May 13, May 18, May 19, and May 20 in order to select dates for the Council Staff Budget Retreat. No formal Action was taken on this item.

12. Discuss and take appropriate action concerning the implementation of a No Smoking Ordinance in the City of Jersey Village.

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Council Member, Rod Erskine presented the item. He explained that smoking is a health hazard and many cities surrounding the City of Jersey Village have implemented smoking ordinances prohibiting smoking in public places. He stated that the purpose of this item is to have staff draft a no smoking ordinance based upon the no smoking ordinance implemented in the City of Houston and other surrounding cities and bring same back to Council for consideration.

Discussion was had on what cities in the area have a no smoking ordinance. City Manager Castro explained that aside from the City of Houston, the following cities have a no smoking ordinance to varying degrees:

- Baytown
- Pasadena
- Sugar Land

There was discussion that enforcement of the ordinance would take time from police and code enforcement and consideration was given to whether the City wants its resources used to enforce this type of ordinance.

Council Member Erskine moved to direct staff to draft an ordinance to enforce or ban smoking in public places and submit same to council for consideration. The motion died for lack of a second and Council Member Erskine withdrew the motion.

With no further discussion, Mayor Hamley called the next item on the agenda.

13. Discuss and take appropriate action concerning used car lots in the City of Jersey Village.

Council Member, Rod Erskine introduced the item explaining his concern for development along Jones Road once the extension goes through. He would like to see the city be proactive in passing an ordinance to insure that the right kind of development happens, not only for new development but for the development of existing businesses as they change hands along the Jones Road corridor. He would like the ordinance to regulate new businesses in terms of type and beautification criteria.

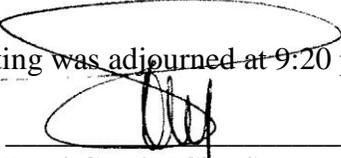
Discussion was had about the used car lots and how does the city single out a specific type of business in an ordinance. Council Member Erskine stated that the concern is not only for the used car lots; but for all the existing businesses that may close and re-open. He would like to see businesses be given direction in the form of an ordinance on what needs to happen to clean up their properties in order to make the Jones Road corridor more appealing.

Discussion was had on the current codes and what they might offer in terms of what is being presented in this agenda item. It was the consensus of Council that staff research the current codes and bring back information on this topic at the next council meeting for discussion.

H. ADJOURN

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There being no further business on the Agenda the meeting was adjourned at 9:20 p.m.



Lorri Coody, City Secretary



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON APRIL 19, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Curtis Haverty	
Council Member, Ernie English	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer by: Michael Brittain, Chaplain, American Legion Post #324
2. Pledge by: Jimmy Baughman, Commander of American Legion Post #324

C. PRESENTATIONS

1. Presentation of Police Department Employee of the First Quarter, 2010.

Jimmy Baughman, Commander, and Howard Mead, Past Commander of American Legion Post #324, along with Mayor Hamley, presented the Police Department Employee of the Quarter, 2010 awarded to Dispatcher, Kim Flenoury.

D. CITIZENS COMMENTS

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

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713-461-1430) – Mr. Maloy spoke to Council about the Harris County Toll Road Authority (HCTRA) Resurfacing Project and the goal of that project to reduce noise in Jersey Village. He spoke about the results of a recent study about noise abatement and how this study has impacted Jersey Village. He told Council that the HCTRA will not resurface further sections of Toll Road in Jersey Village because the resurfacing did not reduce the noise levels as much as expected. However, Mr. Maloy believes that the project was a success and is asking Council to intervene by asking the HCTRA to proceed with the original Resurfacing Project as planned.

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D. CITY MANAGER'S REPORT

The City Manager presented in presenting his report, pointed out that the work by the Harris County Flood Control on the By-Pass Channel is basically done and the channel is functioning.

Discussion was had by Council about the status of the exposed area of the Channel where prior discussions were had about placing trees or fencing in these areas. City Manager Castro explained that staff is still working with Flood Control on the fencing and have been informed by Flood Control that it will be best to wait on a fencing project until the ground in the channel is more stable. As far as the trees and vegetation, stable ground is a must before the planting can begin.

Council engaged in discussion about the “earthen bridge” that was created by the construction and how this “bridge” has created a problem with giving 4-wheelers the ability to cross the channel.

Council also had questions about the investment report and the open records report which were addressed by Finance Director, Isabel Kato and City Secretary, Lorri Coody respectively.

The remainder of the City Manager's Report follows:

1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Budget Projections as of March 2010, and Quarterly Investment Report – March 2010.
2. Departmental Request Report and Open Records Request, CD 2009-2010 Open Records Requests, and Solicitor's Permit Requests
3. Fire & Emergency Services Departmental Report
4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report and Staffing/Recruitment Report.
5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, and Revenue Comparison Report.
6. Public Works Departmental Report, Permit Departmental Report, Construction Up-Date Detail Report and Construction Update Summary
7. Combined Monthly and Annual Mileage Report
8. Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report
9. Report from Code Enforcement
10. Capital Improvements Projects Report
11. White Oaks Bayou Capital Improvements Projects Report

F. CONSENT AGENDA

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested

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by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

1. **Consider approval of the Minutes for the Regular Session Meeting held on March 15, 2010.**
2. **Consider Resolution No. 2010-16, authorizing the City Manager to enter into a contract with Harris County, Texas to provide fire protection services to Fire Protection Zone 38.**

RESOLUTION NO. 2010-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HARRIS COUNTY, TEXAS TO PROVIDE FIRE PROTECTION SERVICES TO FIRE PROTECTION ZONE 38.

3. **Consider Ordinance No. 2010-18, correcting and amending Ordinance No. 2007-39 adopted October 15, 2007 pertaining to Chapter 34 of the Code of Ordinances requiring that food service establishments have grease traps.**

ORDINANCE NO. 2010-18

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CORRECTING AND AMENDING ORDINANCE NO. 2007-39 ADOPTED OCTOBER 15, 2007 PERTAINING TO CHAPTER 34 OF THE CODE OF ORDINANCES; REQUIRING THAT FOOD SERVICE ESTABLISHMENTS HAVE GREASE TRAPS.

Council Member English moved to approve items 1 through 3 on the consent agenda. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

G. REGULAR AGENDA

1. **Consider Resolution No. 2010-17, awarding the bid and authorizing the City Manager to enter into a contract for the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project ((U.S. Highway 290 to FM 529) Road Log No. 42086-12, Apin No. 0510400098, Harris County, Texas).**

Danny Segundo, Director of Public Works introduced the item. He told Council about the interlocal agreement that was approved by both the City of Jersey Village and Harris County for the construction and extension of Jones Road from US 290 to FM 529.

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We received a total of 10 bids on April 13, 2010. The bids were evaluated by the Pate Engineers who recommends the low bidder - Pace Services for the award of this contract in the amount of \$4,031,758.85.

Mr. Segundo explained to Council that this item is to award the bid based upon the recommendation from Pate Engineers and authorize the City Manager to enter into a contract for the extension of Jones Road Street, Water, and Sanitary Sewer Improvements, subject to acceptance of the bid and release of funds by Harris County.

Council engaged in discussion about the experience of Pace Services. Mr. Segundo told Council that he does not have any personal experience with the company, but his research shows that they are a reputable company.

Paul Wallick, an Engineer with Pate Engineering told Council that his firm has worked with Pace Services on subdivision projects and had good experiences. He also told Council that Harris County Pct. 4 had a project with this company and gave a good report for the work that was completed.

Discussion was had about the funding for the project. City Manager Castro explained that the project is funded by Harris County and the City of Jersey Village. The City will be responsible for Contract Administration and On-Site Inspection. The City's portion also includes utilities and storm water drainage for Jones Rd. The County will pay for the 4 lane concrete roadway. The City's portion will be paid from a combination of the 2003 Street Bond Funds and the Utility Funds.

Mr. Castro advised the Council that the City Attorney has stated that this is an acceptable project for the 2003 Street Bond funds. City Attorney Williams confirmed that the 2003 Bond funds can be used legally for this project.

Council Member English moved to approve Resolution No. 2010-17, awarding the bid and authorizing the City Manager to enter into a contract for the extension of Jones Road Street, Water, and Sanitary Sewer Improvements, subject to the acceptance of the bid and release of funds by Harris County. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AWARDING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE EXTENSION OF JONES ROAD STREET, DRAINAGE, WATER AND SEWER IMPROVEMENTS.

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2. **Consider Resolution No. 2010-18, authorizing the City Manager to enter into an agreement with Kensinger Properties Limited, granting permission for the City of Jersey Village to utilize the utility easements owned by Kensinger Properties Limited, and also allow for the installation of a sanitary sewer force main in connection with the Jones Road Extension Project.**

Danny Segundo, Director of Public Works told Council that during discussions with Pate Engineers and Kensinger Properties Limited owners of lots 1D, 2C, 3A, 4, and 5 along the 290 feeder, it was determined that Kensinger owned an easement behind the lots that would allow the access for the placement of the sanitary sewer force main needed for the Jones Road extension.

The agreement will allow for the city to utilize the easement and also allow for the installation of a sanitary sewer force main. The agreement will also allow for Kensinger Properties to tie onto for existing buildings and any possible future development.

Council Member Berube moved to approve Resolution No. 2010-18, authorizing the City Manager to enter into an agreement with Kensinger Properties Limited, granting permission for the City of Jersey Village to utilize the utility easements owned by Kensinger Properties Limited, and also allow for the installation of a sanitary sewer force main in connection with the Jones Road Extension Project. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KENSINGER PROPERTIES LIMITED, GRANTING PERMISSION FOR THE CITY OF JERSEY VILLAGE TO UTILIZE THE UTILITY EASEMENTS OWNED BY KENSINGER PROPERTIES LIMITED, AND ALSO ALLOW FOR THE INSTALLATION OF A SANITARY SEWER FORCE MAIN IN CONNECTION WITH THE JONES ROAD EXTENSION PROJECT.

3. **Consider Resolution No. 2010-19, setting compensation for Gene W. Frohbieter, as presiding Municipal Court Judge, and setting compensation for Don R. Byrnes and Martin Halick as Municipal Court Judges.**

Isabel Kato, Finance Director introduced the item. Background information provided in the in the Council Packet included the following:

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In October 2009 with the opening of the 2009-2010 budget year, the Prosecutors compensation for the Municipal Court was adjusted from \$100.00 per hour to \$250.00 per docket. Compensation for the Judges was not adjusted in October, but was reviewed by Council during the December 21, 2009 Council Meeting. During that meeting, Council did not make a decision. Staff was asked to gather additional information, particularly statistics on the number of new cases filed and how these cases are being handled by the new crimes ticket writer system. The new system changes the way defendants appear in Court which impacts court activity and may affect the Court's dockets.

The finance department gathered information from its own court docket, from its financial system, from neighboring cities, and from the State of Texas in order to present Council with a benchmark to aid in making a justified compensation decision.

Ms. Kato presented Council with a power point presentation to demonstrate the findings gathered over the past 90 days. She told Council that the item on tonight's agenda is to make a fair and equitable recommendation concerning the Judges' compensation for our Municipal Court. She asked that Council consider adjusting the compensation of the City of Jersey Village Municipal Court Judges from \$125.00 per hour to \$275.00 per docket and from \$125.00 per hour for jail visits to \$100.00 per jail visit effective May 1, 2010.

Council engaged in discussion about an email they received from the Presiding Judge and his comments about citizens having to wait in Court for many hours for their cases to be heard due to lengthy dockets. Ms. Kato responded by telling Council that the statistics gathered over the past 90 days reflect that the Court is processing fewer cases in Court due to a change in the ticket system, and the tickets that are being processed in Court are being handled more efficiently as fewer hours are being recorded for Judges and Prosecutors.

There was also discussion about our Court compared to other cities. Council was told that we currently pay our Judges the 2nd highest out of six cities reviewed. Additionally, it was noted that most cities pay on a per docket basis as opposed to an hourly basis. Accordingly, staff recommends this method of payment.

Council Member Berube moved to approve Resolution No. 2010-19, setting compensation for Gene W. Frohbieter, as presiding Municipal Court Judge, and setting compensation for Don R. Byrnes and Martin Halick as Municipal Court Judges. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

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RESOLUTION NO. 2010-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING COMPENSATION FOR GENE W. FROHBIETER, AS PRESIDING MUNICIPAL COURT JUDGE, AND SETTING COMPENSATION FOR DON R. BYRNES AND MARTIN HALICK AS MUNICIPAL COURT JUDGES.

4. Discuss and take appropriate action concerning the License Plate Recognition Program.

Michael Brown, Director of Parks and Recreation gave background information on this program and information about prior council meetings when this item was considered. He also presented Council with a power point presentation. Mr. Brown explained how the License Plate Recognition System works and how the camera records and captures data. He showed Council a map depicting 10 locations where the cameras could be located if this type of system were purchased for the city. These locations would cover entrances to the city. The one-time cost for purchasing and installing the cameras is \$844,576.

Mr. Brown also presented Council with on-going annual costs of this program. He explained these costs as follows:

Utilities	\$30,000
Replacement Program (5 Years)	\$60,000
Yearly Maintenance	<u>\$ 7,000</u>
TOTAL:	\$97,000

Discussion was had about the installation costs. Mr. Brown explained what is needed in order to install a camera. He explained the problems with getting electrical service to each location and how the cameras need to communicate. He explained that the process is more intricate than meets the eye and in some instances will require burrowing under the roadway pavement to install the connectivity for the cameras.

Mr. Brown explained that he spoke to three vendors to get prices for this project. Council engaged in a lengthy discussion on this program and its costs. There was discussion about:

1. The placement of the cameras, why there was a need to place a camera on both an in-bound and out-bound lane of traffic
2. Cameras for police cars as opposed to stationary cameras,
3. Placement of cameras on buildings
4. The possibility of getting a demo model
5. The possibility of reducing the number of cameras being installed to reduce the costs, and
6. Can the cameras be placed only in the heavily traveled areas as opposed to the 10 locations chosen?

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Council would like to discuss this topic further during the budget workshop retreat. No action was taken on this item.

5. Discuss and take appropriate action concerning the need for specific zoning and/or ordinances to govern the repair, maintenance, and beautification of property along the Jones Road corridor.

Rod Erskine, Council Member introduced the item. He told Council that this topic was considered by Council on March 15, 2010. At that time, there was concern about the development along Jones Road once the extension is complete. As a result, suggestions were made that the city be proactive in passing an ordinance to insure that the right kind of development happens, not only for new development but for the development of existing businesses as they change hands along the Jones Road corridor. Perhaps an ordinance to regulate new businesses in terms of type and beautification criteria would be appropriate.

During the March 15, 2010 meeting, Council Member Erskine stated that the concern is not only for the used car lots; but for all the existing businesses that may close and re-open. He wanted to see businesses be given direction in the form of an ordinance on what needs to happen to clean up their properties in order to make the Jones Road corridor more appealing.

Because Council did not have enough information about what the existing Code offered as a solution for this item, staff was asked to research the current codes and bring back information on this topic.

Council Member Erskine explained that this item is to discuss the information provided in the Council packet on the City's current Ordinances that apply to this issue and to explore the topic in further detail.

Danny Segundo, Director of Public Works, explained that his department had reviewed the City's current ordinances and they do not provide for addressing the current businesses operating under non-conforming use. Mr. Segundo explained that under this policy, if a business is operating as a used car lot and the used car lot goes out of business, under the current code, a new used car lot can be established on that property under non-conforming use. He told Council that there is a landscaping ordinance for new construction and there is a health ordinance that regulates maintenance and high weeds, but there do not appear to be any ordinances that are helpful in enforcing the desires of Council in this area.

City Attorney Williams explained that in regulating non-conforming use, it might be possible to amortize the non-conforming use. The process would be similar to the amortization in the bill board ordinance with the use expiring after a period of time when the owner must bring the property into compliance.

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Council would like clarification about non-conforming use and how that is currently being applied. City Manager Castro explained that the Planning and Zoning Commission has the responsibility of looking at the zoning ordinances for areas in the city and for reviewing the land uses. At any rate, any changes in the zoning laws would affect new businesses and not existing businesses.

Council Member Erskine moved to request the Planning and Zoning Commission look at reworking the zoning ordinance for used car lots on Jones Roads and to come back to Council with a Zoning Ordinance that will prohibit used car lots in that area in the future. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

6. **Consider Resolution No. 2010-20, ratifying and approving the filing of the protest on behalf of the city in TABC Docket SOAH # 458-10-3147 against the renewal of the liquor license for Coaches Pubs, Inc., D/B/A Coaches Sports Bar & Grill, located at 17460 Northwest Freeway, Jersey Village, Texas 77040-1999.**

Martha Williams, City Attorney explained that on April 15, 2009, the city's police department, through Detective Sergeant Shawn Horton, filed a protest against the renewal of the liquor license for Coaches Pubs, Inc., D/B/A Coaches Sports Bar & Grill, located at 17460 Northwest Freeway, Jersey Village, Texas 77040-1999, which protest has been docketed by the Texas Alcoholic Beverage Commission as SOAH # 458-10-3147. In preparation for the hearing to be held on this protest set for May 21, 2010, it is necessary that City Council affirm and ratify the protest filed by on behalf of the City in order to eliminate any question of the authority of Detective Sergeant Horton to file the protest, saving valuable time and public resources.

This item is to provide for that affirmation and ratification.

Council engaged in discussion about the number of police and EMS calls made to this establishment. Discussion was also had about what the owners were doing to correct the problems. Chief of Police Wedemeyer explained the background information concerning his department's discussions with the owners to correct the issues at this establishment. He told Council that a solution was reached with the owners, but the activities surrounding the solution did not last. The Chief told Council that there is gang activity at this bar and problems exist.

Council Member Berube moved to approved Resolution No. 2010-20, ratifying and approving the filing of the protest on behalf of the city in TABC Docket SOAH # 458-10-3147 against the renewal of the liquor license for Coaches Pubs, Inc., D/B/A Coaches

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Sports Bar & Grill, located at 17460 Northwest Freeway, Jersey Village, Texas 77040-1999. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RATIFYING AND APPROVING THE FILING OF THE PROTEST ON BEHALF OF THE CITY IN TABC DOCKET SOAH # 458-10-3147 AGAINST THE RENEWAL OF THE LIQUOR LICENSE FOR COACHES PUBS, INC., D/B/A COACHES SPORTS BAR & GRILL, LOCATED AT 17460 NORTHWEST FREEWAY, JERSEY VILLAGE, TEXAS 77040-1999.

H. CLOSE THE REGULAR SESSION

Mayor Hamley closed the Regular Session at 8:45 p.m. to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.072 – Value/Transfer of Real Property.

I. EXECUTIVE SESSION

- 1. Deliberate the purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Open Meetings Act.**

J. ADJOURN EXECUTIVE SESSION

Mayor Hamley adjourned the Executive Session at 9:07 p.m. and reconvened the Regular Session, stating that no official business was taken during the Executive Session.

K. CONVENE REGULAR SESSION

- 1. Discuss and take appropriate action concerning Resolution No. 2010-21, authorizing the city manager to obtain survey and title to Tract # 114-035-009-0009, a certain 0.2534-acre tract located on Village Drive, within the City of Jersey Village.**

Council received information in the Council Packet relating to the appraisal of a certain tract of property owned by Mr. Aubrey M. Farb. Staff has not contracted for title on the property, or for a survey of the property. The approximate cost to complete the survey and title report is approximately \$ 4,000. Both of these actions must be completed prior to an actual purchase of the property.

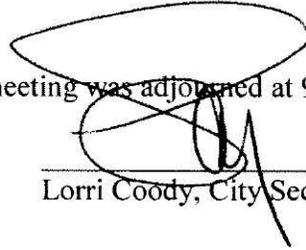
Should council not desire to purchase the property, no action is required.

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Mayor Hamley called for a motion on this Resolution. Receiving no motion, the Resolution died for lack of a motion and Mayor Hamley adjourned the meeting as follows:

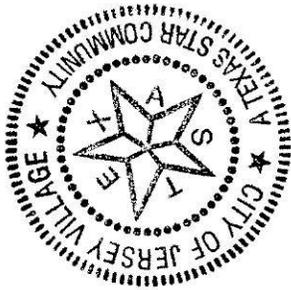
L. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:11 p.m.



A handwritten signature in black ink, appearing to read 'Lorri Coody', is written over a horizontal line. The signature is somewhat stylized and overlaps the line.

Lorri Coody, City Secretary



MINUTES OF THE WORK SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON APRIL 19, 2010 AT 4:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

The meeting was called to order by Senior Council Member Joyce Berube at 4:03 p.m. with the following present:

Council Member, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty

City Manager, Mike Castro
City Secretary, Lorri Coody

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

Mayor, Russell Hamley; Council Member, Ernie English; and Council Member, Jill Klein were not present when the meeting was called to order.

The Work Session Meeting was held to consider the following two items which were taken together and presented by the Transit Oriented Development Consultants, Kimley-Horn and Associates.

Receive preliminary analysis from Kimley-Horn Consultants regarding the financial feasibility of a Transit Oriented Development located south of Highway 290, proximate to the future extension of Jones Road.

Discuss the implementation strategies for a Transit Oriented Development in the area located south of Highway 290, proximate to the future Jones Road extension.

Consultant Joe Willhite with Kimley-Horn and Associates began the meeting and discussion of these two items with a presentation. The presentation:

1. Gave background information about the Transit Oriented Development (TOD) and showed sketches of the TOD area depicting what it looks like now and what it could look like once it is developed according to the TOD Plan;
2. Reviewed the master concept plan;
3. Presented information on regulatory needs and how it affects the conceptual plan;
4. Reviewed Capital Costs from a hand out as follows:

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JERSEY VILLAGE TOD				
OPINION OF PROBABLE COSTRUCTION COSTS				
April 19, 2010				
Discipline	ESTIMATED QUANTITY	UNIT TYPE	UNIT COST	TOTAL COST
Roadway				
Urban	8,590	LF	\$225	\$1,932,750
Suburban	12,375	LF	\$200	\$2,475,000
Boulevard	1,960	LF	\$225	\$441,000
Roadway Subtotal				\$4,848,750
Utility				
Sanitary Sewer	22,925	LF	\$55	\$1,260,875
Lift Station & Force Main	1	EA	\$1,000,000	\$1,000,000
Water	22,925	LF	\$40	\$917,000
Utility Subtotal				\$3,177,875
Drainage				
Storm Pipe	22,925	LF	\$150	\$3,438,750
Detention and Water Quality Pond	350,000	CY	\$7.50	\$2,625,000
Drainage Subtotal				\$6,063,750
Traffic				
Signal	2	EA	\$250,000	\$500,000
Parking Garage	1200	SPACE	\$10,000	\$12,000,000
Traffic Subtotal				\$12,500,000
Allowances				
Lighting (2%)			2%	\$531,808
Parks and Plazas				\$2,818,580
Landscaping, includes topsoil, sod & minor plantings (4%)			4%	\$1,063,615
Allowance Subtotal				\$4,414,002
Subtotal				\$31,004,377
Contingency (10%)			10%	\$3,100,438
Project Base Total				\$34,104,815
Engineering / Survey (15%)			15%	\$5,115,722
Materials Testing (2%)			2%	\$682,096
Total				\$39,902,634

* The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Engineer at this time and represent only the Engineer's judgment as a design professional familiar with the construction industry. The Engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

5. Recommended a three (3) phase build-out for the TOD with each phase costing approximately \$12 to \$13 million; and
6. Reviewed the operating costs exclusive of debt service from a handout as follows:

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Annual Revenue @ Buildout (\$2010)		Annual Operating Costs @ Buildout (\$2010)		Net Annual Operational Gain (\$2010)	
Property Taxes	\$1,688,980	TOTAL	\$1,990,996		\$2,343,674
Sales Taxes	\$2,181,956				
Other	\$463,734				
TOTAL	\$4,334,671				
Revenue Assumptions		Cost Assumptions			
Number of Residential Units	924	Per Capita "Operating" Costs	\$1,255		
Square Ft Commercial		Household Size	2.36		
Retail/Rest/Ent	581,575	Number of Households	924		
Office	316,415	Estimated Efficiency Gain			
Taxable Value/Sq Ft.	\$115	Due to TOD Density, etc.	27.3%		
Retail Sales/Sq Ft.	\$247				
Percentage Sales Taxable	76%				
Average Housing Unit Size	1,375				
Residential Exemption, etc	15.0%				
Property Values	\$227,472,063				
Residential	\$124,203,185				
Retail/Rest/Ent	\$66,881,139				
Office	\$36,387,739				
Taxable Retail Sales	\$109,097,823				
Property Tax Rate	0.743%				
Sales Tax Rate	2.00%				
Per Capita Licenses, Fines, etc.	\$212.64				
Household Size	2.36				

The Consultants also reviewed the total cost of the TOD with debt service over 20 years.

Council Member English joined the meeting at 4:28 p.m.

Discussion was had on the financial numbers for the City Centre Project in order to get some perspective/comparison or trend line for the City of Jersey Village Project. The Consultants told Council they would see if they could get information on the City Centre Project.

It was concluded that the Civic Center was not included in the financial numbers presented by the Consultants and Council discussed other TOD projects throughout the State that have failed and how these projects might be used to gain knowledge in making a project here a success. The consultants explained that most often the reason for the failure of these TOD's was a lack of catalytic events. It is important that the Jersey Village TOD have catalytic activity in combination with good land use. Planning will be the key to success and knowing what will bring people to this site and make them stay.

The Consultants explained that too often developers try to make a TOD "pretty" and fail to accommodate the needs and demands of the people. The benefit that Jersey Village has with its multiple ownership environment is that the TOD becomes a predictable environment with TOD planned concept. Additionally, a change in the regulatory environment will bring change/benefits in development.

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The Consultants cautioned about comparing the City of Jersey Village to other projects because all projects are specific in nature.

Council engaged in discussion about the plans for rail and the number of stops along the route. There was also discussion about any other plans along the route for TODs. There was concern if there were too many TODs along the route that this would affect the rate of success. The Consultants cautioned that the driver for the TOD is not rail, rather it is driven by the expansion of the 290 corridor, and the growth in the area and it becomes a question of how the City of Jersey Village can capture the growth. Additionally, the Jones Road Expansion Project opens the door for development in the planned TOD area.

Discussion was had about the negotiation process with the Rail District and what needs to happen in that process to keep our City in the mix. Joe Willhite stated that this is something that will need to be decided especially given the level of participation.

Council Member, Jill Klein joined the meeting at 4:45 p.m.

Council talked about the present land owners and if they will move/conform to the planned concept. The Consultants explained that once there is a clear public project, while they do not recommend it as the primary route, there is always the ultimate route of public domain. However, they are confident with the restructured codes the value of the property will increase and it becomes more apparent to the land owner that they have two assets, their business, and their land. With this realization, more often than not, owners will sell the land and relocate the business instead of trying to bring the business in compliance with the new codes.

Council discussed the cost of this TOD and that the City will have debt for many years. They discussed the financial model presented that depicts investing \$30 million at the beginning of the project. There was discussion if this investment was realistic or if it made better sense to break the project up into phases of projects totaling \$12 to \$13 million. The phased project plan seems to work best as the status on the rail will not be available for 2 to 3 years. The phased process was discussed further, considering how this might be implemented and focused.

Ryan O'Hara, the City's Financial Advisor, spoke to Council. He told Council that the City currently has \$2.2 million in debt service. He suggested that the TOD might be financed through a Management District, a Tax Reinvestment Zone, or a PID. He briefly explained some options available to Council concerning the financing of the TOD and stated that the solution may contain a mixture of financial tools. He told Council that the interest rate on General Obligation Bonds is 4%.

If a management district is created it is not related to the city, financially this might be a good solution; however, with this setup, the city would lose some measure of authoritative governance.

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Mayor Hamley joined the meeting at 5:30 p.m.

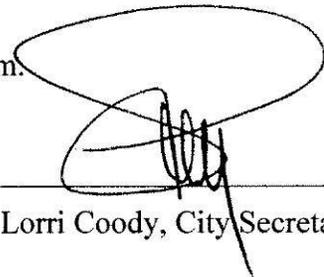
The plan for moving forward is as follows:

1. Recommendations for Implementation Strategies (Necessary in order to move forward with Regulatory Framework for Building/Zoning piece)
2. Discuss Annexation Phasing and Strategies
3. Define Regulations and Governance Structure

There was discussion about Phase 3 of the Feasibility Study. Among other things, this phase involves investigating partnership opportunities.

Adjournment.

Mayor Hamley adjourned the meeting at 6:00 p.m.



Lorri Coody, City Secretary

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MAY 10, 2010 AT 6:00 P.M. IN THE CIVIC CENTER AT 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS

The meeting was called to order at 6:00 p.m. with the following present:

Mayor, Russell Hamley
Council Member, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty
Council Member, Ernie English
Council Member, Jill Klein

Council Member Elect, Mark Maloy

City Manager, Mike Castro
City Secretary, Lorri Coody
City Attorney, Bill Olson attending for Martha Williams

Additional Staff in attendance: Mark Bitz, Charlie Wedemeyer, Danny Segundo, Isabel Kato, Michael Brown, Bob Blevins, and Kimberly Maldonado.

DISCUSSION ITEMS

1. Discussion regarding annexation in the vicinity of the proposed Jones Road extension.

Council Member Haverty introduced this item by explaining to Council that he wanted to get a better understanding of prior annexations involved with Jones Road, both the annexation of the street itself and the area around the street. He stated that understanding the annexation history may help Council understand what can and cannot develop in this area.

City Manager Castro distributed a map of the Jones Road Extension area. Mr. Castro explained the map. He told Council about the 300 foot and 400 foot buffer lines that have been drawn on the map near the proposed Jones Road Extension. The 300 foot buffer line is the recommendation of our City Engineer and the 400 foot is the recommendation of the Kimley-Horn Consultants. The buffer lines represent the area where developers will most likely build to be close to the Jones Road Extension. Beyond these buffer lines, development is not likely. City Manger Castro stated that without zoning and without annexation there really is no control over what is being built in this area.

City Engineer Frank Brooks addressed Council. He gave information about the cost of annexing in terms of services for this area from a study that was done in 2006. He told Council that the cost for the entire area would be about \$14 million and the cost for to annex and provide services just along the 529 corridor would be approximately \$8 million.

The study also reviewed the amount of revenue that the annexed property would bring to the City and at that time it was felt that the revenue would not support the cost of the services that the City would need to provide so the annexation was not pursued.

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Discussion was had about the location of the annexation boundary lines of the 2006 study and how these lines might be adjusted for the present day plan and what the cost might be. It was also discussed if residents could opt out of the services once an annexation took place, meaning could they keep their own water wells as opposed to having to convert to the services that the city would provide. City Engineer Brooks explained that once the property was annexed, residents would have to switch over to city services. City Engineer Brooks explained that without City services in the ETJ, new construction/development is not appealing at this time.

Many questions were asked about the annexation process and the cost for same. With these questions in mind, City Manager Castro explained the current tasks being performed by the Kimley-Horn Consultants as they relate to the TOD Feasibility Study. He told Council that the Consultants are tasked with breaking down the TOD plan into three phases for purposes of annexation and bond/debt capacity, and to bring the recommendations back to Council for consideration.

City Attorney Bill Olsen explained the annexation process from a legal standpoint. He explained that the process starts with a municipal service plan which outlines the services that the City will provide. In order to understand the level of services that are needed in the annexed area, Mr. Olsen explained that a comparison is made to the existing areas of the city and services. A city must include comparable services in the annexed area within 2½ years but no more than 4½ years. Mr. Olsen explained that Municipal Service Agreements are contracts with the land owners and can result in de-annexation if the City fails to comply with the terms of the agreement.

A detailed discussion followed on the types of services that must be extended to residents in the annexed area. Also, the annexation process was explained, including the exceptions. City Attorney Olson also explained how development agreements work.

No action was taken on this item

2. Discussion regarding various methods of funding proposed for Transit Oriented Development improvements.

Council Member Haverty introduced the item. He asked for an overview of financial methods that might be used to finance a TOD that do not include the City selling bonds.

In response, City Manager Mike Castro gave a presentation. He outlined three methods:

- a) Tax Increment Reinvestment Zones
- b) Municipal Management Districts
- c) Development Agreements

In completing the presentation, City Manager Castro fielded questions from the Council and answered accordingly.

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3. Discuss and take appropriate action concerning the License Plate Recognition Program.

Parks and Recreation Director, Michael Brown presented the item, telling Council that this item is on the agenda to bring back information requested from the discussions on this topic by Council in its April 19, 2010 meeting.

Council was updated with the following information:

- a) The license plate recognition cameras cannot be placed on buildings;
- b) A demo model may be available for a mobile unit but not a stationary unit; and
- c) A camera must be placed on both incoming and outgoing lanes in order to capture both the license plate and a picture of the car.

Discussion was had on how the cameras might be used as a deterrent and as such, the number of cameras needed might be reduced.

Council Member Haverty gave a detailed explanation of his understanding of how the license plate recognition program works based upon his conversations with the vendor. Discussion followed this explanation, which included a discussion about the use of a mobile device as opposed to a stationary device.

No formal action was taken on this item.

BUDGET ITEMS

1. Overview by Mike Castro, City Manager

City Manager Castro began the session by giving an overview of the overall condition of the City. He told Council that the financial condition of the City is stable, but there is concern for next year. The revenues for this budget year will be near what was projected and the expenditures will be within budget. However, the Golf Course fund will be off due to weather which affected demand. He explained that the City is stable because we prepared for the recession and we continue to prepare.

Mr. Castro listed the Positive Developments as the:

- Opening of the bypass channel
- Completion of street rehabs – three additional projects
- Initiation of PD expansion
- No major cuts implemented / required this year.
- Continuation of equipment purchases

He told Council that the significant supplementals were:

- Swimming pool re-plaster
- White Oak Bayou O and M
- 2% COLA

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- Golf Course equipment
- Court Security

Mr. Castro reviewed his short-term concerns with Council. He explained that property values and sales tax values will continue to fall next year. He told Council that there are many unknowns/implications with Health Care Reform and he is just not sure how this will affect our budget. Additionally, there are the unknowns associated with the TOD. If it is Council's desire to move forward with Phase 3 of study, funds will need to be budgeted accordingly. Mr. Castro ended the topic of concerns with the Golf Course stating it will need considerable help from the general fund again this year.

Mr. Castro outlined the FY 2011 Initiatives as follows:

- Jones Rd. Extension
- Transit Oriented Development
- Police Department Expansion
- Contingency planning for prolonged recession

His long-term concerns are:

- Structured deficit spending
- Continuation of street project initiatives
- 290 Corridor widening / schedule
- Transitioning of city
- Legislative activities - RLC, annexation, franchise fees, tax and revenue caps, federal union creation
- COH utility charges

City Manager Castro closed his presentation with a summary. He told Council that we will be close to the budgeted numbers in the General Fund this year, spending only \$500,000 into our reserves. However, next year we will begin the year with spending our reserves before even considering supplementals. He told Council that the Golf Course is a big unknown. If trends continue, we will be making hard decisions before FY 2011 is complete. Nonetheless, he told Council that we have delayed the effects of the recession through budget discipline.

Discussion was had about the falling property values and how staff obtains this information. City Manager Castro explained that the information is obtained from the Harris County Appraisal District. Council also discussed that the expected future growth from property and sales tax revenues is not great. Accordingly, the growth that can be expected from the TOD is promising. Therefore, the method of funding the TOD with the best financial tool becomes increasingly important. There was discussion that the alternative to TOD growth would be any growth that the City might experience over the years from "tear downs."

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With no further discussion on the City Manager's presentation, Mayor Hamley moved to the next item on the agenda and called for the Fire Department's Departmental Presentation.

2. Departmental Presentations:

- a. Fire Department – Fire Chief Mark Bitz gave the presentation. Upon completion of his presentation, discussion was had about the cost of making his department fully paid as opposed to volunteer. Chief Bitz stated it would be approximately another \$1.4 million for salaries of which \$200,000 of this would be off-set by billings for services. Council also discussed the availability of paramedics and the cost of these services to the city as well as how the Fire Department Budget has grown over the past 10 years as compared to other departments.

Discussion was also had about the Emergency Management portion of the Fire Department's budget. City Manger Castro explained that the Fire Chief also serves as the Emergency Management Coordinator. Traditionally the expenditures for both have been combined, but for tracking purposes, in the 2010-2011 budget, the Emergency Management portion of the budget will be separated out and will have its own section in the budget.

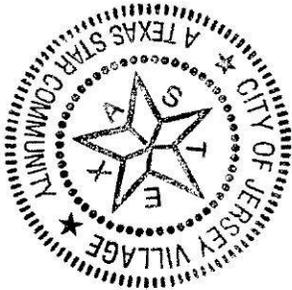
Mayor Hamley called a 10 minute recess at which time the Police Department followed:

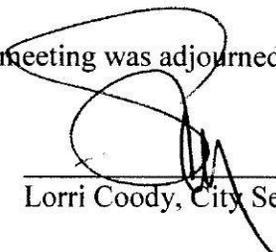
- b. Police Services

Discussion was had about the Police Chief's presentation. It was the consensus of Council that a mobile device supplemental be submitted during the August budget workshop for Council's consideration.

ADJOURN

There being no further business on the agenda the meeting was adjourned at 9:17 p.m.





Lorri Coody, City Secretary

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MAY 11, 2010 AT 6:00 P.M. IN THE CIVIC CENTER AT 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS

The meeting location for this meeting was changed due to a power outage at 16327 Lakeview Drive. Accordingly, the meeting was relocated to the Fire Department Training Room at 16501 Jersey Drive, Jersey Village, Texas.

The meeting was called to order at 6:02 p.m. with the following present:

Mayor, Russell Hamley
Council Member, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty
Council Member, Ernie English
Council Member, Jill Klein

Council Member Elect, Mark Maloy

City Manager, Mike Castro
City Secretary, Lorri Coody

Additional Staff in attendance: Mark Bitz, Charles Wedemeyer, Danny Segundo, Isabel Kato, Michael Brown, Bob Blevins, and Kimberly Maldonado.

BUDGET ITEMS

1. Continue Departmental Presentations not concluded on May 10, 2010

- a. Parks and Recreation – Michael Brown, Parks and Recreation Director gave the presentation. Discussion was had about the playground equipment at Clark Henry Park and the use of this equipment by the local school. Council asked Mr. Brown to check and see if the school would be interested in contributing to the maintenance of this equipment since the children were using it during school hours.

Discussion was also had about the 43 acre detention park and the maintenance thereof. Mr. Brown explained that at one point the City hired out the care for this land, but in recent years, equipment was purchased and the Parks Department currently maintains this land.

Council discussed the fact that the oleander plants along the 290 corridor are dying after the winter freeze. The wanted to know if the City maintained this stretch of roadway as it applies to the oleanders. Mr. Brown explained that the City does maintain the oleanders and that his department has been monitoring the plants. The hope has been that these plants would come back, but it appears that many have in fact died.

In connection with vegetation and plant issues in the City, Council also discussed the by-pass channel and the need to include it in the 2010-2011 budget a supplemental for either the planting of trees or for fencing along this channel. Council would like to

SPECIAL SESSION MEETING OF THE CITY COUNCIL
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have a discussion item included on the May 17, 2010 Council agenda in order to gain perspective of the desires of Council by way of preparation for the May 20, 2010 meeting that the Mayor and City Manager will attend with Commissioner Eversole.

Planting and/or fencing the by-pass channel area was discussed at length. Many ideas were discussed as Council tried to recall citizen input from a public session earlier in the year related to the desires for trails and/or landscaping behind the homes along the bayou. Council also discussed the need for a partition wall along the by-pass channel.

- b. Information Technology – IT Director, Bob Blevins made the presentation. Much of the discussion by Council centered on the need for government social networking and how this process might work for our City and benefit our residents. Discussion was also had on the upgrading the City's computers to Windows 7 and Office 2010 products.
- c. City Secretary – Lorri Coody, City Secretary gave the presentation. Council had limited questions concerning this area of the budget.
- d. Communications – Kimberly Maldonado, Communications Supervisor gave the presentation. Ms. Maldonado fielded Council's questions and answered accordingly.
- e. Finance Department – Isabel Kato, Finance Director gave the presentation. Council engaged in discussion about the new auditors and staffs' expectations as well as the judges' compensation and how the changes in same are working.

Mayor Hamley called for a 5 minute recess and reconvened at 8:07 p.m.

- f. Public Works – Danny Segundo, Public Works Director gave the presentation. Discussion was had about the increase in water rates by the City of Houston. Council discussed the possibility of passing these increases on to the residents instead of absorbing the increases in the utility fund. The consensus of Council was that the increases are something that residents could understand more readily than perhaps a tax increase to cover the water cost increases. Council discussed the process in which they would like to implement the water increase, beginning with an item on the Council agenda in May and a letter to the residents explaining the increase to re-coop the costs and then implementation of the increase.

Council discussed the sewer camera and the service connected to same. There was discussion about the possibility of implementing a fee for providing this service to residents.

Council discussed the condition of the City's streets and drainage for future projects.

- g. CIP Budget – Danny Segundo presented the CIP Budget. Discussion was had about the TOD and the City Hall facility and where to place the City Hall Facility in the CIP Budget. It was decided that year 4 was appropriate.

SPECIAL SESSION MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – MAY 11, 2010

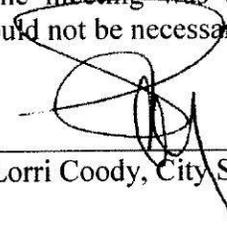
CONCLUDING REMARKS

Concluding remarks were received from each member of Council and the Mayor. Council Member Elect, Mark Maloy wants noise abatement. He read a statement pertaining to his desires. He would like a 180 foot partition wall along the by-pass channel from Argentina to the Beltway in order to reduce noise in the neighborhood. City Manager Castro explained that a letter had been received from TXDOT in connection with the Environmental Review. The letter basically states that there are no plans for walls in the City of Jersey Village. He told Council that the letter does provide for a response that must be filed within one week. Mr. Castro suggested going on record with Mr. Maloy's notes. Mr. Castro will write the response letter. Copies of the letter will be sent to Senator Dan Patrick, County Judge Emmett, and John Culberson.

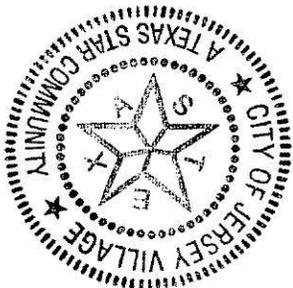
Discussion was had on Council's desires for the 2010-2011 budget. Mayor Hamley stated that it is the duty of Council to provide direction to staff concerning their desires as it relates to the preparation of the budget. The current numbers reflect that over \$1 million will be spent from the City's reserves and this would be a budget with limited supplementals. Council discussed passing such a budget. It was the consensus of Council that passing a budget that authorized spending \$1 million of the City's reserves was not acceptable. It seemed to be the consensus that Council did not want to cut staff or services. City Manager Castro explained that he could bring a budget to Council that would be approximately \$500,000 in the "red" that would not cut services or staff, but it also would include only the necessary supplementals. He was directed that this was the desire of Council.

ADJOURN

There being no further business on the agenda the meeting was adjourned at 9:40 p.m., announcing that the meeting set for May 12, 2010 would not be necessary.



Lorri Coody, City Secretary



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MAY 17, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Hamley at 7:04 p.m. with the following present:

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Bill Olson – attending for
Council Member, Curtis Haverty	Martha Williams
Council Member, Ernie English	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by: Steven and Matthew Bierwagen with Boy Scouts Troop #747

C. ELECTION MATTERS

1. Discussion with possible action to consider Ordinance No. 2010-19 canvassing the returns and declaring the results of the General Municipal Election held May 8, 2010.

Mayor Hamley called the item and opened the sealed envelope containing the canvass report for the May 8, 2010 General Municipal Election for the City of Jersey Village. He instructed the members of council to open their envelopes containing the canvass report and review same. A summary is as follows:

<i>Name of Candidate</i>	<i>Early</i>	<i>Election Day</i>	<i>Total</i>
Councilmember Place No.1			
Joyce Berube	74	205	279
Councilmember Place No. 4			
Mark Maloy	48	156	204
Ernie English	59	128	187
Councilmember Place No. 5			
Brian Casto	42	126	168
Jill Klein	62	151	213

Mayor Hamley read the returns and announced that the following Joyce Berube, Mark Maloy, and Jill Klein were duly elected to the respective positions.

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Once the Council Members had completed their review of the canvass, Mayor Hamley called for a motion to approve Ordinance No. 2010-19 canvassing the returns and declaring the results of the General Municipal Election held May 8, 2010.

Council Member Erskine moved to approve Ordinance No. 2010-19 canvassing the returns and declaring the results of the General Municipal Election held May 8, 2010. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-19

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 8, 2010.

After the Ordinance passed, Mayor Hamley stated the following:

This concludes the canvass of the election of the General Election held on May 8, 2010 for the City Jersey Village with a total of 396 voters.

Mayor Hamley called the next two items (2 and 3) together.

2. Issuance of Certificate of Election to Newly Elected Officials.

City Secretary, Lorri Coody, delivered the Certificate of Election to the newly elected officials Joyce Berube, Council Member, Place 1; Mark Maloy, Council Member, Place 4; and Jill Klein, Council Member, Place 5.

3. Administer Oath of Office to Elected Officials.

City Secretary, Lorri Coody, administered the Oath of Office to newly elected officials Joyce Berube, Council Member, Place 1; Mark Maloy, Council Member, Place 4; and Jill Klein, Council Member, Place 5.

4. Recognition and Presentation of Service Award to Council Member Ernie English for his years of service to the City of Jersey Village. *Russell Hamley, Mayor*

Mayor, Russell Hamley, recognized and presented a service plaque to outgoing Council Member Ernie English for his years of service to the City of Jersey Village.

RECESS – Mayor Hamley called a short recess in order that the newly elected members of Council could take their place at the Council dais.

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Council Member Mark Maloy took the place of outgoing Council Member English and the meeting resumed at 7:30 p.m.

D. CITIZENS COMMENTS

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

Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields thanked Council for the opportunity to address them and to tell them about Mark Maloy. He commented on Mr. Maloy's record for attending Council Meetings and for his noise abatement efforts over the past years.

Norma Robbins, 8209 Rio Grande, Jersey Village, Texas (713) 466-6390 – Ms. Robbins told Council that she is in favor of the stop sign at Rio Grande and Wall. She stated that she would also like Council to consider additional methods to control the speed and "cut-through" traffic along Rio Grande. She stated that posting a sign at the Golf Course entrance prohibiting "cut-through" traffic might be helpful as well as a traffic control device.

E. CITY MANAGER'S REPORT

City Manager, Mike Castro gave his monthly report. In addition to the standard items below, Chief of Police Charles Wedemeyer introduced two new officers and Mr. Castro briefly commented on the Response to TXDOT US 290 Draft Environmental Impact Statement and the 2010-2011 Budget Calendar.

1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, and Budget Projections as of April 2010.
2. Departmental Request Report and Open Records Request, CD 2009-2010 Open Records Requests, and Solicitor's Permit Requests
3. Fire & Emergency Services Departmental Report
4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report and Staffing/Recruitment Report.
5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, and Revenue Comparison Report.
6. Public Works Departmental Report, Permit Departmental Report, Construction Up-Date Detail Report and Construction Update Summary
7. Combined Monthly and Annual Mileage Report
8. Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report

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9. Report from Code Enforcement
10. Capital Improvements Projects Report
11. White Oaks Bayou Capital Improvements Projects Report
12. Introduction of Police Officers James M. Monteith and Robert C. Pelton
13. Response to TXDOT US 290 Draft Environmental Impact Statement
14. 2010-2011 Budget Calendar

F. CONSENT AGENDA

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

1. **Consider approval of the Minutes for the Work Session Meeting held on April 19, 2010, the Regular Session Meeting held on April 19, 2010 and the Special Session Meetings held on May 10, 2010 and May 11, 2010. *Lorri Coody, City Secretary***
2. **Consider Ordinance No. 2010-20, amending Fiscal Year 2009-2010 budget to transfer \$7,599.00 from account number 01-10-9804 to account number 25-5412 for the purchase of new furniture and a television from volunteer donations.**

ORDINANCE NO. 2010-20

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

3. **Consider Ordinance No. 2010-21, amending Fiscal Year 2009-2010 budget in the amount of \$63,000 to be placed in line item 25-6572 for the purchase of three cardiac monitors.**

ORDINANCE NO. 2010-21

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

4. **Consider Resolution No. 2010-22, approving participation by the City of Jersey Village as a partner with the Harris County Emergency Management Plan, and authorizing the Mayor to sign the Approval and Implementation sheet on behalf of the City.**

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING PARTICIPATION BY THE CITY OF JERSEY VILLAGE AS

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A PARTNER WITH THE HARRIS COUNTY EMERGENCY MANAGEMENT PLAN, AND AUTHORIZING THE MAYOR TO SIGN THE APPROVAL AND IMPLEMENTATION SHEET ON BEHALF OF THE CITY.

5. **Consider Ordinance No. 2010-22, approving the request of the Board of Directors of the Crime Control and Prevention District to amend the District's fiscal year 2009-2010 budget for the Police Department Expansion Project – HBL Reimbursable Expenses.**

ORDINANCE NO. 2010-22

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE REQUEST OF THE BOARD OF DIRECTORS OF THE CRIME CONTROL AND PREVENTION DISTRICT TO AMEND THE DISTRICT'S FISCAL YEAR BUDGET BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

6. **Consider Resolution No. 2010-23, accepting the resignation of Crime Control and Prevention District Board Member Ernie English, and appointing Mark Maloy to the Crime Control and Prevention District.**

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING RESIGNATION OF DIRECTOR OF THE JERSEY VILLAGE CRIME CONTROL DISTRICT AND APPOINTING REPLACEMENT.

7. **Consider Resolution No. 2010-24, authorizing the City of Jersey Village Fire Department to apply for a grant from the Federal Assistance to Fire Fighters Grant.**

RESOLUTION NO. 2010-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE FEDERAL ASSISTANCE TO FIRE FIGHTERS GRANT.

8. **Consider Ordinance No. 2010-23, amending Chapter 2, Section 2-171 of the Code of Ordinances of the City by increasing the credit card payment processing fee for the Municipal Court from three (3) to five (5) percent.**

ORDINANCE NO. 2010-23

AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS BY AMENDING SUBDIVISION iii SECTION 2-171 CREDIT CARD PAYMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

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Council Member Berube moved to approve items 1 through 8 on the consent agenda. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

G. REGULAR AGENDA

- 1. Consider Resolution No. 2010-25, authorizing the City Manager to enter into a contract with HVJ Associates, Inc. for construction materials engineering and testing services related to the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project.**

Danny Segundo, Director of Public Works introduced the item. He told Council an interlocal agreement was approved by both the City of Jersey Village and Harris County for the construction and extension of Jones Road from US 290 to FM 529. When this project was published for bid, the Construction Materials Engineering and Testing Services were not included in the bid.

Pate Engineers has submitted and is recommending a proposal in the amount of \$125,898 for Construction Materials Engineering and Testing Services for the Jones Road Extension from HVJ Associates, Inc. As per the interlocal agreement, Harris County will pay for this portion of the contract.

Council engaged in limited discussion about the experience of HVJ Associates, Inc. Mr. Segundo explained that the City did not have any experience with HVJ but expected that Pate Engineers' experience was favorable since they were recommending HVJ for the contract.

Council Member Klein moved to approve Resolution No. 2010-25, authorizing the City Manager to enter into a contract with HVJ Associates, Inc. for construction materials engineering and testing services related to the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT

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WITH HVJ ASSOCIATES, INC. FOR CONSTRUCTION MATERIALS ENGINEERING AND TESTING SERVICES RELATED TO THE JONES ROAD STREET, DRAINAGE, WATER, AND SANITARY SEWER IMPROVEMENTS PROJECT.

- 2. Consider Ordinance No. 2010-24, amending Fiscal Year 2009-2010 budget by decreasing line items in the Golf Course Fund by \$72,100 in order to reduce the projected deficit.**

Michael Brown, Director of Parks and Recreation, introduced the item. He told Council that due to the current economic situation and the severe weather during the winter months, revenues for the Golf Course have declined significantly. The City Manager and the Finance Director met with the Golf Course Staff and carefully reviewed each expenditure line item in order to diminish the projected deficit of the Golf Course Fund at the end of Fiscal Year 2009-2010. Mr. Brown explained that as a result of the review, recommendations in the amount of \$72,100 are being made to reduce expenditures in the Golf Course Fund.

Council engaged in discussion about the specific line items being recommended for reduction. The concern was that any reduction in maintenance items would affect course maintenance and the upkeep of the greens and how this in turn will affect the Golf Course customer base should the greens and/or club house become in disrepair.

Council also discussed the areas of advertising, promotions, and staffing – both full time and part time. Mr. Brown fielded the questions and answered accordingly.

Council Member Erskine moved to approve Ordinance No. 2010-24, amending Fiscal Year 2009-2010 budget by decreasing line items in the Golf Course Fund by \$72,100 in order to reduce the projected deficit. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-24

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

- 3. Consider Resolution No. 2010-26, authorizing the City Manager to enter into a contract with KBR for the replacement of existing marquee sign displays at specific City of Jersey Village locations.**

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Michael Brown, Director of Parks and Recreation introduced the item. He explained that during the 2009-2010 Budget process, City Council approved a budget supplemental for the purchase of new LED Marquee signs to replace the existing Marquee Signs located at five specific locations throughout the City. He told Council that a proposal has been received from KBR, a State of Texas Authorized Vendor with the Texas Cooperative Purchasing Network. KBR presented several options as follows:

1. Replace existing Marquees at all five locations with new LED Full Color Marquees \$230,870
2. Replace existing Marquees at all five locations with new red monochrome Marquees \$187,074

The proposal also includes rates for replacing existing Marquee signs individually (as opposed to replacing them as a group) as follows:

	Full Color	Red Monochrome
Senate	\$46,311	\$37,553
Jersey	\$41,620	\$32,861
Philippine	\$43,360	\$34,599
Village Dr	\$43,209	\$34,450
Jersey Meadows	\$56,370	\$47,611

Council engaged in discussion about moving forward with the purchasing of these signs in these economic times. It was the consensus of Council that the signs are a want and not a need and therefore fiscal prudence must come into play.

Council would like to reconsider the purchase of these signs during the August budget workshop. At that time, they would like to see a presentation on the staff savings that the City would recognize in purchasing these signs. No action was taken on this item.

4. Discuss with possible action Resolution No. 2010-27, relating to Council Liaison Assignments.

Mayor Hamley called the item for discussion. Council Member Haverty was interested in leaving his liaison position with the Building Board of Adjustment and Appeals for the liaison position with the Planning and Zoning Commission. Accordingly, Council Member Erskine nominated Council Member Haverty to serve as Liaison to the Planning and Zoning Commission. Council Member Berube seconded the nomination. The vote follows:

- Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein
- Nays: None

The nomination carried.

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Council Member Erskine then nominated Mark Maloy to serve as Liaison to the Building Board of Adjustment and Appeals. Council Member Haverty seconded the nomination. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The nomination carried.

Mayor Hamley then called for a motion on Resolution No. 2010-27. Council Member Klein moved to approve Resolution No. 2010-27, relating to Council Liaison Assignments. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING COUNCIL LIAISONS TO VARIOUS BOARDS AND COMMITTEES.

5. Discuss and take appropriate action regarding the City of Houston Water rate increases.

Danny Segundo, Director of Public Works, introduced the item. He gave an update on the City of Houston water rate increases.

Background information on this item from the packet is as follows:

In January of 2010, City Council approved an 8% water rate increase. At that time, council proposed an additional 8% increase that would take effect in January of 2011. Both increases were in response to a January 2010 rate increase from the City of Houston in the amount of 16%.

In 2009, the City of Houston retained Red Oak Consultants to undertake a comprehensive review of water rates. Red Oak has recommended a series of rate increases for contract treated water customers. The first increase was a 0.3% increase, which took effect in April of this year. The second increase will be a 12.7% increase, effective January 1, 2011. On April 22, 2010, the City of Houston passed an Ordinance implementing in full the recommendation of Red Oak Consultants. The cost that the City of Houston charges Jersey Village per thousand gallons will increase from \$2.190 to \$2.467 on January 1, 2011.

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The original contract cost charged by the City of Houston in 1999 was \$1.26 per thousand gallons. The first increase from the City of Houston occurred in 2004. The following depicts annual increases to the contract charge from the City of Houston.

- 2004 - 6%
- 2005 – 3.5%
- 2006 – 3.6%
- 2007 – 19.38%
- 2008 – 1.8%
- 2009 – 5.09%
- 2010 – 16%
- April 2010 - .3%
- Proposed January 2011 – 13%

Until the 2007 increase the city of Jersey Village had not raised its water rates to its customers since budget year 03-04. The city has been receiving an annual Consumer Price Index (CPI) rate increase from the City of Houston since 2004. The City of Jersey Village in 2004 had just completed a 6 year 10% water rate increase to adjust its rates, which had not been adjusted since 1991.

Council engaged in discussion about the meetings that staff had with the City of Houston concerning these increases and asked if there was any room to negotiate a better rate. City Manager Castro explained that the City of Houston sells water to many of the surrounding entities/cities, and there is one rate. Accordingly, there is no room to negotiate a different rate. However, a few months back, City Manger Castro did a sampling of the cities that buy water from the City of Houston to see if they were interested in approaching the City of Houston as a group in order to negotiate a better rate. None of the cities were interested.

City Manager Castro explained the meeting that staff had with the City of Houston Public Works Division wherein it was explained that the reason the City of Houston is increasing the rates is because they have not kept up with capital improvements.

City Manager Castro gave a history of how and where the City of Jersey Village gets its water. This history explained why the City is buying its water from the City of Houston and why we are not using our own ground wells to produce water.

Discussion was had on the current practice of the City subsidizing the increased water rates from the City of Houston as opposed to passing the increases on to the City of Jersey Village residents. Council discussed if it was prudent to continue this practice.

Jim Pullium, a representative of the North Harris County Water Regional Authority, was asked questions about the water authority and their dealings with the City of Houston. Mr. Pullium explained the process. Mr. Pullium did not have the rates that were being

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paid by the Authority or the rates being charged to the Authorities customers, but stated he could get that information for Council should they so desire.

It was the consensus of Council that a letter be written to the residents of Jersey Village explaining the situation with the rate increases by the City of Houston and Council's intent to pass these increases on to the residents rather than subsidize same from the general fund.

Council discussed the specifics on implementing the pass through of the rate increase to the residents and when it could actually be accomplished. It was felt that July 1, 2010 would be appropriate for an effective date, meaning that the August water bills would contain the increase. No further action was taken on this matter.

6. Discussion and possible action regarding transmittal of correspondence to the City of Houston regarding commuter rail in the Northwest Corridor.

Council Member, Curtis Haverty introduced the item. He told Council that he would like the Mayor to send a letter to the City of Houston stating that the City of Jersey Village supports the continuation of the proposed rail from the I-610 Park-N-Ride to Downtown. He would like the letter to state that our City wants this issue addressed now and that we encourage discussion and planning on the continuation of the line into downtown in order to increase the ridership that will make the line successful. This connection will impact the commitment of what the City of Jersey Village is willing to do as it relates to the proposed rail line.

Council Member Haverty moved to draft a letter from the City to the Mayor of the City of Houston and to the President of Metro advocating that the rail corridor from I-610 to Downtown be emphasized and the design be thought of sooner rather than later. Council Member Erskine seconded the motion.

Discussion was had that others be included in the letter such as County Judge Emmett. Also there was discussion on whether it is appropriate for such letters (Mayor to Mayor) to address issues. The vote on the motion follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

7. Consider Ordinance No. 2010-25, authorizing the installation and maintenance of stop signs at the north and south intersection of Rio Grande Street at Wall Street.

Danny Segundo, Director of Public Works, introduced the item. He told Council on April 13 thru April 27, the Jersey Village Police Department conducted a traffic survey on Rio Grande that indicated a heavy volume of traffic for a residential street. The survey concluded that on average 1,919 cars traveled daily along Rio Grande during this

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two week period, there were several days where the daily traffic total exceeded 2,500 cars per day.

In addition to the Police survey, the Public Works Department placed counters on Rio Grande for a 24 hour period on May 6th and 7th. During this period, 2,588 cars traveled Rio Grande.

As a result of the information gathered in the surveys and due to the heavy volume from “cut through” traffic, the Public Works Department is requesting permission to install stop signs at the intersection of Rio Grande at Wall Street. The new signs will be installed on Rio Grande facing north and south, and in conjunction with the existing stop sign on Wall Street will make this intersection a 3-way stop.

Council engaged in discussion about the criteria for stop signs. Mr. Segundo explained that if the volume is 2,000 to 2,500 cars per day than the traffic manual designates this volume as warranting a stop sign. Council also discussed where the signs should be placed along the route surveyed and why Wall and Rio Grande was the recommended intersection.

Council also discussed “cut-through” traffic. Mr. Segundo told Council that the studies reflected that the “cut-through” traffic was coming from the Golf Course. Discussion ensued about how this “cut-through” traffic might be prevented.

Council Member Klein moved to approve Ordinance No. 2010-25, authorizing the installation and maintenance of stop signs at the north and south intersections of Rio Grande Street and Wall Street. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-25

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE INSTALLATION AND MAINTENANCE OF STOP SIGNS AT THE NORTH AND SOUTH INTERSECTION OF RIO GRANDE STREET AT WALL STREET

8. Consider Resolution No. 2010-28, electing a Mayor Pro Tem.

Mayor Hamley called the item for discussion. Council Member Haverty nominated Council Member Joyce Berube to serve as Mayor Pro Tem. Council Member Maloy seconded the nomination. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

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Nays: None

The nomination carried.

Council Member Berube did not vote.

Mayor Hamley called for a motion on the Resolution. Council Member Haverty moved to approve Resolution No. 2010-28, electing a Mayor Pro Tem. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

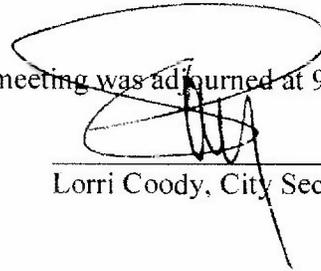
Abstain: Council Member Berube

Nays: None

The motion carried

L. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:30 p.m.



Lorri Coody, City Secretary



MINUTES OF THE WORK SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JUNE 1, 2010 AT 6:00 P.M. IN THE CIVIC CENTER AT 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS

A. The meeting was called to order at 6:03 p.m. with the following present:

Mayor, Russell Hamley
Council Member, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty
Council Member, Mark Maloy

Council Member, Jill Klein was not present at this meeting.

City Manager, Mike Castro
City Secretary, Lorri Coody

Additional Staff in attendance: Mark Bitz, Danny Segundo, and Isabel Kato.

B. Discuss and take appropriate action concerning the financial structure for Transit Oriented Development (TOD) infrastructure development in the area located south of Highway 290, proximate to the future Jones Road extension.

Joe Willhite with Kimley-Horn & Associates gave a brief presentation. He explained that the task assigned to the TOD Consultants from the April 19, 2010 meeting was to develop a phasing structure to implement the TOD. To demonstrate their work, Mr. Willhite presented Council with a map that depicted a “three-phased build-out” for the TOD.

He told Council that Phase One of the “three phase build-out” would have the detention pond as a “big-ticket” item. The detention pond is needed for the entire TOD and will insure that no other on-site detention ponds are needed. This pond is located in the 100 year flood plain and is designed to not only retain the water but to enhance the appearance of the area.

Council engaged in discussion about the construction of the detention pond and if the cost for same could be shared with Harris County Flood Control. Mr. Willhite explained that Harris County Flood Control may see some benefits to having this pond so they may be interested in sharing some of the expense, but this would be something that would have to be explored. City Manager Castro explained that Harris County Flood Control maintains a federal improvements plan and projects on the federal plan of those projects that receive Flood Control’s attention. Since this project would not be one of those projects, there would be no funding and any monies that Flood Control could contribute would have to come from the County’s general fund. Given the current economic conditions, it is not likely that they would contribute.

Council also discussed that Phase One does not include a parking garage. The Consultants explained that Phase One basically focuses on the Jones Road Extension and the resulting permits from that project. They explained that Phase Two contains the construction of the parking structure. It was placed in Phase Two in order to give time for the rail line to develop/occur.

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Discussion was had about the cost of the detention pond and could the cost be spread to some of the owners/developers in the TOD. The Consultants stated that this is known as a “fee in lieu of structure.” The process establishes a fee that is paid in consideration of not having to build a detention pond since one already exists. The Consultants stated that this might provide a solution to reducing the cost of the detention pond.

Council discussed that should Jersey Village get a rail stop, that it is feasible the stop would provide a stop for light rail and for commuter rail. Light rail makes stops every 1 to 2 miles and would follow along US 290. Commuter rail makes stops every 5 to 7 miles and would follow along the Old Hempstead Rail lines. The Consultants stated that having both options would most likely not be realized for some 20 years.

The cost of Phase One of the “three-phased build-out” is \$10 million and will take at least a 10 year debt service. Phase Two’s cost is \$12 million and consists mostly of the parking garage, which is estimated at \$6 million. The Consultants stated that the parking garage could cost less and most likely will as the City may find a partner.

Phase Three also provides a parking structure and a lift station. The Consultants called Council’s attention to page 7 of the presentation wherein the break-out of the space for the TOD was presented. Also, table 6 provided information concerning the individual phase assumptions. Mr. Willhite explained the specific revenue and operating cost assumptions.

Discussion was had about the cost of land for the TOD. The Consultants explained that the numbers presented did not include the cost for land purchase for the TOD, excepting the cost of the detention pond land. They explained that typically the cost of the land is borne by forming partnerships.

The discussion was had about the revenue picture for Phase One should rail lines not become a reality. The Consultants explained that the revenue would still be 70 to 80 percent of what is being projected.

Council engaged in discussion about the concern that the rail line will not go into downtown. Mr. Willhite explained that the Rail District is now beginning to talk about extending this line into downtown. The main issue is the cost. He explained that the cost for the 45 miles of rail from Hempstead to I-610 will equal that of the rail from I-610 to downtown, only a 5 mile stretch.

Council engaged in discussion about options for funding the TOD and how to promote the TOD in a positive manner. In connection with same, Council discussed how Phase One of the build-out will capture a positive tax base for growth over time whether rail happens or not. However, Phases Two and Three are connected to rail. The Consultants see Phase One as a Transit Ready Development rather than a Transit Oriented Development because it is not wholly dependent upon rail.

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There was discussion about the requirements for additional police and fire service in the TOD. This discussion led to discussion about ISO ratings and what requirements serve as the basis for these ratings. City Manager Castro explained, along with Fire Chief Bitz, that the response time for Phase One has already been looked at and it can be serviced from the City's current station. Phase Two and Phase III may present a problem, but there are things that can be done to improve response time, such as signalization and signage. This presented discussion about the police and fire costs for Phase Two and Phase Three. It was decided that those issues will be reviewed when a decision is being made to move forward with Phase Two and Phase Three. It is not needed at this time.

Council engaged in discussion about the location of the rail stops, the cost of parking garages and could a fee be charged by the City to off-set the construction costs of the parking garage. The Consultants stated that should the City choose to charge a fee for parking, it is better to charge the fee from the start than to try to implement the fee later. Council engaged in discussion about parking under the freeway and would this be an option. The Consultants explained, yes, that arrangements can be made and partnerships can be formed during this process to resolve many issues and parking is just one of them.

Mr. Willhite told Council that Kimley-Horn has spoken to 65 percent of the landowners in Phase One concerning the TOD.

Council engaged in discussion about the upcoming meeting between the City of Jersey Village and the Rail District, and what might be some items to consider when negotiating with the District. The Consultants stated that we should take the approach of being objective by stating we are planning, designing, and discussing the TOD. They stated that we should be cautious about making any commitments at this time but do not emphatically state "NO." The Consultants also suggested that we contact other cities/entities to see what they are planning in terms of commitment.

No action was taken by Council on this item.

C. Discuss and take appropriate action for setting the commitment standards for the City Manager as they relate to the Transit Oriented Development and its connection to the Gulf Coast Rail District.

City Manager, Mike Castro introduced the item. He explained that Representatives from the Gulf Coast Rail District (GCRD) are scheduled to meet with the mayor and city manager on June 4, to discuss the potential of Jersey Village as a commuter rail station location. Similar meetings are being held throughout the rail corridor. The GCRD will soon submit an application to the federal government for funding to initiate commuter rail service in the corridor. District officials are coming to Jersey Village to hear what the city is willing to provide to secure a rail stop.

Before the meeting occurs with the GCRD, Mr. Castro explained that he needs guidance from council as to the boundaries for negotiating the City's position. This item is to discuss what that guidance might be.

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Council engaged in discussion about the anticipated questions to be asked by the GCRD at the upcoming meeting as follows:

1) Is the city willing to participate to the ongoing operational costs of the district?

Mr. Castro explained that this may entail a new taxing entity, or an annual contribution from the city to defer district expenses for operation of the rail system. This is the District's primary concern: a source of ongoing funding for rail operations.

The consensus of Council was "NO." Council discussed how common it is for a Rail District to seek operating costs. The Kimley-Horn Consultants explained that while this is rare because it involves capital costs, the economic times have changed and as a result, it the City might be in a better position to not say "NO" directly, but rather, express reservations that it may not be appropriate for the City to contribute to capital costs. The Consultants stated that this type of conversation would not be unique, as it is happening all over the State.

Council Member Berube left the meeting at 7:35 p.m.

City Manager Castro explained his concern for over extending the City and how this would affect the City's desire to continue other capital projects, like streets. He told Council that committing to a TOD may very well mean that there would be no other capital improvements projects of a significant nature in the City for quite some time.

It was decided that Mr. Castro should express reservations for this item, but do not say emphatically "NO."

Items two and three were taken together as these relate to capital improvement costs. The questions are as follows:

2) Will the city be willing to construct and pay for construction costs of the station?

In previous meetings, the district has suggested that the city could offer to construct the station and pay for the costs associated with operating the station. Ideally, the District wants the city to pay for rolling stock (trains), platforms, and / or station improvements.

3) Will the city construct a parking garage?

The city of Waller has committed to having parking available for the station the day it opens. For the city to make this same commitment, we would need to purchase and construct a surface parking lot. The alternative here is that the city initiates construction of the parking garages.

Council decided that the City should commit to parking, but should not commit to anything that has to do with the rail station itself. It was the consensus of Council that the City does not need to commit to capital improvements outside the \$40 million that is already being discussed (not yet approved) in the TOD plan. However, Council cautioned that no commitment should be made as to the type of parking we will provide, only that the City will provide parking.

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- 4) **Is the city willing to contribute a portion of proceeds from and TIRZ or Management District to the ongoing expenses / operations of the district?**

Again, the district is looking to cover expenses, and views this option as a possibility.

Council was not sure about this question and felt it had legal ramifications that needed to be addressed. The initial response was that legally they would be prohibited from making this commitment.

- 5) **Is the city willing to acquire property for the station and the parking lots necessary to support the station?**

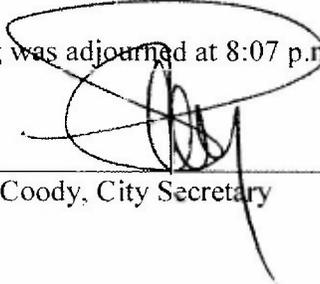
It was the consensus of Council that property would be acquired for parking, but not for the station.

In wrapping up the guidance issue, Council advised that the City Manager should convey the message to the GCRD that the City of Jersey Village has committed to spending a considerable amount of money on Consultants for this project and that the feasibility study is reaching its final stages with positive results. These actions imply the commitment level of the City of Jersey Village and our desire to move forward with this project.

D. ADJOURN

There being no further business on the agenda the meeting was adjourned at 8:07 p.m.





Lorri Coody, City Secretary

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JUNE 21, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Curtis Haverty	
Council Member, Mark Maloy	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Michelle Yi, Assistant Director of Finance; and Michael Brown, Director of Parks. Isabel Kato, Director of Finance, was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by: Council Member, Curtis Haverty

C. CITIZENS COMMENTS

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

There were no Citizen Comments.

D. CITY MANAGER'S REPORT

City Manager, Mike Castro presented the following reports in his Manager's Report calling special attention to an error in the Police Department Fraud Report and the Notes from the Meeting with the Gulf Coast Rail District (GCRD) on June 4, 2010.

Council engaged in discussion on the Notes from the GCRD meeting. City Manager Castro fielded questions and answered accordingly. There was focused discussion on when and if the commuter rail will go into downtown Houston. The information carried away from the GCRD meeting was that while everyone involved with this project believes it will happen there are no definitive plans and there is no funding for the line to continue into downtown.

1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, and Budget Projections as of May 2010.
2. Departmental Request Report and Open Records Request, CD 2009-2010 Open Records Requests, and Solicitor's Permit Requests
3. Fire & Emergency Services Departmental Report

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4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report and Staffing/Recruitment Report.
5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, and Court Proceeds Comparison Report.
6. Public Works Departmental Report, Permit Departmental Report, Construction Up-Date Detail Report and Construction Update Summary
7. Combined Monthly and Annual Mileage Report
8. Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report
9. Report from Code Enforcement
10. Capital Improvements Projects Report
11. White Oaks Bayou Capital Improvements Projects Report
12. Notes from Meeting with the Gulf Coast Rail District on June 4, 2010
13. Overview of Council Calendar – Important Budget Meeting Dates

E. CONSENT AGENDA

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

1. **Consider approval of the Minutes for the Regular Session Meeting held on May 17, 2010 and the Work Session Meeting held June 1, 2010.**
2. **Consider Resolution No. 2010-29, appointing an Emergency Management Coordinator and an Assistant Emergency Management Coordinator for the City of Jersey Village.**

RESOLUTION NO. 2010-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR AND AN ASSISTANT EMERGENCY MANAGEMENT COORDINATOR

3. **Consider Resolution No. 2010-30, making clerical corrections and non-substantive changes to Resolution No. 2010-18 which authorizes the City Manager to enter into an Agreement with Kensinger Properties Limited and James M. Easterling, Jr., grants permission for the City of Jersey Village to utilize the utility easements to be granted by Kensinger Properties Limited and James M. Easterling, Jr., and also allows for the installation of a sanitary sewer force main in connection with the Jones Road Extension Project.**

RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS MAKING CLERICAL CORRECTIONS AND NON-SUBSTANTIVE CHANGES TO RESOLUTION NO. 2010-18 WHICH AUTHORIZES THE CITY MANAGER TO

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ENTER INTO AN AGREEMENT WITH KENSINGER PROPERTIES LIMITED AND JAMES M. EASTERLING, JR., GRANTS PERMISSION FOR THE CITY OF JERSEY VILLAGE TO UTILIZE THE UTILITY EASEMENTS TO BE GRANTED BY KENSINGER PROPERTIES LIMITED AND JAMES M. EASTERLING, JR., AND ALSO ALLOWS FOR THE INSTALLATION OF A SANITARY SEWER FORCE MAIN IN CONNECTION WITH THE JONES ROAD EXTENSION PROJECT.

- 4. Consider Resolution No. 2010-31, declaring the 1989 John Deere Backhoe as surplus equipment and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures.**

RESOLUTION NO. 2010- 31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DECLARING THE 1989 JOHN DEERE BACKHOE AS SURPLUS EQUIPMENT AND AUTHORIZING DISPOSITION BY THE CITY MANAGER IN ACCORDANCE WITH THE CITY'S ADMINISTRATIVE PROCEDURES.

- 5. Receive the Golf Course Advisory Committee Report.**

Council Member Berube moved to approve items 1 through 5 on the consent agenda. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

F. REGULAR AGENDA

- 1. Consider Ordinance No. 2010-26, amending Section 70-77 of the Code of Ordinances to allow for a 3.6 percent water rate increase.**

Danny Segundo, Director of Public Works introduced the item. He told Council that the City of Houston increased the water rate by 16 percent effective January 1, 2010, and as a result, the City is now paying \$2.19 per thousand gallons used. The previous cost was \$1.88 per thousand gallons used. While City Council did approve an 8% increase in January of 2010 to help offset these costs, staff has since learned that the City of Houston intends to increase contract pricing another 13% beginning in January of 2011.

Mr. Segundo reminded Council that during the annual budget retreat meetings and during last month's city council meeting, Council discussed the possibility of proposing a water rate increase that would pass the additional costs through to the city's customers. In preparing for tonight's item, he told Council that the Finance Department had prepared an analysis concluding that a 3.6% rate increase is necessary to maintain a healthy operating utility fund balance. He also told Council that an effort to educate the public on any

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further water rate increases has been addressed by staff with articles being published in the JV Star and sent out in the May and July issues.

Council engaged in limited discussion on this matter. Discussion that was had centered on insuring that the increase would cover only the additional costs for the water and would not result in any additional revenue.

Council Member Haverty moved to approve Ordinance No. 2010-26, amending Section 70-77 of the Code of Ordinances to allow for a 3.6 percent water rate increase. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-26

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING SECTION 70-77 OF THE CODE OF ORDINANCES OF SAID CITY; ESTABLISHING RATES FOR WATER SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

2. Discuss and take appropriate action regarding Update on Slab Elevations within the City.

Danny Segundo, Director of Public Works introduced the item. He told Council that Staff has reviewed the issues associated with building in the flood plain areas of the City. Mr. Segundo explained the problem as it relates to the regulations that require new homes to be built to higher elevation standards, which is causing drainage issues (water runoff) for neighboring older homes that were built to pre-existing standards.

Currently, FEMA regulations require that homes in the floodplain be built to the Base Flood Elevation (BFE) as designated on the FEMA Flood Maps. Our City Ordinance requires that the homes be built one foot above BFE. This means that depending upon the elevation where the home is to be built; the new home could be built as high as 2 to 4 feet above a home built before the 2007 FEMA maps were adopted, thus causing the drainage issues.

Factors that are contributing to the issue are:

- City ordinance requiring homes to be built one foot above BFE. (Sec.14-225)(h)(1))
- City ordinance requiring slab to be at least 8 inches higher than grade. (Sec.14-88(a) and Sec. 14-333)
- City ordinance requiring lots to drain from back to front. (Sec.14-88 and Sec.14-333)

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Staff suggested that an option for resolving issue would be to hire a consultant with experience in building standards and flood plain issues to review the slab elevation standards and make a recommendation for moving forward.

Council engaged in discussion about the drainage problems. Mr. Segundo explained that the problem is that those properties that are built up to comply with the new elevation standards are draining into neighboring property owner's lots, causing problems.

Council discussed a need for a consultant to study the problem. Christian Somers-Kuenzel, the City's Building Official, told Council that building permits are only being issues for these type properties with an engineering analysis/certificate.

Council discussed that due to the length of time it takes to construct some homes, it might be that there is a need to have some type of temporary drainage for these lots during the construction period. There was also discussion about other remedies such as the installation of gutters routed into the drain spouts.

Council Member Haverty moved to allow the City Manager to seek a consultant to assist the City of Jersey Village with creating or modifying the current residential code concerning residential home construction that affects the storm water runoff into neighbor's property. Included in the code changes should be a provision that adequate storm water drainage be included during actual construction. Council Member Erskine seconded the motion.

Council engaged in discussion about what should happen to resolve this problem. The motion was read aloud and the vote followed:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

Council continued to discuss the matter after the vote. Staff assured Council that all permits issued for construction on the lots in question would require an engineering analysis. Council also discussed the possibility of issuing a moratorium on the issuance of such permits and asked the City Attorney to research same. Council would also like the City Attorney to report if the City will be at risk to the property owners if it cannot issue a moratorium on the issuance of such permits until this is resolved.

3. Consider Ordinance No. 2010-27, allowing budgetary amendments to the FY 2009-10 budget for the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project.

Danny Segundo, Director of Public Works introduced the item. He outlined for Council the background information concerning this amendment and the need for same. Basically, he told Council that the bid for the project came in for more than what was

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budgeted during the 2009-2010 budget year and this item is to approve the funds to cover the difference of the amount budgeted and the bid proposal and to move the funds into the project line items in order that the project can begin.

Council Member Berube moved to approve Ordinance No. 2010-27, allowing budgetary amendments to the FY 2009-10 budget for the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, and Klein

Nays: Maloy

The motion carried.

ORDINANCE NO. 2010-27

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE 2003 STREET BOND BUDGET AND THE UTILITY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

4. Consider Resolution No. 2010-32, authorizing the City to apply for a grant from the Department Of Justice, Community Oriented Policing Services, COPS Hiring Recovery Program (CHRP).

Charles Wedemeyer, Chief of Police introduced the item. He told Council that his department had received notification from the U.S. Department of Justice, Community Oriented Policing Services, that granting was available on a complete basis under the COPS Hiring Recovery Program (CHRP). In this, the DOJ will 100% fund a position for three years with a requirement that the city agree to accept and fund the position for a one year period following closeout of grant. If approved, the grant will provide 100% funding of incentives to include Social Security, TMRS, unemployment, insurance, uniform allowance, certification, educational and other fringe benefits for the entire term of the grant. The granting application is for one (1) entry level police officer position.

Council Member Berube moved to approve Resolution No. 2010-32, authorizing the City to apply for a grant from the Department Of Justice, Community Oriented Policing Services, COPS Hiring Recovery Program (CHRP). Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-32

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICING SERVICES, COPS HIRING RECOVERY PROGRAM (CHRP).

5. Consider Resolution No. 2010-33, appointing a member to fill the unexpired term for position six on the Planning and Zoning Commission.

Lorri Coody, City Secretary, introduced the item. She told Council on June 16, 2010, via email, David Paul, who serves in position six for this Commission, tendered his resignation. Mr. Paul has sold his home and will be moving away from Jersey Village. Mr. Paul has served on this Commission since December of 1996 and his current term expires September 30, 2010. This item is to appoint a member to fill his unexpired term.

Ms. Coody told Council that the applications of those qualified candidates who have expressed interest in serving on this Commission were included in the packet.

Council Member Berube moved to appoint Justin Ray as Commissioner to fill the unexpired term ending September 30, 2010 for Position Six on the Planning and Zoning Commission. Council Member Klein seconded the motion.

Accordingly, Mayor Hamley called for a vote to approve Resolution No. 2010-33, appointing Justin Ray to fill the unexpired term for position six on the Planning and Zoning Commission. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

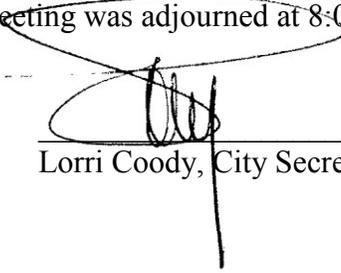
RESOLUTION NO. 2010-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING A MEMBER TO FILL THE UNEXPIRED TERM FOR POSITION SIX ON THE PLANNING AND ZONING COMMISSION.

G. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:00 p.m.





Lorri Coody, City Secretary

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JULY 19, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Council Member, Joyce Berube	City Manager, Mike Castro
Council Member, Rod Erskine	City Secretary, Lorri Coody
Council Member, Curtis Haverty	City Attorney, Martha Williams
Council Member, Mark Maloy	
Council Member, Jill Klein	

Mayor Hamley was not present.

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer by: Michael Brittain, Chaplain, American Legion Post #324
2. Pledge by: Jimmy Baughman, Commander of American Legion Post #324

C. PRESENTATIONS

1. Presentation of Police Department Employee of the Second Quarter, 2010.

Jimmy Baughman, Commander, and Howard Mead, Past Commander of American Legion Post #324 made the presentation of the award of the Police Department Employee of the Second Quarter to Officer Ryan Vasquez. Howard Mead gave a rendition of the duty activities that Officer Vasquez participated in that warranted the presentation of this award. Mayor Pro tem Berube assisted in the presentation of the award.

2. Presentation to the Mayor, Russell Hamley recognizing the City of Jersey Village.

Jimmy Baughman, Commander, and Howard Mead, Past Commander of American Legion Post #324 presented Mayor Pro tem Berube with a certificate of appreciation honoring the City of Jersey Village for its dedication.

D. CITIZENS COMMENTS

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

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Jim Pulliam, 15713 Tenbury, Jersey Village (713) 983-0932 – Mr. Pulliam stated his concern about the City's plans for the Transit Oriented Development. He told Council that the City doesn't need just a conceptual plan for the area South of US 290, it needs a master plan for the entire City that addresses:

1. The city's current and future infrastructure, including streets, water, and sewer and sewer needs;
2. The repair of the main sewer plant;
3. The city's flooding issues;
4. The future of the Golf Course;
5. The 43 acre detention pond and other parks and walking trails;
6. The needs of all city departments;
7. The desire for future development in the city; and
8. The city's needs in the years 2020, 2030, and 2040.

Mr. Pulliam also spoke to an article he read in a recent newspaper stating that the city could not support a Transit Oriented Development (TOD). He told Council that he was not in favor of the TOD and would like the money that would be spent on such a project to be spent in the main part of Jersey Village, north of US 290.

Jim Fields, 16413 St. Helier, Jersey Village (713) 466-0804 – Mr. Fields spoke to Council about items #1 and #9 that are to appear on the Regular Agenda of this meeting.

In connection with Item #1, pertaining to approval of Phase 3 of the TOD, Mr. Fields told Council that he only had a few questions for which he would like answers. These questions were as follows:

1. How much has the study for the TOD cost us already?
2. I have heard the cost of development of the TOD could be between \$30-\$40 million dollars. Is this true?
3. If the cost is \$30-\$40 million dollars, who will pay for it?

Mr. Fields noted that he did not get a response to his questions. He then told Council that because we are in the worst financial crisis in history, he recommends that the TOD project be halted until economic conditions improve.

In connection with Item #9 pertaining to the accounting of the 2002 and 2007 street bond monies, he told Council that he believes the monies should be spent on what the citizens intended – repairing and upgrading the streets and not new development. He told Council that Senate and Carlsbad are examples of streets needing repairs.

E. CITY MANAGER'S REPORT

City Manager, Mike Castro presented the following reports in his Manager's Report. Council had several question concerning the budget projections report pertaining to the insurance settlement from Hurricane Ike, the \$250,000 decrease in the Jersey Village Police Department

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Salaries Fund, the \$660,000 reduction for capital projects, the year end projections for the Golf Course Fund. Finance Director, Isabel Kato fielded each question and answered accordingly.

Council also engaged in discussion about the advertising methods for the Golf Course. Parks Director, Michael Brown explained the various methods used. Council gave a few new ideas and suggested that staff try them in order to improve revenues at the Golf Course.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, Quarterly Investment Report – June 2010, and Budget Projections as of June 2010.**
- 2. Departmental Request Report and Open Records Request, CD 2009-2010 Open Records Requests, Solicitor's Permit Requests, and Status Update on RV Renewal Process**
- 3. Fire & Emergency Services Departmental Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report, Crime Prevention Unit Monthly Report, and Staffing/Recruitment Report.**
- 5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, and Court Proceeds Comparison Report.**
- 6. Public Works Departmental Report, Permit Departmental Report, Construction Up-Date Detail Report and Construction Update Summary**
- 7. Combined Monthly and Annual Mileage Report**
- 8. Golf Course Monthly Report; Golf Course Financial Statement Report, Parks and Recreation Departmental Report, and the Golf Course Financial Statement 2010 June**
- 9. Report from Code Enforcement**
- 10. Capital Improvements Projects Report**
- 11. White Oaks Bayou Capital Improvements Projects Report**
- 12. Police Department Expansion Project – Change Order No. 1**

F. CONSENT AGENDA

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

- 1. Consider approval of the Minutes for the Regular Session Meeting held June 21, 2010.**
- 2. Consider Resolution No. 2010-34, canceling the Monday, August 16, 2010, Regular City Council Meeting, and calling a Special City Council Meeting on Monday, August 23, 2010 due to the 2010-2011 tax schedule.**

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RESOLUTION NO. 2010-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, CANCELING THE REGULAR COUNCIL MEETING TO BE HELD ON AUGUST 16, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS; CALLING A SPECIAL COUNCIL MEETING TO BE HELD ON AUGUST 23, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

3. **Consider Resolution No. 2010-35, authorizing staff to seek proposals for depository services.**

RESOLUTION NO. 2010-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE BID FOR A CONTRACT FOR DEPOSITORY AND BANKING SERVICES.

4. **Consider Resolution No. 2010-36, adopting the Harris County All Hazard Mitigation Plan.**

RESOLUTION NO. 2010-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ADOPTING THE HARRIS COUNTY ALL HAZARD MITIGATION PLAN.

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

Ayes: Council Members Erskine, Haverty, Maloy, and Klein
Mayor Pro tem Berube

Nays: None

The motion carried.

G. REGULAR AGENDA

1. **Consider Resolution No. 2010-37, suspending the August 6, 2010 effective date of CenterPoint Energy Houston Electric LLC'S requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with the Gulf Coast Coalition of Cities; and hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company and direct any necessary litigation and appeals and making other findings and provisions related to the subject.**

Martha Williams, City Attorney, introduced Thomas Brocato an attorney with Lloyd Gosselink Rochelle & Townsend, P.C. to speak to Council on this item. Mr. Brocato told Council that this item was to approve an Ordinance that:

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- suspends the August 6, 2010 effective date of CenterPoint Energy Houston Electric LLC'S requested rate change in order to permit the city more time to study the request and to establish reasonable rates;
- approves cooperation with the Gulf Coast Coalition of Cities; and
- hires Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company and direct any necessary litigation and appeals

Tim Sbrusch, Service Area Director for CenterPoint Energy along with Chasta Martin attended the meeting on behalf of CenterPoint to address any questions directed to the company.

Item Background Information is as follows:

On June 30, 2010, CenterPoint Energy Houston Electric filed a rate case application with the City of Jersey Village. The Company is seeking a \$94 million rate increase. This is an overall increase of approximately 5%. However, the Company is proposing to increase residential rates by 16.18%. If approved, the increase would raise rates for the average residential customer by **\$6.25** per month.

The rate increase requested by CenterPoint will become effective on August 6, 2010, unless the city takes action to suspend the effective date. The statute permits cities to extend the effective date by up to 90 days in order to study the filing. The city must take action to suspend the effective date by August 4, 2010.

In connection with this rate increase, cities served by the Houston Division of CenterPoint are joining forces and forming a coalition to address concerns and protect their interests. The coalition is represented by the law firm Lloyd Gosselink. The coalition's position is that Council suspend the effective date of the Company's rate increase for the 90 days in order to allow the City time to evaluate the filing and determine what strategy, including settlement, to pursue.

Council Member Haverty moved to approve Resolution No. 2010-37, suspending the August 6, 2010 effective date of CenterPoint Energy Houston Electric LLC'S requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with the Gulf Coast Coalition of Cities; and hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company and direct any necessary litigation and appeals and making other findings and provisions related to the subject. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein
Mayor Pro tem Berube

Nays: None

The motion carried.

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RESOLUTION NO. 2010-37

RESOLUTION OF THE CITY OF JERSEY VILLAGE SUSPENDING THE AUGUST 6, 2010 EFFECTIVE DATE OF CENTERPOINT ENERGY HOUSTON ELECTRIC LLC'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE GULF COAST COALITION OF CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

2. **Consider Resolution No. 2010-38, authorizing an agreement with Kimley-Horn Associates Inc., for services relating to Phase 3 of a Feasibility Study regarding Transit Oriented Development within the City of Jersey Village.**

City Manager, Mike Castro introduced the item. He told Council that back in January of 2009, City Council authorized Kimley Horn and Associates to undertake Phase 1 of a feasibility study associated with Transit Oriented Development. Council was presented with the results of Phase 1 at a work session conducted on October 12, 2009. Phase 2 of the study was approved by Council in October 2009. This phase incorporated more detailed planning for the study, including the TOD conceptual plan as well as mixed-use design and coordinating the TOD with the Jones Road Extension Project. Phase 2 of the study is now complete.

Phase 3 is necessary to complete the study and basically involves the following steps:

- a. Developing Form Based Codes;
- b. Refining the capital cost estimates for the infrastructure program;
- c. Providing planning support in reviewing Proposed TOD Plats and Developments;
and
- d. Developing a fiscal framework for a municipal bond election.

Completion of Phase 3 of the study will provide City Council with sufficient information to determine the overall viability of Transit Oriented Development in Jersey Village. With the approval of this Phase, the feasibility study will be complete. Completion is expected in February 2011.

Joe Willhite with Kimley-Horn addressed Council. He called attention to the Final Report for Phase 2 of the Feasibility Study which was included in the packet.

He also gave a brief description of what can be expected from Kimley-Horn during Phase 3 of the study. Basically from a financial side, he said Phase 3 will provide information in order to address the following:

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1. Of the \$40 million worth of TOD infrastructure – Phase 3 will determine what portion of that burden will be the city's; and
2. Does the City want to move forward with the project?

Phase 3 will also include the Form Based Codes which addresses how the TOD will look and be developed. Without the codes, the area south of US 290 will fall into the current zoning codes (industrial), which are counterproductive to what the TOD conceptual plan.

Discussion was had about the completion date and if that date was going to keep the City in front of the curve in terms of the Gulf Coast Rail District and its plans for bringing rail to the area. Past discussions placed an importance on this factor. Both Mr. Willhite and City Manager Castro believe that while the gap in time is closing, the City is well situated, especially in the steps it has taken to affect this feasibility study.

Council also discussed the projected tax revenue for the TOD throughout the project and debt cycle. There was concern about being enough revenue to cover the debt. In connection with this, the questions mentioned in the Citizen's Comment section of the meeting concerning the cost of the TOD study and where will the money come from to pay for the TOD development.

In answering these questions, City Manager Castro explained that most of these questions were addressed back in January during the work sessions for the TOD. He stated that as the TOD is being built out, it is going to cost the City and there is risk involved. However, there is good potential and in the future it is projected that the City will see positive cash flow. Phase 3 of the study is to help the City gather detailed financial information to answer many of these questions, to see who we can partner with, and to see what developers are willing to contribute.

Council engaged in discussion about the Jones Road Extension Project. There was concern about how development of Jones Road will be affected by the February 2011 completion date of the feasibility study. Mr. Willhite explained that this has been taken into consideration and there is some concern because after the codes are available, Council still needs to implement them, but he believes there is enough time to plan.

Discussion was had about other TOD projects in the area and how they have been privately funded as opposed to publicly funded. Mr. Castro stated that the Skinner Road Project was funded by Metro Funds and Sales Tax monies. He is not sure about the TOD at I-10.

Council Member Haverty moved to approve Resolution No. 2010-38, authorizing an agreement with Kimley-Horn Associates Inc., for services relating to Phase 3 of a Feasibility Study regarding Transit Oriented Development within the City of Jersey Village. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, and Klein

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Mayor Pro tem Berube

Nays: Maloy

The motion carried.

RESOLUTION NO. 2010-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH KIMLEY-HORN ASSOCIATES INC., FOR SERVICES RELATING TO PHASE 3 OF A FEASIBILITY STUDY REGARDING TRANSIT ORIENTED DEVELOPMENT WITHIN THE CITY OF JERSEY VILLAGE.

3. Consider Ordinance No. 2010-28, allowing a budgetary amendment to the 2009-10 budget (Transit Oriented Development – Phase 3 – Feasibility Study).

City Manager, Mike Castro explained that with Council's approval of Phase 3 of the feasibility study, a budget amendment will be necessary to ensure sufficient budget authority is available. Staff is recommending amendment the General fund (Fund 01) to authorize \$166,650 for the Consulting Services line item.

Council Member Haverty moved to approve Ordinance No. 2010-28, allowing a budgetary amendment to the 2009-10 budget (Transit Oriented Development – Phase 3 – Feasibility Study). Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, and Klein
Mayor Pro tem Berube

Nays: Maloy

The motion carried.

ORDINANCE NO. 2010-28

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

4. Receive the Arbitrage Rebate Summary Report prepared by Arbitrage Compliance Specialists, Inc., as required by the United States Department of the Treasury for tax exempt bond issuance.

Finance Director, Isabel Kato explained that after Council approved Resolution 2010-12 on March 15, 2010, the City engaged the services of Arbitrage Compliance Specialists. This was necessary for the preparation of the arbitrage compliance computations as required by the United States Department of the Treasury for the tax exempt bond issuance and to act in accordance with one of the findings of our auditors, Belt Harris and

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Associates LLLP. The completed arbitrage rebate summary report was included in the meeting packet. It clearly states that the City of Jersey Village is free from any liability due to the Internal Revenue Service on the bond issuances for which the calculations were completed.

Ms. Kato introduced Mr. Richard Fletcher, Senior Account Manager from Arbitrage Compliance Specialists who was present to answer questions and concerns from Council.

Council received the report and Mayor Pro tem Berube called the next item as follows:

5. Consider Resolution No. 2010-39, authorizing an agreement with Richard Hillyer for consultant services for the review of the employees' group medical insurance plans.

Karen Farris, Human Resources Generalist, explained the item. She told Council that Staff is requesting the assistance of a consultant to assist the City of Jersey Village in the review of the group medical insurance plans and in the preparation and review of bid documents for proposals received for insurance coverage. Mr. Dick Hillyer has been a consultant for the City since 1998. Funds were approved and appropriated in the current fiscal year budget for such services. Staff anticipates the bid process will begin in September upon approval by Council of the bid document and authorization to solicit for proposals.

Discussion was had on the expected premium increases. Ms. Farris told Council that the city has two plans and it is expected that the \$500 deductible plan will increase 4% and the \$1000 deductible will increase 2%.

Council Member Maloy moved to approve Resolution No. 2010-39, authorizing an agreement with Richard Hillyer for consultant services for the review of the employees' group medical insurance plans. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein
Mayor Pro tem Berube

Nays: None

The motion carried.

RESOLUTION NO. 2010-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH RICHARD HILLYER FOR CONSULTANT SERVICES FOR THE REVIEW OF THE EMPLOYEES' GROUP MEDICAL INSURANCE PLANS.

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6. **Receive the Planning and Zoning Commission’s Preliminary Report recommending amendments to the Jersey Village comprehensive zoning ordinance, to provide for the placement of pawnshops in a new district J1, and to create a motor vehicle sales overlay district along the US 290 corridor; and Consider Ordinance No. 2010-29 calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the city’s comprehensive zoning ordinance regarding pawnshops and motor vehicle sales.**

Danny Segundo, Public Works Director introduced Rick Faircloth, Vice Chair of the Planning and Zoning Commission to give the Preliminary Report. Mr. Faircloth told Council that the Commission was asked to review and rework the zoning ordinance pertaining to used car lots and other businesses along Jones Road north of US 290. In making the assignment, Council was concerned about the future development along Jones Road with the Extension Project underway and the tentative plans for a Transit Oriented Development south of US 290 near Jones Road. The expectation is that the City will be rezoned for beautifying and improving this area to pave the way for future development.

Mr. Faircloth told Council that in addition to the assignment by Council, there was also a need for the Commission to review the official zoning map in order to specifically designate a district for pawnshops. Section 371.003 of the Texas Finance Code requires that a City must designate at least one district for such purposes.

As a result of these two zoning issues, the Planning and Zoning Commission met on three occasions, the latest being July 12, 2010. After reviewing and discussing the issues in detail, the Commission makes its preliminarily report. Basically, the Commission is recommending the following two changes to the comprehensive zoning ordinance:

1. The placement of pawnshops in a newly created District J1 only; and
2. The creation of a motor vehicle sales overlay district along the US 290 corridor, with additional language to allow for amortization of resulting non-conforming uses.

Additionally, the Commission is asking that Council call a Joint Public Hearing on these proposed changes for August 23, 2010 at 7:00 p.m.

City Attorney Martha Williams explained the two proposed ordinances. She told Council that State Law requires that they designate a district for pawnshops and creating the J1 district will resolve the current problem of not having a district designated. She also explained the proposed ordinance creating a motor vehicle overlay district and the amortization process that will be needed for resulting non-conforming uses should this ordinance be passed. Basically, she explained that, amortization is a method for eliminating the non-conforming use after a period of time.

Discussion was had about the possible properties that will be considered non-conforming use properties should the ordinance be approved. Additionally, Council considered the loss of tax revenue through loss of inventory versus the possibility of additional revenues that might be

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picked up should these existing businesses migrate to a “better use” that would bring in more tax revenue.

Council also discussed the concern for the small business establishments and how the amortization process might affect these businesses, leading to a discussion on the possibility of permitting existing business to continue in a non-conforming use status. Council also discussed that this might not be an issue if the existing businesses are only being leased and the owner of the property is not the owner of the business. The discussion came full circle with the conclusion that these type businesses are not what the City wants for this area.

Council Member Erskine moved to approve Ordinance No. 2010-29 calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the city’s comprehensive zoning ordinance regarding pawnshops and motor vehicle sales. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein
Mayor Pro tem Berube

Nays: None

The motion carried.

7. Consider Resolution No. 2010-40, authorizing the City Manager to enter into a contract with Weisinger Water Well, Inc., in an amount not to exceed \$25,000, to repair the 6” water well and replace the pump at the main well at Jersey Meadow Golf Course.

Michael Brown, Director of Parks and Recreation, introduced the item. He told Council that there are two wells located at the Jersey Meadow Golf Course. There is a 2” well located at the front of the property, which is used as a backup well for the irrigation. The second well is a 6” well located in the center of the property; this is the main well for the irrigation system.

On July 2nd staff realized that the main well was not working and was tripping the breaker on the main panel. Staff contacted three different contractors to examine the well. All three suggested replacement of the pump and repair of the well due to the motor being grounded. The City decided that due to the age of the equipment that during the repairs it is in the best interest of the City to replace the existing wire and airline.

Accordingly, the lowest bidder is Weisinger Well, Inc. with a base bid of \$19,085.00 and additional cost of \$13.25/ft for new 4” galvanized pipe. At this time, it is not known how much galvanized pipe will need replacing until construction begins. Therefore, staff is asking to enter into contract with Weisinger Wells, Inc. for an amount not to exceed \$25,000.00.

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With limited discussion on this item, Council Member Maloy moved to approve Resolution No. 2010-40, authorizing the City Manager to enter into a contract with Weisinger Water Well, Inc., in an amount not to exceed \$25,000, to repair the 6” water well and replace the pump at the main well at Jersey Meadow Golf Course. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein
Mayor Pro tem Berube

Nays: None

The motion carried.

RESOLUTION NO. 2010-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WEISINGER WATER WELL, INC., IN AN AMOUNT NOT TO EXCEED \$25,000, TO REPAIR THE 6” WATER WELL AND REPLACE THE PUMP AT THE MAIN WELL AT JERSEY MEADOW GOLF COURSE.

- 8. Consider Ordinance No. 2010-30, allowing a budgetary amendment in the amount of \$25,000 to the 2009-10 budget to repair the 6” water well and replace the pump at the main well at Jersey Meadow Golf Course.**

Michael Brown, Director of Parks and Recreation, explained that with the approval of the repairs of the water wells at the Golf Course, this budget amendment is necessary to pay for the repairs.

Council Member Erskine moved to approve Ordinance No. 2010-30, allowing a budgetary amendment in the amount of \$25,000 to the 2009-10 budget to repair the 6” water well and replace the pump at the main well at Jersey Meadow Golf Course. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein
Mayor Pro tem Berube

Nays: None

The motion carried.

ORDINANCE NO. 2010-30

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND AND THE GOLF COURSE FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

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9. Discuss and take appropriate action on how the remaining funds left over from the 2002 Bond Referendum/2003 Residential Street Reconstruction Project and the 2007 Residential Street Project should be spent.

Mark Maloy, Council Member introduced the item. He explained that the citizens voted for the 2002 Bond Referendum/2003 Residential Street Reconstruction Project and the 2007 Residential Street Project with the intent to repair residential streets.

City Manager Castro recited the Official Ballot Language for each Bond Series to Council as follows:

THE 2003 STREET BOND – OFFICIAL BALLOT LANGUAGE - PROPOSITION 3

"THE ISSUANCE OF \$5,000,000 GENERAL OBLIGATION BONDS AND THE LEVYING OF A TAX IN PAYMENT THEREOF FOR THE PURPOSE OF STREET IMPROVEMENTS AND SANITARY SEWER LINE AND WATER LINE EXTENSIONS, REPLACEMENT, AND REHABILITATION."

THE 2007 STREET BOND – OFFICIAL BALLOT LANGUAGE - PROPOSITION

“THE ISSUANCE OF \$8,500,000 GENERAL OBLIGATION BONDS AND THE LEVYING OF A TAX PAYMENT THEREOF FOR STREET, DRAINAGE, AND WATER LINES.”

Mr. Maloy stated that he is aware that there are monies left in these funds, and would like to know how much. He told Council that he wants to make sure that the remaining street bond money is used to repair residential streets, and explained that several years ago, there was an article in the JV Star that was written to present the 2002 bond election. The article specifically identified that the monies would be spent for residential streets. He asked for comments from other Council members pertaining to their position on how this money should be spent.

Council Member Klein gave a history of how the 2002 Bond Election process worked from a Council Member prospective. She stated that she remembers an article in the Star that was written to inform the residents about the election and to provide the initial list of streets to be repaired. Council Member Klein stated that all of these streets listed in the Article have been repaired, and there are monies still remaining in the fund.

City Attorney Williams stated that the monies from the 2002 Street Bond must be spent on Streets, Sewers, and water lines and since the streets were not specifically mentioned, the City has flexibility.

It was stated that the list in the JV Star was only so that the residents would have an idea as to what streets were being considered for repairs. Expectations for this project have been exceeded; therefore, voter expectations have been met.

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Nonetheless, there is a concern among some members of Council that residential streets within the city still exist that need repairs and as a result, the citizens who had voted to approve these funds should have the ability to benefit from the use of the money through improved residential streets.

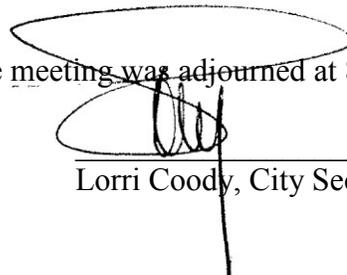
Discussion was had about the legality of spending the 2002 bond monies on projects that may not be residential but do involve street improvements or sanitary sewer line and water line extensions, replacements, and rehabilitations within Jersey Village. In connection with this discussion, the City Manger mentioned the arbitrage process. He gave a brief explanation of this process which included the dangers that come along with letting bond money sit and how it can become punitive. City Manager Castro also explained that the monies spent out of these funds for the Jones Road Extension Project are for the utility lines, which make this project acceptable and in accordance with the bond proposition.

This item concluded with a discussion about the remaining monies in each of the funds discussed. Mr. Castro explained that bond funds are audited with project contractors at various intervals throughout the life of the bonds. Having received this agenda item on the evening of July 15, there was not enough time to schedule the contract audit to produce the fund balance numbers. A meeting has been scheduled for the audit in the near future; however, in the meantime, the following fund balance estimates are made by staff:

2003 Street Bond Fund Balance – Approximately \$134,000
2007 Street Bond Fund Balance – Approximately \$807,000

G. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:40 p.m.



Lorri Coody, City Secretary



MINUTES OF THE WORK SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 9, 2010 AT 6:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. The meeting was called to order by Mayor Hamley at 6:18 p.m. with the following present:

Mayor, Russell Hamley
Council Member, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty
Council Member, Mark Maloy
Council Member, Jill Klein

City Manager Mike Castro
Assistant City Secretary, Courtney Rutherford

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; Michael Brown, Director of Parks; Bob Blevins, IT Administrator; and Michelle Yi, Assistant Director of Finance.

City Secretary, Lorri Coody was not present at this meeting.

B. Consider Resolution No. 2010-41, setting the 23rd day of August at 7:00 p.m. in the Civic Center Meeting Room, 16327 Lakeview Drive, Jersey Village, Texas 77040 as the time, date, and place for the public hearing on the proposed 2010-2011 Crime Control and Prevention District's Budget.

Council Member Berube moved to approve Resolution No. 2010-41, setting the 23rd day of August at 7:00 p.m. in the Civic Center Meeting Room, 16327 Lakeview Drive, Jersey Village, Texas 77040 as the time, date, and place for the public hearing on the proposed 2010-2011 Crime Control and Prevention District's Budget. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2010-2011 CRIME CONTROL AND PREVENTION DISTRICT BUDGET; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

C. Consider Resolution No. 2010-42, setting the 20th day of September at 7:00 p.m. in the Civic Center Meeting Room, 16327 Lakeview Drive, Jersey Village, Texas 77040 as the date, time, and place for a public hearing on the proposed fiscal year 2010-2011 municipal budget.

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Council Member Berube moved to approve Resolution No. 2010-42, setting the 20th day of September at 7:00 p.m. in the Civic Center Meeting Room, 16327 Lakeview Drive, Jersey Village, Texas 77040 as the date, time, and place for a public hearing on the proposed fiscal year 2010-2011 municipal budget. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2010-2011 MUNICIPAL BUDGET; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

- D. Consider Resolution No. 2010-43, re-appointment Directors Berube, Maloy, Klein, and Klussmann to the City of Jersey Village Crime Control and Prevention District for the term to begin on September 1, 2010 and end on August 31, 2012.**

Item not presented.

- E. Review and discuss the proposed fiscal year 2009-2010 municipal budget.**

City Manager Mike Castro began the review of the 2010-2011 municipal budget with a presentation including an overview of the following important areas:

- Budget Goals
- Systemic Issues
- Structured Deficit
- FY 09-10 Accomplishments
- Revenue Estimates – General Fund for FY 2011
 - Project General Fund Revenues
 - Assessed Valuations – FY 03 through FY 10
 - Sales Tax Trend – FY 07 through FY 10
 - Budgeted Sales Tax Revenue – FY 01 through FY 11
- Property Tax Rate
- Franchise Fees, Service Fees, and Fines
- FY 2009-2010 Revenue and Expenditure Projections
- FY 2010-2011 Revenue and Expenditure Projections – Base Budget
- FY 2010-2011 Revenue and Expenditure Including Supplementals
- Goals for FY 2010-2011
- Supplementals
- Compensation

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- Utility Fund
- Coming Attractions
- Budget Calendar

Upon completing the overview of the 2010-2011 fiscal municipal budget, Council asked various questions, which were answered accordingly by City Manager Castro and staff.

Council engaged in discussion regarding a bond election for the proposed Transit Oriented Development (TOD) and asked for input from the City Manager Castro. There was discussion regarding the TOD and considering changing the name and focus of the development for this property. Mr. Castro stated that decisions pertaining to same could be considered after reviewing the final feasibility study report from Kimley Horn & Associates.

Council stated an interest in developing the TOD area South of US 290, with or without a rail station; and would like to consider changing the name of the project/area. Councilman Haverty asked that an item be placed on the August 23, 2010 agenda to consider a name change for the TOD.

There was brief discussion between Council and staff regarding the continuation of the sanitary sewer rehabilitation project before Council began discussion on compensation.

Council discussed the proposed 2% Cost of Living Adjustment (COLA) presented by Mr. Castro for all employees. There was concern in adopting a COLA increase because of recent literature received by council members from the Federal Government, stating that the cost of living has not increased in the last year. This literature prompted discussion that perhaps compensation increases should be based upon merit linked to performance rather than a flat rate raise across the board for all employees. Council and staff had a brief discussion and decided to review this issue again at the end of the budget discussions.

Mayor Hamley then called for a review of the budget by division and department (the yellow sheets) as follows:

- General Fund - Revenues and Expenses
- Utility Fund - Revenues and Expenses

Mayor Hamley called a 10 minute recess at 8:35 p.m.

Mayor Hamley reconvened the meeting at 8:46 p.m.

- Debt Service Fund - Revenues and Expenses
- Impact Fee Fund - Revenues and Expenses
- Motel Tax Fund - Revenues and Expenses
- Asset Forfeiture Fund - Revenues and Expenses
- Capital Replacement Fund - Revenues and Expenses
- Golf Course Fund - Revenues and Expenses
- Court Restricted Fee Fund - Revenues and Expenses
- Street Bond Fund - Revenues and Expenses
- Jones Road Extension Fund

WORK SESSION MEETING OF THE CITY COUNCIL
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- Red Light Camera Fund - Revenues and Expenses

F. Adjournment.

The meeting was adjourned at 10:25 p.m.



Courtney Rutherford
Assistant City Secretary



MINUTES OF THE WORK SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 10, 2010 AT 6:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. The meeting was called to order by Mayor Hamley at 6:00 p.m. with the following present:

Mayor, Russell Hamley
Council Member, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty
Council Member, Mark Maloy
Council Member, Jill Klein

City Manager Mike Castro
Assistant City Secretary, Courtney Rutherford

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; Michael Brown, Director of Parks; Bob Blevins, IT Administrator; and Michelle Yi, Assistant Director of Finance.

City Secretary, Lorri Coody was not present at this meeting.

B. Review and discuss the proposed fiscal year 2010-2011 municipal budget.

Mayor Hamley asked Finance Director, Isabel Kato to outline the changes that were made to the “yellow sheets” of the budget, as well as address the few items that staff was asked to review during the August 9, 2010 meeting.

Ms. Kato told Council about the following line items which were changed:

- Supplemental list was split between recurring and one time expenditures.
- History of transfers from the Golf Course from other funds.
- Projected shortfall on Golf Course Revenues
- Excluding interfund transfers, what is the Delta on the General Fund decrease of deficit
- Account 45-5411, Water Purchase projection for next year, \$850,000
- Corrected the mistake on the projection of this year’s expenditure on Debt Service Fund account 51-6122
- Extend Council Laptops for another year on the Technology Fund
- Amount to be paid on the Police building expansion for the remainder of this fiscal year and next fiscal year
- Look at transferring money to CIP from the General Fund (deficit)
- Review the Red Light Camera “yellow sheets”
- Explained the base difference for the general fund
- The weekly cost to maintain/change the marquees - \$235/week including benefits

WORK SESSION MEETING OF THE CITY COUNCIL
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After a brief discussion between Council and staff concerning the recap from last's night meeting, Public Works Director, Danny Segundo gave a presentation concerning the Capital Improvements Projects for the City and fielded questions from Council.

Council engaged in discussion concerning the following topics:

- Sanitary Sewer Rehabilitation Program;
- The 43-acre Detention Pond;
- Marquee Signs; and
- Proposed Bond Election for Streets and Drainage Improvements

Council then reviewed the General Fund – Supplementals one item at a time. Each item was introduced by the Mayor and the appropriate department head fielded questions from Council as required. Upon concluding the introductions, Council engaged in discussion on the various items. There was discussion particularly on the item for the Vehicle Mounted License Plate Recognition Cameras. There was also discussion on the 2% COLA for all employees.

It was the consensus of Council that the following numbered General Fund Supplemental Requests be approved: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19. The 2% COLA, item 1, was approved as a pay raise for all employees and not as a Cost of Living Adjustment.

Utility Fund

There was brief discussion about the rate increase for the Water Purchased from the City of Houston and that the increase would be passed along to the residents. After limited discussion, the consensus was that all Supplementals for the Utility Fund were approved.

Capital Replacement Fund

This fund is used to capture contributions for future purchases. All Supplementals for the Capital Replacement Fund were approved.

Golf Course Fund

All Supplementals were approved for the Golf Course Fund.

Fund 12 – Court Restricted Fee Fund

All Supplementals were approved for the Court Restricted Fund.

Fund 08 – Traffic Safety

All Supplementals were approved for the Traffic Safety Fund.

Fund 13 – Street Bond

All Supplementals were approved for the Street Bond Fund.

WORK SESSION MEETING OF THE CITY COUNCIL
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Fund 15- Red Light Camera

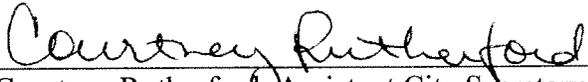
All Supplementals were approved for the Red Light Camera Fund.

Fund 50 – Crime Control

All Supplementals were approved for the Crime Control Fund.

C. Adjournment.

Discussion was had that the meeting set for August 11, 2010 would not be necessary since the budget work session items have been completed. With no other items to be addressed by the Council, the meeting was adjourned at 8:30 p.m.



Courtney Rutherford, Assistant City Secretary



MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 23, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Hamley at 7:05 p.m. with the following present:

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Curtis Haverty	
Council Member, Mark Maloy	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. **Prayer and Pledge by: Steven and Matthew Bierwagen with Boy Scouts Troop #747**

C. PROCLAMATION

1. **Proclamation recognizing the Jersey Village Fire Department in reaching the historic milestone in its existence by providing “Ambulance Service to the Community for 25 years.”**

Mayor Hamley made the presentation of the Proclamation recognizing the Jersey Village Fire Department in reaching the historic milestone in its existence by providing “Ambulance Service to the Community for 25 years” to Fire Chief, Mark Bitz and all past and present fire fighters.

D. JOINT PUBLIC HEARINGS

1. **Conduct a joint public hearing with the Planning and Zoning Commission for the purpose of making amendments to the City’s comprehensive zoning ordinance concerning: (1) the placement of pawnshops in a newly created District J1 only; and (2) the creation of a motor vehicle sales overlay district along the US 290 corridor, with additional language to allow for amortization of resulting non-conforming uses.**

Mayor Hamley opened the joint public hearing at 7:11 p.m. with the following City of Jersey Village Planning and Zoning Commission members present:

- | | |
|-------------------------------------|-----------------------------------|
| 1. Chairman Debra Mergel | 4. Commissioner Barbara Freeman |
| 2. Commissioner Tom Eustace | 5. Commissioner Michael R. O’Neal |
| 3. Commissioner Harry Beckwith, III | |

Commissioners Rick Faircloth and Justin Ray were not present.

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The purpose of the Joint Public Hearing is to receive written and oral comments from any interested person(s) concerning the following proposals to amend the City's comprehensive zoning ordinance:

1. The placement of pawnshops in a newly created District J1 only; and
2. The creation of a motor vehicle sales overlay district along the US 290 corridor, with additional language to allow for amortization of resulting non-conforming uses.

Accordingly, Mayor Hamley called those individuals signing up to speak on these matters as follows:

Deborah Finlay, 30 Cherry Hills, Jersey Village, Texas (281) 894-8117 – Ms. Finlay, while signing up to speak on these issues, chose not to address Council when her name was called.

Vicky Duck, 16246 Seattle, Jersey Village, Texas (713) 896-8192 – Ms. Duck addressed Council on both of these issues. She first told Council that if the City was to have pawnshops located within the City limits, than Council should outline requirements for the aesthetics of these businesses. She told Council that the appearance of the existing pawnshop is not acceptable. Additionally, she stated that she did not understand the meaning of amortization in the Motor Vehicle Sales Overlay District and would like to have this process explained.

C. Davis Bauman, 1550 E. Missouri Avenue, Phoenix, AZ 85014 (602) 284-3508 – Mr. Bauman appeared on behalf of the Joe Myers Dealership located on US 290. He told Council that Joe Myers owns a parcel of land that is not included in the Motor Vehicle Sales Overlay District, but is connected to the existing Dealership which is included in the overlay district. Joe Myers has recently been asked by Toyota to expand and update the current dealership facility and as a result has been making plans for improving the parcel of land that has been excluded from the overlay district to accommodate Toyota's request. This is the only option that Joe Myers has in accommodating Toyota's request; and therefore, requests that this parcel be included in the Motor Vehicle Sales Overlay District. Joe Myers believes that by including the parcel there will be no adverse impact to the City due to the location of the land.

Avoub Razmandi, 15626 Jersey Drive, Jersey Village, Texas (713) 937-1931 – Mr. Razmandi owns one of the auto sales businesses located on Jones Road. He told Council that he has been a resident of Jersey Village since 1997. He wanted to understand the meaning of "car dealership" as it relates to this proposed ordinance change. Additionally, he wanted to know that should the ordinance pass, would a car repair business be an acceptable business for his property on Jones Road. He explained to Council that he opened his business in 2000 and since that time he has made many improvements to the property, including remodeling of structures, demolishing structures, connecting to sewer lines, and much more. Now, should this ordinance pass, the City is basically telling him

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he can no longer operate his business. This is his livelihood and he is opposed to the passage of this ordinance. He presented pictures of his property for Council and P&Z's review.

Allen Bammel, 15301 Clevedon Lane, Jersey Village, Texas (713) 466-0626 – Mr. Bammel told Council that today is a landmark day due to item number 13 being on the agenda which relates to the creation of a Motor Vehicle Sales Overlay District. He stated that should Council pass this Ordinance, it will destroy the right of individuals to conduct this type of business along Jones Road. He stated that in his opinion, the City really only has a problem with one of the existing auto sales establishments on Jones Road and because they do not know how to deal with resolving the issue, the idea of this Motor Vehicle Sales Overlay District came about. However, he told Council the real problem is code enforcement. He stated that Council just needs to enforce the existing ordinances. A Motor Vehicle Sales Overlay District is not fair and is not necessary to resolve this issue.

Shelton M. Vaughn, 6127 Brian Rose, Houston, Texas 77057 (713) 402-3906 – Mr. Vaughn told Council that his family owns a 5 acre parcel of land with approximately 300 feet of highway frontage along US 290 next to Enterprise Car Rental that has been excluded from the Motor Vehicle Sales Overlay District. He stated that this parcel of land was recently re-platted for auto sales use and more specifically, an auto mall. While the land is currently vacant, in the past, this parcel has been used for vehicle sales. Accordingly, Mr. Vaughn asked that this parcel be included in the Motor Vehicle Sales Overlay District.

Don Felts, 18410 E. Paloma, Houston, Texas (713) 823-8779 – Mr. Felts told Council that he owns the parcel of land at 8131 Jones Road that is currently leased to an auto sales business. He stated that he is retired and depends upon this lease for income. He opposes the passage of this ordinance.

Jim Fields, 16413 St. Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields told Council that he does not believe the changes proposed in the Motor Vehicle Sales Overlay District are fair. He stated that while there are some businesses along Jones Road that are considered “eye sores,” he believes the real problem is code enforcement. If the City made the businesses clean-up, the area would look more appealing.

With no other citizens signing up to speak at the public hearing, Mayor Hamley closed the public meeting at 7:31 p.m. and the Planning and Zoning Commission retired from the City Council meeting to conduct its posted meeting agenda at 7:33 p.m.

E. CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT

- 1. Receive the adopted fiscal year 2010-2011 budget from the Jersey Village Crime Control and Prevention District (CCPD).**

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Council received submission of the 2010-2011 fiscal year budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through a presentation of a certified copy of the JVCCPD's Resolution No. 2010-05 by City Secretary, Lorri Coody.

2. Conduct a public hearing on the Jersey Village Crime Control and Prevention District's budget for the fiscal year 2010-2011.

Mayor Hamley opened the public hearing at 7:35 p.m. in order to give all interested parties the right to appear and be heard on the adopted fiscal year 2010-2011 Crime Control and Prevention District budget that has previously been submitted to Council by the Crime Control and Prevention District Director's for Council's approval.

With no one signing up to speak on the JVCCPD budget, Mayor Hamley closed the public hearing at 7:35 p.m. and called the next item on the agenda.

3. Consider Resolution No. 2010-44, adopting the Jersey Village Crime Control and Prevention District's Budget for fiscal year 2010-2011.

With limited discussion, Council Member Erskine moved to approve Resolution No. 2010-44, adopting the Jersey Village Crime Control and Prevention District's Budget for fiscal year 2010-2011. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2010-2011 CRIME CONTROL AND PREVENTION DISTRICT BUDGET

F. CITIZENS COMMENTS

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

Jeff Kopecky, 16125 DeLozier, Jersey Village, Texas (713) 849-2918 – Mr. Kopecky told Council about code enforcement issues in the City. He stated that he has seen problems with the utility trailer ordinance and gave an example of a BBQ trailer he had

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seen inappropriately parked. He also told Council that junk cars are a problem. He would like to see that the City's code enforcement ordinances are enforced.

Meg Crady, 15321 Jersey Drive, Jersey Village, Texas (713) 466-4598 – Ms. Crady commended the Jersey Village Police Department and Council for having the police on patrol along Jersey Drive on the first day of school. She stated that this sends a message that speeding will not be tolerated. She thanked everyone for their efforts.

Gary Falkenberg, 15802 Tenbury, Jersey Village, Texas (713) 466-6069 – Mr. Falkenberg had received a letter from Code Enforcement concerning the unlawful parking of his utility trailer in his driveway. He told Council that he was upset that he should receive this letter. The trailer is stored in Waller, Texas, but he had the trailer in Jersey Village so he could load it in order to take some of his things out of town. He pointed out that after receiving the letter he noticed other homes with utility trailers parked in the driveways. He felt that he was being singled out. He wants Council to review this ordinance, as he does not believe that it is being enforced in accordance with the wishes of Council.

Howard Mead, 16105 Congo Lane, Jersey Village, Texas (713) 466-3610 – Mr. Mead is a 26 year resident of Jersey Village. He commended Council on their plans for the TOD on the City's south side and in the ETJ. He believes that these plans will have positive affects for the City in the future. In supporting his belief, he told Council of other Cities that made such plans with great success, mentioning Sun Set Valley near Austin, Texas and Stafford, Texas. He told Council that these two cities which are similar to Jersey Village developed their ETJ, and currently enjoy the benefits from these successful projects.

G. CITY MANAGER'S REPORT

City Manager, Mike Castro, in addition to presenting the following reports in his Manager's Report, asked Chief of Police, Charles Wedemeyer to introduce Reserve Officer Travis Clay.

1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, and Budget Projections as of July 2010.
2. Departmental Request Report and Open Records Request, Solicitor's Permit Requests, and Status Update on RV Renewal Process.
3. Fire & Emergency Services Departmental Report
4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report and Staffing/Recruitment Report.
5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, Residential Traffic Citation Report, and Court Proceeds Comparison Report.
6. Public Works Departmental Report, Construction Up-Date Detail Report, and Construction Update Summary
7. Combined Monthly and Annual Mileage Report

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8. Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report
9. Report from Code Enforcement
10. Capital Improvements Projects Report
11. White Oaks Bayou Capital Improvements Projects Report
12. Police Department Expansion Project – Change Order No. 2
13. Introduction of Travis Clay – Reserve Officer – City of Jersey Village Police Dept.

Council commented that the efforts of Code Enforcement in the City are commendable.

H. CONSENT AGENDA

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

1. **Consider approval of the Minutes for the Regular Session Meeting held July 19, 2010 and for the Budget Work Session Meetings held on August 9, 2010 and August 10, 2010.**
2. **Consider Ordinance No. 2010-31, amending the Court Security Fund budget for the fiscal year beginning October 1, 2009 and ending September 30, 2010, allowing for the allocation of \$3,000 for the installation of key pads on three doors connected to the Municipal Court offices.**

ORDINANCE NO. 2010-31

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE COURT SECURITY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

3. **Consider Ordinance No. 2010-32, amending the City's budget for the fiscal year beginning October 1, 2009 and ending September 30, 2010, by allowing for the allocation of an additional \$6,000 to line item 01-25-5516 to pay Specialized Billing for collection fee payments.**

ORDINANCE NO. 2010-32

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE COURT SECURITY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

4. **Consider Ordinance No. 2010-33, amending the City's budget for the fiscal year beginning October 1, 2009 and ending September 30, 2010, by allowing for the**

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allocation of \$3300.00 from the Volunteer Contribution Fund for the purchase of a commemorative rock and plaque to be installed at the front of the Jersey Village Fire Station.

ORDINANCE NO. 2010-33

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE COURT SECURITY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

- 5. Consider Resolution No. 2010-45, authorizing the City Manager to enter into an agreement with Insituform Technologies Inc. for the televising of the City's sanitary sewer lines.**

RESOLUTION NO. 2010-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH INSITUFORM TECHNOLOGIES, INC., FOR THE TELEVISIONING OF SANITARY SEWER LINES FOR FY 2009-2010.

- 6. Consider Resolution No. 2010-46, re-appointment Directors Berube, Maloy, Klein, and Klussmann to the City of Jersey Village Crime Control and Prevention District for the term to begin on September 1, 2010 and end on August 31, 2012.**

RESOLUTION NO. 2010-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RE-APPOINTING DIRECTORS TO THE CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT.

Council Member Berube moved to approve items 1 through 6 on the consent agenda. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

I. REGULAR AGENDA

- 1. Consider Resolution No. 2010-47, authorizing the City Manager to enter into a contract with Pate Engineers, Inc. for periodic construction inspection services in connection with the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project.**

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Michael Brown, Director of Parks and Recreation introduced the item for Danny Segundo, Director of Public Works.

Item Background Information: Due to the complexity of the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project in areas such as the installation of the lift station, boring under the 290 freeway for the sanitary sewer force main and water mains, and the installation of the detention pond, an extra “set of eyes” is necessary to help the City’s construction manager in monitoring the contractor’s progress and compliance with design documents during weekly inspections.

The proposal from Pate Engineers provides for periodic inspections. If approved, the inspector will work under the direction of the city’s construction manager, and his duties will include observation of contractor’s progress and compliance with design documents.

A Budget Amendment will be needed to move funding from the 2003 Street Bond to pay for the inspector, which will be addressed in the agenda item following should this item be approved.

Council engaged in discussion about the monies funding this item coming from the 2003 Street Bonds. Council Member Maloy voiced his concern and stated he would much rather get the funds come from another source.

Council inquired about past project experience concerning such issues. Mr. Brown explained that the City typically conducts its own periodic project inspections, but due to the complexity of this project, it is felt that additional help is needed to insure the contractor’s progress and compliance with design documents. He told Council that the expense would be that of the City’s and would not be one that could be shared or paid for by the County. Council also discussed the role of the City’s Project Manager. The project is expected to last 365 days, and 780 hours are being sought for this particular position.

Council Member Haverty moved to approve Resolution No. 2010-47, authorizing the City Manager to enter into a contract with Pate Engineers, Inc. for periodic construction inspection services in connection with the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, and Klein

Nays: Council Member Maloy

The motion carried.

RESOLUTION NO. 2010-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT

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WITH PATE ENGINEERS, INC. FOR PERIODIC CONSTRUCTION INSPECTION SERVICES IN CONNECTION WITH THE JONES ROAD STREET, DRAINAGE, WATER, AND SANITARY SEWER IMPROVEMENTS PROJECT.

2. **Consider Ordinance No. 2010-34, amending the City’s budget for the fiscal year beginning October 1, 2009 and ending September 30, 2010, by allowing for the allocation of \$80,000 from the 2003 Street Bond Fund balance to line item 13-92-7108 for the payment of Inspection Services in connection with the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project.**

Michael Brown, Director of Parks and Recreation presented the item for Danny Segundo, Director of Public Works. He told Council that the approval of Construction Inspection Services in the prior agenda item requires a budget amendment to appropriate the monies in order to pay for these services. This item is to approve the budget amendment.

Council Member Berube moved to approve Ordinance No. 2010-34, amending the City’s budget for the fiscal year beginning October 1, 2009 and ending September 30, 2010, by allowing for the allocation of \$80,000 from the 2003 Street Bond Fund balance to line item 13-92-7108 for the payment of Inspection Services in connection with the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, and Klein

Nays: Council Member Maloy

The motion carried.

ORDINANCE NO. 2010-34

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

3. **Consider Resolution No. 2010-48, authorizing the City Manager to enter into an agreement with Claunch & Miller for engineering and consulting services related to developing alternative code requirements that resolve floodplain and storm water runoff issues within the City of Jersey Village and insure ordinance compatibility with other codes in the Jersey Village Code of Ordinances.**

Michael Brown, Director of Parks and Recreation, presented the item for Danny Segundo, Director of Public Works.

Item Background Information: Recent changes made by FEMA concerning floodplain boundaries have resulted in many homes being added to the 100-year flood zone within Jersey Village. The newly established 100-year floodplain is several feet above the

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previous delineation in Jersey Village, requiring that the lowest slab be built to at least one foot above Base Flood Elevation (BFE) and requiring the placement of fill material two to three feet above finish grade on any new construction in the City's floodplain.

The new slab elevation requirement, coupled with existing ordinances requiring lots to drain from back to front, has resulted in the flooding of adjacent yards. City Council desires to resolve water runoff issues resulting from conflicting floodplain requirements by securing the services of a professional firm to review existing ordinances and develop a solution to help alleviate this problem. Accordingly, a Request for Statement of Qualifications was issued in order to invite qualified firms to submit qualifications addressing the drainage issues within the City of Jersey Village. Qualification Packages were to be submitted by July 16, 2010. After evaluating the qualification packages received, staff finds Claunch & Miller, Engineering Consultants, to be best qualified.

This item is to authorize the City Manager to enter into a contract with Claunch & Miller for these professional services.

Discussion was had regarding the detail of the consulting services and to what extent these services will satisfy the needs of the City. Mr. Brown introduced Claunch & Miller representative Rich Gallegos to address the questions of Council. City Manager Castro told Council that Claunch & Miller has worked on several projects with neighboring cities experiencing these same issues and has been successful, which is one of the reasons this firm was being recommended for this project. Mr. Gallegos told Council about their experience, explaining that they have done similar projects for Piney Point and the City of Bellaire wherein Ordinances were reviewed and codes were rewritten to resolve the issues. Council discussed with the Consultant the concern for existing homes, "tear downs," and re-constructions. Mr. Gallegos explained that his firm has experience with these exact situations and the study will look at all solutions to see what remedy will work best for the City of Jersey Village. There was also discussion about the need for an engineering analysis in addition to any remedy that may be implemented. Mr. Gallegos explained that the study will reveal what is needed. Council also discussed when the next FEMA flood re-mapping will take place and the possibility of halting the issuance of permits until these new regulations are put in place. Mr. Gallegos explained that the study is slated to be complete in December 2010.

Council Member Erskine moved to approve Resolution No. 2010-48, authorizing the City Manager to enter into an agreement with Claunch & Miller for engineering and consulting services related to developing alternative code requirements that resolve floodplain and storm water runoff issues within the City of Jersey Village and insure ordinance compatibility with other codes in the Jersey Village Code of Ordinances. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

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The motion carried.

RESOLUTION NO. 2010-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CLAUNCH & MILLER FOR ENGINEERING AND CONSULTING SERVICES RELATED TO DEVELOPING ALTERNATIVE CODE REQUIREMENTS THAT RESOLVE FLOODPLAIN AND STORM WATER RUNOFF ISSUES WITHIN THE CITY OF JERSEY VILLAGE AND INSURE ORDINANCE COMPATIBILITY WITH OTHER CODES WITHIN THE JERSEY VILLAGE CODE OF ORDINANCES.

- 4. Consider Ordinance No. 2010-35, amending the City's budget for the fiscal year beginning October 1, 2009 and ending September 30, 2010, by allowing for the allocation of \$50,000 from General Fund balance to line item 01-30-5515 for engineering and consulting services related to developing alternative code requirements that resolve floodplain and storm water runoff issues.**

Michael Brown, Director of Parks and Recreation presented the item for Danny Segundo, Director of Public Works. He told Council that approval of this Ordinance is necessary to appropriate the monies to fund the engineering and consulting services approved in the prior agenda item.

Council Member Berube moved to approve Ordinance No. 2010-35, amending the City's budget for the fiscal year beginning October 1, 2009 and ending September 30, 2010, by allowing for the allocation of \$50,000 from General Fund balance to line item 01-30-5515 for engineering and consulting services related to developing alternative code requirements that resolve floodplain and storm water runoff issues. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-35

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

- 5. Consider Ordinance No. 2010-36, amending the City of Jersey Village fiscal year 2009-2010 annual budget by allowing for the allocation of \$2,676,835.19 from the**

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Jones Road Fund Balance to various line items for the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project.

Michael Brown, Director of Parks and Recreation presented this item for Danny Segundo, Director of Public Works. He told Council that the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project is underway and approval of this Ordinance is necessary in order to allocate the monies in the appropriate line items in order to accommodate project costs.

With limited discussion on this item, Council Member Erskine moved to approve Ordinance No. 2010-36, amending the City of Jersey Village fiscal year 2009-2010 annual budget by allowing for the allocation of \$2,676,835.19 from the Jones Road Fund Balance to various line items for the Jones Road Street, Drainage, Water, and Sanitary Sewer Improvements Project. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-36

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

6. Consider Resolution No. 2010-49, authorizing the relocation and the addition of red light cameras in the City of Jersey Village.

Charles Wedemeyer, Chief of Police, introduced the item. He told Council that the City of Jersey Village entered into an agreement on August 20, 2007 with American Traffic Solutions, Inc. for Red light cameras services. The cameras were installed at nine locations throughout the City.

He told Council that in order to allow for expansion of this program, the following changes are requested:

1. Allow A.T.S. to shut down on existing red light camera (JV01), that is currently monitoring southbound traffic on Senate Avenue at US290 west bound service road, and move that camera and equipment at their expense to establish one new red light camera location at FM 529 and US290 eastbound service road under the railroad overpass that will monitor northbound traffic on FM 529 at the US290 eastbound service road intersection.

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2. Allow A.T.S. to add one additional red light camera at West Road and US290 westbound service road that will monitor westbound traffic on US290 service road at the West Road intersection.

Council engaged in discussion about the location of the various cameras and the number of citations produced by the cameras. City Manager Castro explained that it takes a minimum of four to five citations per day for a camera to pay for itself.

Council Member Haverty moved to approve Resolution No. 2010-49, authorizing the relocation and the addition of red light cameras in the City of Jersey Village. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE RELOCATION AND THE ADDITION OF RED LIGHT CAMERAS IN THE CITY OF JERSEY VILLAGE.

7. **Consider Resolution No. 2010-50, approving redemption of outstanding Series 2000 Waterworks and Sewer System Revenue Bonds.**

Isabel Kato, Finance Director, introduced the item. She told Council that the City's financial advisor, Ryan O'Hara, was asked to prepare a report concerning the refinancing of the City's debts. In concluding his review, he suggested that the City consider redeeming the Series 2000 Water and Sewer bonds. This cash redemption will save the City \$90,000 in future interest payments. Ms. Kato explained that the City is currently earning approximately 1% on the cash invested.

Therefore, in accordance with Mr. O'Hara's recommendation, the Finance Department is requesting a transfer of \$601,100 from the General Fund to the Utility Fund in order to redeem the Water and Sewer long-term debt. Subsequently, the Utility Fund will reimburse the General Fund in fiscal year 2010-2011 the amount of approximately \$101,000 and for the subsequent five fiscal years \$100,000 each year until the total debt is paid.

Discussion was had by Council that the assumptions in recommending this redemption are that interest rates will stay low. There was also discussion about the possibility of having another bond issue without affecting the bond rating because these bonds are paid off. City Manager Castro explained that the redeeming of these bonds will most likely not have an effect on a bond election because these bonds are Water and Sewer Fund related, not general fund; and therefore, does not free up that much bonding capacity.

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Mr. Castro explained that while the city is not in a bad position, it is highly leveraged in general obligation debt.

Council Member Maloy moved to approve Ordinance No. 2010-37, amending the City of Jersey Village fiscal year 2009-2010 annual budget by allowing for the allocation of \$601,100 for the redemption of the Series 2000 Water and Sewer Bonds of the City of Jersey Village. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING REDEMPTION OF OUTSTANDING SERIES 2000 WATERWORKS AND SEWER SYSTEM REVENUE BONDS.

- 8. Consider Ordinance No. 2010-37, amending the City of Jersey Village fiscal year 2009-2010 annual budget by allowing for the allocation of \$601,100 for the redemption of the Series 2000 Water and Sewer Bonds of the City of Jersey Village.**

Isabel Kato, Finance Director, introduced the item. She explained that this item is to appropriate the funds for the redemption of the Series 2000 Water and Sewer Bonds of the City of Jersey Village.

Council Member Klein moved to approve Ordinance No. 2010-37, amending the City of Jersey Village fiscal year 2009-2010 annual budget by allowing for the allocation of \$601,100 for the redemption of the Series 2000 Water and Sewer Bonds of the City of Jersey Village. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-37

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

- 9. Consider Ordinance No. 2010-38, amending the City of Jersey Village fiscal year 2009-2010 annual budget by allowing for the allocation of \$200,000 into the Utility Fund for the payment water purchased from the City of Houston.**

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Isabel Kato, Finance Director, presented the item for Danny Segundo, Director of Public Works. She told Council that this allocation is necessary due to an increase in water purchased from the City of Houston.

After limited discussion on this item, Council Member Erskine moved to approve Ordinance No. 2010-38, amending the City of Jersey Village fiscal year 2009-2010 annual budget by allowing for the allocation of \$200,000 into the Utility Fund for the payment water purchased from the City of Houston. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-38

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE UTILITY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; AND PROVIDING FOR SEVERABILITY.

10. Consider Resolution No. 2010-51, accepting Harris County Flood Control's invitation to participate in the final design stages of the 43-Acre Detention Facility located in the City of Jersey Village.

Michael Brown, Director of Parks and Recreation, introduced the item. He told Council that in March 2001, the City entered into an Inter-local Agreement with Harris County Flood Control that allowed the City to use and maintain this facility as a temporary recreational facility.

In 2007, City Council appointed the Parks Review Committee to review all the city parks and make a recommendation on the amenities that should be placed in all city parks, including the 43-Acre Detention Facility. The Parks Review Committee recommended the installation of 6ft wide crushed granite trail, along with picnic tables and park benches. At this time City Council approved \$500,000 in the CIP budget for the development of the 43-Acre Detention Facility.

Harris County Flood Control recently contacted City Staff and advised that they are ready to start the final design stages of the 43-Acre Detention Facility and is inviting the City to participate. This will include design and layout of the jogging trail and any other amenities the City wishes to have installed in this facility, as well as bidding and inspections of the project.

Discussion was had regarding the plans for this area and the time frame for this work. Council wanted to know if the City's position of the work on the detention pond would

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be ready in time to expend funds during the 2010-2011 budget year. Mr. Brown stated that once the work begins, it is estimated to take at least one year to dig out the detention pond. This item is to obtain a commitment on behalf of the City in order that Harris County Flood Control can draw up an Interlocal Agreement for the project that will be brought back to the Council for approval.

Mr. Brown explained that the plan for the Detention Pond area will take into consideration the recommendations that were handed down by the Parks Review Committee. Mayor Hamley stated that he would like to be involved in the planning/design phase of the project. There was discussion about the CenterPoint power lines and what can be built underneath these lines.

Council Member Berube moved to approve Resolution No. 2010-51, accepting Harris County Flood Control's invitation to participate in the final design stages of the 43-Acre Detention Facility located in the City of Jersey Village. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ACCEPTING HARRIS COUNTY FLOOD CONTROL'S INVITATION TO PARTICIPATE IN THE FINAL DESIGN STAGES OF THE 43-ACRE DETENTION FACILITY LOCATED IN THE CITY OF JERSEY VILLAGE.

- 11. Receive the Final Report from the City of Jersey Village Planning and Zoning Commission containing recommendations on proposed amendments to the City's comprehensive zoning ordinance concerning: (1) the placement of pawnshops in a newly created District J1 only; and (2) the creation of a motor vehicle sales overlay district along the US 290 corridor, with additional language to allow for amortization of resulting non-conforming uses.**

Debra Mergel, Planning and Zoning Chairman, gave the Final City of Jersey Village Planning and Zoning Commission Report containing recommendations on proposed amendments to the City's comprehensive zoning ordinance concerning: (1) the placement of pawnshops in a newly created District J1 only; and (2) the creation of a motor vehicle sales overlay district along the US 290 corridor, with additional language to allow for amortization of resulting non-conforming uses.

She explained to Council that after considering the information gathered in prior Planning and Zoning Meetings and the information learned at the Joint Public Hearing, the members of the Commission have compiled and submit their final report.

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Ms. Mergel told Council that there were no changes made to the pawnshop ordinance and it remains in the same form as was presented to Council in the Preliminary Report. However, she stated that the Commission did make changes to the Motor Vehicle Sales Overlay District.

Ms. Mergel told Council that the boundaries of the overlay district were amended from the boundaries that were presented in the preliminary report in order that parcels of land from three (3) additional owners (Joe Myers, Shelton Vaughn and Kensinger Properties) are included in the motor vehicle sales overlay district. Chairman Mergel also stated that the amortization period was extended from two (2) to three (3) years and owners needing more time to re-coop investments under the amortization process were given additional time to effect an appeal to the Board of Adjustment.

Council engaged in discussion concerning the car lots on Jones Road and the amortization process. The proposed ordinance provides that a motor vehicle sales business located outside the newly created motor vehicle sales overlay district in existence when the ordinance passes will be considered a “nonconforming use” and as such will have three (3) years to bring the property into conformance with the requirements of the ordinance. The “three (3) year requirement” establishes the time frame for which the property owner may use the property as a non-conforming, and it also affords the property owner the allotted amount of time in which to re-coop any investment had in the use, structures, or buildings. This “re-cooping of the investment” is the amortization process.

Council also engaged in discussion about the use of existing ordinances and how these ordinances could be used to resolve the issue. City Attorney Williams explained that businesses cannot be singled out in what is called “spot zoning.” Accordingly, the Planning and Zoning Commission reviewed the map of the City and taking into consideration the areas suitable for motor vehicle sales, the recommendation was made for the creation of a motor vehicle sales overlay district. The City Attorney also explained the concept of amortization and told Council that the proposed ordinance provided for an appeal of the three (3) year time frame for those businesses that might need more time in which to re-coop their investment.

There was discussion about the types of businesses that will be permitted if the ordinance is passed, namely an auto repair shop. The City Attorney explained that the proposed ordinance prohibits repairs that are incidental to a motor vehicle sales business; however, it does not address auto repair business. Therefore, the rules and regulations for the underlying district apply, and these remain unchanged.

There was further discussion on the lots that were included in the changes that the Planning and Zoning Commission made in its final report. The map that was submitted with the report was reviewed and the changes were indicated. There was concern that the Joe Myers Property and the Shelton Vaughn property (both mentioned during the public hearing) were

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not included. Planning and Zoning Chairman, Debra Mergel confirmed that these parcels of land were now included in the proposed motor vehicle sales overlay district.

- 12. Consider Ordinance No. 2010-39, amending the Code Of Ordinances of the City Of Jersey Village, Texas, Chapter 14, Building and Development, by adding to Section 14-5 new definitions of “retail shops and trade” and “pawnshop”; amending Section 14-81 to create a new district J-1; adding to Article IV a new Section 14-109.1 establishing regulations for the new district J-1 to permit the operation of pawnshops in that district; and authorizing amendment of the official zoning map of the City Of Jersey Village, Texas, to show the boundaries of the new district J-1.**

Mayor Hamley read the item and called for Council discussion. Council engaged in discussion about the number of pawnshops permitted and the distance that state law require between the locations of these pawnshops. Chairman of the Planning and Zoning Commission, Debra Mergel, explained to Council that State Law requires that a City specify a zoning district for pawnshops and that is what the creation of this new district J1 accomplishes. City Attorney Williams addressed the distance requirements.

With no further discussion on the item, Council Member Haverty moved to approve Ordinance No. 2010-39, amending the Code Of Ordinances of the City Of Jersey Village, Texas, Chapter 14, Building and Development, by adding to Section 14-5 new definitions of “retail shops and trade” and “pawnshop”; amending Section 14-81 to create a new district J-1; adding to Article IV a new Section 14-109.1 establishing regulations for the new district J-1 to permit the operation of pawnshops in that district; and authorizing amendment of the official zoning map of the City Of Jersey Village, Texas, to show the boundaries of the new district J-1. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube and Haverty

Nays: Council Members Erskine, Maloy, and Klein

The motion failed.

ORDINANCE NO. 2010-39 - FAILED

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 14, BUILDING AND DEVELOPMENT, BY ADDING TO SECTION 14-5 NEW DEFINITIONS OF “RETAIL SHOPS AND TRADE” AND “PAWNSHOP”; AMENDING SECTION 14-81 TO CREATE A NEW DISTRICT J-1; ADDING TO ARTICLE IV A NEW SECTION 14-109.1 ESTABLISHING REGULATIONS FOR THE NEW DISTRICT J-1 TO PERMIT THE OPERATION OF PAWNSHOPS IN THAT DISTRICT; AUTHORIZING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF JERSEY VILLAGE, TEXAS, TO SHOW THE BOUNDARIES OF THE NEW DISTRICT J-1; CONTAINING OTHER FINDINGS AND PROVISIONS RELATING TO THE

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SUBJECT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

- 13. Consider Ordinance No. 2010-40, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by adding to Section 14-5 a new definition of "motor vehicle sales"; amending Section 14-81 to add a new subsection (13); establishing a motor vehicle sales overlay district and authorizing revision of the official zoning map as set out in Section 14-82; adding a new section 14.111 relating to a motor vehicle sales overlay district, and establishing an amortization period for nonconforming uses; and amending Section 14-22 to provide for appeal to the Board of Adjustment.**

Mayor Hamley read the item and called upon Danny Segundo, Director of Public Works who had nothing to add. City Secretary, Lorri Coody, pointed out to Council that the vote for this item would be for Consideration of the proposed ordinance presented to Council in the Planning and Zoning Commissions' Final Report and not the proposed amendment that was included in the council packet.

Mayor Hamley clarified the document being discussed stating that the caption has not changed but information in the body of the document has changed. Danny Segundo, Director of Public Works, added that the amortization period has changed from two (2) years to three (3) years, the map depicting the boundaries has changed as it now reflects the addition of those properties discussed during the public hearing, and the time period for the appeal to the Board of Adjustment has changed, giving appellants more time.

Council Member Berube moved to approve Ordinance No. 2010-40, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by adding to Section 14-5 a new definition of "motor vehicle sales"; amending Section 14-81 to add a new subsection (13); establishing a motor vehicle sales overlay district and authorizing revision of the official zoning map as set out in Section 14-82; adding a new section 14.111 relating to a motor vehicle sales overlay district, and establishing an amortization period for nonconforming uses; and amending Section 14-22 to provide for appeal to the Board of Adjustment, as amended in the P&Z final report. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube and Haverty

Nays: Council Members Klein and Erskine

Abstain: Council Member Maloy

Having a "tie vote," in accordance with Article II, Section 2.05 of the City's Charter, the Mayor's vote follows:

Aye: Mayor Hamley

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The motion carried.

ORDINANCE NO. 2010-40

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, THE JERSEY VILLAGE DEVELOPMENT CODE, BY ADDING TO SECTION 14-5 A NEW DEFINITION OF "MOTOR VEHICLE SALES"; AMENDING SECTION 14-81 TO ADD A NEW SUBSECTION (13); ESTABLISHING A MOTOR VEHICLE SALES OVERLAY DISTRICT AND AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP AS SET OUT IN SECTION 14-82; ADDING A NEW SECTION 14.111 RELATING TO A MOTOR VEHICLE SALES OVERLAY DISTRICT, AND ESTABLISHING AN AMORTIZATION PERIOD FOR NONCONFORMING USES; AMENDING SECTION 14-22 TO PROVIDE FOR APPEAL TO THE BOARD OF ADJUSTMENT; CONTAINING OTHER FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

- 14. Discuss and take appropriate action concerning the naming of a proposed development project that may result upon completion of the Transit Oriented Development Feasibility Study, for the property located south of Highway 290, proximate to the Jones Road Extension in the City of Jersey Village.**

Curtis Haverty, Council Member, introduced the item. He gave background information about the Transit Oriented Development (TOD) Project and stated that since the feasibility study is nearing completion, he would like to have a name for this project/area other than the Jersey Village TOD. He stated that he was open for suggestions on how this name should come about, but perhaps citizen involvement is appropriate.

Council engaged in discussion about the amount of work that has been done on the TOD and that in the beginning it looked as if the City would have a development with a rail stop; however, at this time in the project, it is becoming more evident that while a rail stop may still be a possibility, it will come much later rather than sooner and as a result, referring to this area as a TOD may be misleading. There was discussion about what TOD means. Some felt that TOD meant a development that was pedestrian friendly and not one that was necessarily connected to actual transportation such as commuter rail.

Council discussed methods for getting the public involved. Some members felt that it might take too long and cost too much and that getting the Planning and Zoning Commission involved might be a better remedy.

Council Member Haverty moved that Council accept invitations from the public for the possible name by next month or the preceding month that Council will agree upon for a

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naming of that area to be developed. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

15. Discuss and take appropriate action concerning traffic issues along Village Drive.

Curtis Haverty, Council Member, introduced the item. He stated that the parked cars along this roadway present a traffic hazard and he would like to have the City Manager and staff research methods for resolving the issue. In order to evoke discussion, Council Member Haverty moved to authorize the City Manager to conduct discussions with the property owners, government entities, and contractors in order to determine the feasibility of widening Village Drive. Council Member Berube seconded the motion.

Council engaged in discussion. City Manager Castro was not clear on the meaning or desire of Council in terms of the motion. He mentioned that the motion seemed to be larger than the remedies discussed in the budget meetings. Council also spoke about the 2003 Bond monies, with one member stating his position that these funds be used for residential streets and not a new project for parking.

The street dynamics of Village Drive were discussed. It was mentioned that Village Drive is too narrow in front of the town homes and residents actually park there, especially during “high traffic volume” periods in order to slow the speed of those traveling along the roadway.

Council also discussed potential options for resolving this issue. Discussion was had about no parking signs, widening the road and the need for easements from the Harris County Flood Control, the purchase of Mr. Farb’s land to be used in the construction of a parking lot, and a few other traffic solutions.

Council Member Haverty explained that the motion is to review ideas and come up with solutions for calming the traffic. Mr. Castro stated that the issue seems to be the parked cars on Village Drive are a hazard, yet removing these cars, in his opinion, seems to conflict with traffic calming, as the cars currently serve as a deterrent to speeders.

There was further discuss about the City has no responsibility to provide parking and this might be the least costly, to just prohibit the parking altogether. This notion prompted discussion that the real issue parking on this street is only when the parking occurs during “high volume” periods.

With no further discussions on this matter, Mayor Hamley called for a vote on the motion. The vote follows:

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Ayes: Council Member Haverty

Nays: Council Members Berube, Erskine, Maloy, and Klein

The motion failed.

16. Discuss and take appropriate action concerning a grant application for the Assistance to Fire Grant program, SAFER section which pertains to recruitment and retention of personnel in the fire service.

Curtis Haverty, Council Member, introduced the item, explaining the grant criteria to Council. He told Council that basically the grant provides for 2 full-time employees and requires no match from the City. The Grant deadline is September 17, 2010 and is almost identical to the grant for which the police department was recently given authorization to apply. Council Member Haverty would like authorization to apply for the grant without conducting a staffing analysis so as not to miss the grant filing deadline, but provide the staffing analysis later. Council engaged in discussion on what would be included in the grant application. Council Member Haverty did not know at this time, but stated possibly a full time paramedic.

City Manager Castro voiced his concerns. He stated that the grant, if awarded, benefits the City with two years without having to pay for these added positions, but obligates the City to pay for the third year. Mr. Castro's concern is that typically government positions do not terminate, so after the third year, it is his opinion that these added positions would not end. Therefore, the City is obligating itself to future expenditures that equate to structural deficit and burden for the City. Furthermore, City Manager Castro stated he is not convinced there is a need for these employees.

Council engaged in discussion concerning the current staffing and the problems encountered. Chief Bitz explained the staffing in his department and stated that calls are being made. He stated that currently there are no openings and there are no problems. Basically, he told Council that staffing is dependent upon the availability of part-time staff.

Council Member Haverty clarified that the request is not for staffing; rather it is to study the staffing to see if the City should proceed with the grant to fill these positions.

Council Member Haverty moved that the Fire Chief perform a staffing analysis to determine if adding any additional full-time positions will benefit the fire department sufficiently to justify submitting a 2010 Safer Grant Application, and if the study is approved that the City Manager suggest a method on how he would like to proceed. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Member Haverty

Nays: Council Members Berube, Erskine, Maloy, and Klein

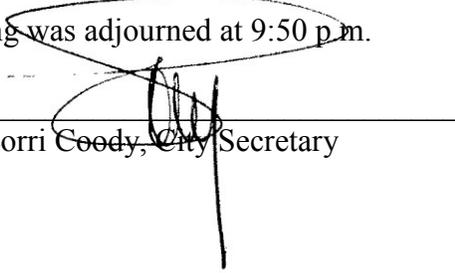
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The motion failed.

J. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:50 p.m.





Lorri Coody, City Secretary

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 20, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Curtis Haverty	
Council Member, Mark Maloy	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks.

Planning and Zoning Members in attendance:

Debra Mergel, Vice Chairman	Michael O'Neal, Commissioner
Barbara Freeman, Commissioner	Tom Eustace, Commissioner
Harry Beckwith, III, Commissioner	Justin Ray, Commissioner

Commissioner Rick Fairecloth was not present.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

- 1. Prayer and Pledge by: Council Member Curtis Haverty**

C. PROCLAMATIONS

- 1. Proclamation recognizing Tuesday, October 5, 2010 as National Night Out in Jersey Village to provide a unique opportunity for the City of Jersey Village to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts.**

Mayor Hamley read the proclamation and presented it to Chief Charles Wedemeyer of the Jersey Village Police Department.

D. FISCAL 2010-2011 MUNICIPAL BUDGET ITEMS

- 1. Conduct a public hearing on the City of Jersey Village municipal budget for fiscal year 2010-2011.**
 - a. Receive presentation pertaining to the City of Jersey Village municipal budget for fiscal year 2010-2011. *Mike Castro, City Manager***

Mayor Hamley opened the public hearing at 7:06 p.m. in order to give all interested parties the right to appear and be heard on the proposed fiscal year 2010-2011 Municipal

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budget. He advised those in attendance that City Manager Castro would give a short presentation concerning the municipal budget and then public comments would be had.

City Manager Castro gave his presentation which included information on the following topics:

- Revenues Vs. Expenditures Graph
- Revenues and Expenditures, including Supplementals
- Structured Deficit
- FY 09-10 Accomplishments
- Project General Fund Revenues
- Assessed Valuations – FY 04 through FY 10
- Property Tax Rate
- Sales Tax Trend – FY 07 through FY 10
- Franchise Fees, Service Fees, and Fines
- Supplementals
- Compensation
- Utility Fund
- Budget Calendar

In completing his presentation, City Manager Castro fielded questions concerning proposed increases in health care costs and staffing needs, and answered accordingly.

Council engaged in discussion about the 2% COLA increase for staff. The City Manager was asked to clarify what was included in the \$107,000 amount that is being tagged as the 2% COLA increase. The concern was that this amount does not include the increases that will result on the benefits side of the salary equation once the 2% COLA is implemented. Finance Director, Isabel Kato explained that the \$107,000 amount for the 2% COLA does take into consideration other increases that will result such as increases in FICA and TMRS benefits.

With one (1) person having signed up to speak at this hearing, the Mayor called:

Jim Fields, 16413 St. Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields spoke to council about his budget concerns. He stated that when he attended the budget work sessions, he felt that council, in planning for the 2010-2011 budget, gave no consideration for:

- A. Staffing layoffs to promote savings;
- B. Increasing efficiency by reducing redundancy;
- C. Eliminating compensation increases;
- D. Placing the plans for the TOD on hold;
- E. Stopping increases on taxes;
- F. Purchasing used instead of new equipment;
- G. Repairing instead of purchasing equipment; and
- H. Increasing code enforcement to increase property values.

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With no other person signing up to speak at this public hearing, Mayor Hamley closed the public hearing at 7:39 p.m.

2. Discuss and take appropriate action concerning any final changes to the proposed 2010-2011 Municipal Budget.

Mayor Hamley called the item and opened the item up for discussion.

One member of the Council felt that the revenue to be had from sales tax during the next budget year is not likely to increase and as a result expressed a desire to approve a budget that postpones capital improvements not necessary, postpones plans for the TOD, and only completes capital improvement items necessary to fulfill the Jones Road Extension Project.

Council discussed the methods used by staff to forecast tax revenues. City Manager Castro explained that most of this projection work is done by the Harris County Tax Appraisal District, with the key values being those found in the certified tax rolls. In order to receive these certified roll values, 90% of the properties must be certified. The 90% level is not typically reached until September, although the rules state that cities are to receive these values in July. Therefore, most of the forecasting is done on early estimates provided by the appraisal district. In order to get a 5 year projection, a 3% multiplier is applied.

Upon completing the discussions for this item, no motions were made to make any final changes to the proposed 2010-2011 Municipal Budget.

3. Consider Ordinance No. 2010-41, adopting the City of Jersey Village municipal budget for fiscal year 2010-2011.

Finance Director, Isabel Kato explained that Section 102-007 of the Local Government Code requires that upon conclusion of the public hearing on the municipal budget, Council shall take action on the proposed budget.

She explained that Council has held the public hearing on the proposed budget for fiscal year 2010-2011 and the proposed budget has been filed with the City Secretary. Accordingly, Mrs. Kato recommends that the budget be adopted.

Council Member Berube moved to approve Ordinance No. 2010-41, adopting the municipal budget for fiscal year 2010-2011. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

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ORDINANCE NO. 2010-41

AN ORDINANCE APPROVING AND ADOPTING THE BUDGET OF THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010; MAKING APPROPRIATIONS AS REFLECTED IN SAID BUDGET; MAKING CERTAIN FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

- 4. Consider Resolution No. 2010-52, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code, acknowledging there is no need for the two public hearings identified in Section 26.05(d), and setting October 18, 2010 at 7:00 PM as the date and time to adopt the proposed tax rate.**

Finance Director, Isabel Kato explained that Section 26.04 of the Tax Code requires that the Jersey Village Tax Assessor:

- Submit the appraisal roll showing the total appraised, assessed, and taxable values of all property and the total taxable value of new property for the City of Jersey Village;
- Certify the current year estimated collection rate and the amount of debt taxes collected in previous year in excess of the current year's anticipated amount of collections; and
- Calculate and submit the effective tax rate and rollback tax rate.

Mrs. Kato explained that this item accomplishes these tasks. She also explained since this year's proposed tax rate (.7425) does not exceed the effective tax rate, it is not necessary to conduct two public hearings and the motion to adopt the ordinance setting the tax rate does not require the language about "tax increase" as stated in Section 26.05(b) of Property Tax Code.

Mrs. Kato explained that the Tax Code in Section 26.05 requires a taxing unit to adopt its tax rate by the 60th day after the unit receives the certified appraisal roll. The City of Jersey Village received the certified appraisal roll on August 31, 2010; which means that the tax rate should be adopted before October 31, 2010.

Council Member Berube moved to approve Resolution No. 2010-52, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code, acknowledging there is no need for the two public hearings identified in Section 26.05(d), and setting October 18, 2010 at 7:00 PM as the date and time to adopt the proposed tax rate. Council Member Haverty seconded the motion.

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Discussion was had on clarifying that not only is Council acknowledging there is no need for two public hearings as identified in Section 26.05(d), Council is agreeing not to conduct these public hearings. Accordingly, Council Member Erskine moved that Council not conduct the two public hearings as identified in Section 26.05(d). Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

Mayor Hamley then called for the vote on the original motion made by Council Member Berube to approve Resolution No. 2010-52, receiving the Jersey Village Tax Assessor's statutory certifications, submissions, and calculations under Section 26.04 of the Tax Code, acknowledging there is no need for the two public hearings identified in Section 26.05(d), and setting October 18, 2010 at 7:00 PM as the date and time to adopt the proposed tax rate and seconded by Council Member Haverty. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE JERSEY VILLAGE TAX ASSESSOR'S STATUTORY CERTIFICATIONS, SUBMISSIONS, AND CALCULATIONS UNDER SECTION 26.04 OF THE TAX CODE; ACKNOWLEDGING THERE IS NO NEED FOR THE TWO PUBLIC HEARINGS IDENTIFIED IN THE TAX CODE AT SECTION 26.05(D); AND SETTING OCTOBER 18, 2010 AT 7:00 PM AS THE DATE AND TIME TO ADOPT THE PROPOSED TAX RATE.

E. CITIZENS COMMENTS

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

Robert Karlin, 16548 Village Drive, Jersey Village, Texas (281) 293-2348 – Mr. Karlin spoke to Council concerning the item about placing “No Parking Signs” along Village Drive and about speeding. He told Council that while he wants the cars to slow down as they pass in front of his home on Village Drive, the residents that live in these homes have very little parking space. He

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explained that the homes do have a two (2) car garage, but the driveway comes off the garage into a single car entry. He owns four (4) cars, but only has three (3) places to park those cars, resulting in the parking of one (1) car along the street. He agrees that it inhibits traffic. He also told Council that there are four (4) basic entrances into the City of Jersey Village with Village Drive being one of them and it is the narrowest of all the entrances to the City. The problem is that this street, while it is heavily traveled, is not wide enough and the homes built along this street do not have the space either.

Jim Fields, 16413 St. Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields passed and did not address Council when his name was called.

Allen Bammel, 15301 Clevedon Lane, Jersey Village, Texas (713) 466-0626 – Mr. Bammel passed and did not address Council when his name was called.

Jeff Kopecky, 16125 DeLozier, Jersey Village, Texas (713) 845-2918 – Mr. Kopecky spoke to Council about Code Enforcement. He stated that the same yards that were not in compliance in the spring are still not in compliance and it is fall. He told Council that he has seen a home that has had a trash container in the driveway for over a year and there are homes with boats and trailers and too many other violations. He wants the city cleaned up.

Don Felts, 18410 E. Paloma Drive, Houston, Texas (832) 372-0112 – Mr. Felts owns the property at 8131 Jones Road and rents this property for income. He explained to Council that his tenant has had problems with the City since beginning his business. He would like Council to reconsider the Ordinance.

Mary Felts, 18410 E. Paloma Drive, Houston, Texas (832) 372-0112 - Ms. Felts owns the property at 8131 Jones Road. It is rent property and was purchased back in 1960. She told Council that she has been a compliant tax payer for many years; and that she did not know that this Ordinance was being considered, as she was never contacted. She stated that she would like the opportunity to work with the City in cleaning up the property, and she would like to have the ordinance reconsidered.

Abe Razmandi, 8235 Jones Road, Jersey Village, Texas (713) 937-1937 – Mr. Razmandi spoke to Council about his business located on Jones Road. He bought the property in 2000 and has made significant investments into the property. He gave “before” and “after” pictures for Council to view. He would like Council to reconsider the ordinance.

Wes Lansdale, 17000 NW Freeway, Jersey Village, Texas (7281) 770-8291 – Mr. Lansdale spoke to Council about his lot that is located behind the Church off of US 290. He stated that his lot is the only lot along US 290 that was excluded from the overlay district. He told Council that he had a buyer for his property prior to the passing of this Ordinance, and now the deal may fall through as a result of the passage of this ordinance. He does not understand why his property was excluded, as there are properties next door and up the street that were included, but his was excluded. His property has been used for auto sales for many years.

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F. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. The items below were included.

In connection with the Code Enforcement Report, Council engaged in discussion about a home located on Lakeview just off Jersey Drive wherein the yard has been in disrepair all summer. Council Member Berube reported that this home was in foreclosure. Code Enforcement Officer, Gordon Gibson reported that he had been in contact with the bank concerning the property and has made arrangements for someone to mow the property within the next 7 days. After that, the bank has committed to mowing it every 16 days.

Mr. Gibson reported that prior to this arrangement, the property has been empty for quite some time, and as a result, the city has mowed and edged the lawn a few times. Discussion was had about a home on Wall Street and Rio Grande that had similar issues. Staff was going to check if the City had been reimbursed for the services that were provided.

In addition to discussing the upkeep of homes going into foreclosure, Council also discussed the 20 foot dumpster situated at a home on Shanghai. Staff explained that currently, no ordinance prohibits this type dumpster. There was also discussion about operating businesses where businesses are not zoned, Golf Course Revenue, and tree trimming along city streets.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report and Budget Projections as of August 2010.**
- 2. Departmental Request Report and Open Records Request, and Solicitor’s Permit Requests**
- 3. Fire Departmental Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report and Staffing/Recruitment Report.**
- 5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, Municipal Citations within Residential Area Report, and Court Proceeds Comparison Report.**
- 6. Public Works Departmental Report, Jones Road Construction Up-Date Detail Report, and Jones Road Construction Update Summary**
- 7. Combined Monthly and Annual Mileage Report**
- 8. Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
- 9. Report from Code Enforcement**
- 10. Capital Improvements Projects Report**
- 11. White Oaks Bayou Capital Improvements Projects Report**

G. CONSENT AGENDA

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested

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by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

- 1. Consider approval of the Minutes for the Special Session Meeting held August 23, 2010.**
- 2. Consider Resolution No. 2010-53, authorizing the City Manager to enter into a contract with Harris County, Texas to provide fire protection services to Fire Protection Zone 38.**

RESOLUTION NO. 2010-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HARRIS COUNTY, TEXAS TO PROVIDE FIRE PROTECTION SERVICES TO FIRE PROTECTION ZONE 38.

- 3. Consider Resolution No. 2010-54, authorizing the City Manager to enter into a contract with Riley Distributing L.L.C. for Inmate Telecommunications and Service.**

RESOLUTION NO. 2010-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RILEY DISTRIBUTING, LLC FOR INMATE TELECOMMUNICATIONS AND SERVICE.

- 4. Consider Ordinance No. 2010-42, amending Chapter 34 of the Code of Ordinances of the City of Jersey Village, Texas, Health and Sanitation, by adding a Section 34-38 to adopt sanitary regulations for the protection of drinking water wells and for other findings and provisions relating to the subject.**

ORDINANCE NO. 2010-42

AN ORDINANCE AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, HEALTH AND SANITATION, BY ADDING A SECTION 34-38 TO ADOPT SANITARY REGULATIONS FOR THE PROTECTION OF DRINKING WATER WELLS; CONTAINING OTHER FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

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

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

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Nays: None

The motion carried.

H. REGULAR AGENDA

1. Consider Resolution No. 2010-55, appointing Travis Clay as Reserve Police Officer with the City of Jersey Village Police Department.

Chief of Police, Charles Wedemeyer presented the item. He explained that Travis Clay has completed the necessary steps and is being presented for appointment as a Reserve Officer with the City of Jersey Village Police Department. This Resolution is to make the appointment.

Council Member Berube moved to approve Resolution No. 2010-55, appointing Travis Clay as Reserve Police Officer with the City of Jersey Village Police Department. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING TRAVIS CLAY AS RESERVE POLICE OFFICER WITH THE CITY OF JERSEY VILLAGE POLICE DEPARTMENT.

2. Administer Oath to Reserve Police Officer, Travis Clay and presentation of the officer's badge by Chief of Police, Charles Wedemeyer.

Chief of Police, Charles Wedemeyer administered the oath to Reserve Officer, Travis Clay and presented Officer Clay with his City of Jersey Village Police Department Officer's Badge.

Mayor Hamley called item 8 on the agenda out of order as follows:

8. Discuss and take appropriate action regarding the passage of Ordinance No. 2010-40, which amended the City of Jersey Village's Comprehensive Zoning Ordinance by creating a Motor Vehicle Sales Overlay District.

Mayor Hamley opened the item by explaining that there may have been some confusion among the Council Members during last month's vote on Ordinance 2010-40. With this announcement, he called upon Council Member Erskine who presented the item. Council Member Erskine told Council that the vote on Ordinance 2010-40 resulted in a tie which was broke by the Mayor and the Ordinance passed. As a result, he stated that there may be some sentiment among the Members of Council to amend/modify the Ordinance. He

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reminded Council that he initiated this action back in the spring of this year due to concern for the increasingly poor appearance of the car lot properties along this section of Jones Road. His objective was to beautify, but the City's current ordinances were not able to accomplish this objective. The idea of an overlay district was pursued, and this was a good idea. However, the objective was that the resulting non-conforming use properties would remain non-conforming until they changed hands. The intent was always beautification and not to put people out of business.

Discussion was had concerning the overlay district solution. This was the best solution and it is not necessarily true that it puts people out of business as the ordinance change did include an amortization process, giving property owners time to re-coop the investment in property use as well as an appeal option to obtain more time in which to re-coop the investment.

There was also discussion about what will happen when Council must make decisions about the code changes necessary to implement the TOD area. There was some sentiment among council that if an agreement could not be reached about the overlay district, that perhaps, the TOD code decisions may have difficulty passing.

Council Member Erskine moved that staff initiate the processes required by our charter to enable Council to vote at a future meeting on Ordinance 2010-40 either as written, or modified by the P&Z Committee to incorporate requested changes. Council Member Berube seconded the motion.

Council engaged in discussion on the meaning of the motion. Council Member Erskine explained he expects to either revise the current Ordinance 2010-40 or take a re-vote on the existing Ordinance. The next step would be to conduct a joint work session with the Planning and Zoning Commission to discuss the options.

City Attorney Williams stated, in conjunction with the motion being considered and discussions of Council, that Council can only grandfather the "use" not the owner. In other words, the non-conforming use is tied to the property, not the owner.

There was discussion about taking a revote on Ordinance 2010-40 and if this action was possible. City Attorney Williams explained that it would depend upon the changes being considered. If the changes involved a map change, than before taking a vote the process must be restarted including the holding of the public hearing before a vote could be taken. However, the amortization period or the time for appeal can be changed via amendment and voted on without restarting the process since these changes do not require a change to the zoning map.

Mayor Hamley called for a vote on the motion made by Council Member Erskine that staff initiate the processes required by our charter to enable Council to vote at a future meeting on Ordinance 2010-40 either as written, or modified by the P&Z Committee to

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incorporate requested changes and seconded by Council Member Berube. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

3. Consider Resolution No. 2010-56, authorizing advertisement for Request for Proposals for employee group benefits should there be an increase in Texas Municipal League Intergovernmental Employee Benefits Pool's rerate numbers of more than 7% over the current medical premiums.

Human Resource Generalist, Karen Farris introduced the item, stating that the TML Service Representative expects that the City will have an increase in rates of 4% for the Standard Plan (\$1000 deductible) and 4% for the High Plan (\$500 deductible) for calendar year 2011 for employee group benefits unless there is a spike in claims which will then change what the TML Board has already set for this year. Ms. Farris introduced the City's Health Insurance Consultant, Dick Hillyer. Mr. Hillyer addressed Council. He gave Council his update and told Council that we are not required to go out for bid every year for employee benefits. He stated that in the last months, our claims have deteriorated, but we are still at a reasonable level. We are at about a 75% loss ratio now and if you figure in an additional 15% plus another 15% for administrative it brings us above 100%. Therefore, it is not recommended that we go out for bid this year as TML is only projecting a 4% increase.

Limited discussion was had by Council with Council Member Klein moving to approve Resolution No. 2010-56, authorizing advertisement for Request for Proposals for employee group benefits should there be an increase in Texas Municipal League Intergovernmental Employee Benefits Pool's rerate numbers of more than 7% over the current medical premiums. Council Member Erskine seconded the motion.

Discussion was had that if Council does not wish to go out for bid that the passage of this Resolution is not necessary. Accordingly, Council Members Klein and Erskine agreed to withdraw the motion and no action was taken on this item.

4. Consider Resolution No. 2010-57, authorizing a contract with New First Bank for the City's depository services.

Finance Director, Isabel Kato introduced the item. She told Council that the current depository agreement between the City and Wells Fargo, which was issued for a three-year period, expires on September 30, 2010 with a 90 day extension possible per the agreement. Accordingly, a Request for Proposal for banking services was issued, and three banks responded with proposals.

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Over the past three years a certain portion of the banking services provided to the City have been furnished free of charge. Our compensating balance of approximately \$1,200,000 has been sufficient to fund, given the prevailing interest rates, the level of banking service activity used by the City. The review of the current proposals indicates that going forward the cost to the City for banking services can be lower compensating balance.

Mrs. Kato told Council that a comparative review of costs, revenue, services, and financial ability as well as an evaluation of various aspects of the proposals was done on these three proposals. She stated that a summary of the information used in the review was included in the Council packet. She stated that all of the banks presented complete responses to the City's request for proposal, including offers to provide courier service, a feature most cost effectively obtained through a financial institution. These three banks are Sterling Bank, Wells Fargo Bank and New First Bank. The evaluations of these three banks' proposals rank New First Bank first and Wells Fargo second.

Discussion was had about the deposits being insured by the federal government. A process of reserves for protection was discussed. The representatives from New First Bank assured Council that the funds are protected. Finance Director, Isabel Kato told Council that banks are required to insure our deposits up to 110% and this is done through the FDIC.

Council Member Berube moved to approve Resolution No. 2010-57, authorizing a contract with New First Bank for the City's depository services. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT WITH NEW FIRST BANK.

5. Discuss and take appropriate action regarding zoning regulations and district boundaries applicable to pawn shops.

Council Member, Rod Erskine presented the item. He stated that during the last Council Meeting the Ordinance to place pawn shops in a newly created district J1 failed, and he believes that some members of the Council may have been confused about the Ordinance that was being voted and would like to have an opportunity to reconsider same. He stated that he realizes that to readdress the locating of pawn shops will require that the process be restarted, but feels that it is necessary. Several members admitted to being confused during the vote last month.

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Discussion was had that the pawn shop ordinance could be reviewed along with the ordinance addressing the overlay district for motor vehicle sales.

Council Member Erskine moved that Staff initiates the process to recreate district J1 for locating pawn shops into a certain area in Jersey Village in order to enable Council to vote again on the issue at a future Council Meeting. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

6. Consider Resolution No. 2010-58, selecting individuals to serve on the TML Intergovernmental Risk Pool Board of Trustees – Places 6, 7, 8, and 9.

City Secretary, Lorri Coody introduced the item. She told Council that the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Term of Office for Places 6, 7, 8, and 9 will expire. The term of office for these positions is six years. A slate of interested candidates appears on the official ballot for election. Along with each name is a brief summary of qualifications for each candidate. The ballot must be received by the Board Secretary no later than September 30, 2010 and the official ballot must be properly signed and all pages of the ballot must be mailed in accordance with the instructions in order for the City of Jersey Village's vote to be counted.

The Risk Pool is comprised of some 2600 members. While all are eligible to vote, they are not required to vote. Of course, if a voting member fails to vote, that members vote cannot be counted. Since the Risk Pools Board of Trustee Elections are not governed by any rules that a minimum number of its members must vote, the candidates will be elected based upon the votes received and the candidate that gets the most votes for his/her respective position will be elected to the new term of office.

The Pool offers various insurance and risk coverage including Workers' Compensation, Liability Insurance, Property Insurance and Special Risk Coverage.

After limited discussion, Council agreed on the following selection of individuals to serve on the TML Intergovernmental Risk Pool Board of Trustees – Places 6, 7, 8, and 9:

Place 6: Mary Gauer; **Place 7:** Kevin Carruth; **Place 8:** Larry Melton; and **Place 9:** Andres Garza.

Accordingly, Council Member Klein moved to approve Resolution No. 2010-58, selecting these individuals to serve on the TML Intergovernmental Risk Pool Board of

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Trustees for Places 6, 7, 8, and 9. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SELECTING INDIVIDUALS TO SERVE ON THE TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES – PLACES 6, 7, 8, AND 9.

7. Consider Resolution No. 2010-59, designating a City Representative and an Alternate Representative to the Houston-Galveston Area Council's 2011 General Assembly.

City Secretary, Lorri Coody introduced the item. She told Council that the Houston Galveston Area Council (HGAC) has requested the City's participation in selecting a City representative for the Houston Galveston Area Council 2011 General Assembly. Council Member Jill Klein was the designated representative and Councilmember Ernie English was the designated alternate representative for the Houston Galveston Area Council 2010 General Assembly.

This item is to designate a City Representative and Alternate to serve on the Houston-Galveston Area Council's 2011 General Assembly.

Council Member Berube moved to approve Resolution No. 2010-59, designating Jill Klein as the City Representative and Mark Maloy as the Alternate Representative to the Houston-Galveston Area Council's 2011 General Assembly. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DESIGNATING A CITY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE HOUSTON-GALVESTON AREA COUNCIL'S 2011 GENERAL ASSEMBLY.

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9. Consider Resolution No. 2010-60, appointing members to the Planning and Zoning Commission, the Board of Adjustment, the Building Board of Adjustment and Appeals, the Recreation and Events Committee, and the Golf Course Advisory Committee.

City Secretary, Lorri Coody introduced the item. She told Council that every year during the September Council Meeting, Council considers appointments to its Boards and Commissions. The City currently has five Boards and/or Commissions which are the Planning and Zoning Commission, the Board of Adjustment, the Building Board of Adjustment and Appeals, the Recreation and Events Committee, and the Golf Course Advisory Committee. Each one of these Boards has positions wherein the term of office is ending, resulting in consideration of applicants to fill these new terms. Ms. Coody stepped Council through the appointment process for each of the above listed Boards.

The Planning and Zoning Commission

Currently, there are no vacant positions on the Planning and Zoning Commission; however, the term of office for Positions 5, 6, and 7 expire on September 30, 2010. The new term for these positions begins on October 1, 2010 and will end on September 30, 2012.

There are several applications on file with the City Secretary from residents interested in serving on this Commission. The interested applicants are as follows:

Harold F. Smith, Jr. Ratan K. Jha J. B. Pennington M. Reza Khalili
George E. Ohler Debra Sappington

In addition to the pending applications, the current members serving on this Commission desire re-appointment.

In consideration of the desire of those seeking reappointment, Council Member Erskine moves to approve the following appointments to this Commission for the term to begin October 1, 2010 and end September 30, 2012:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
DEBRA MERGEL	5	10/01/10	09/30/12
JUSTIN RAY	6	10/01/10	09/30/12
RICK FAIRCLOTH	7	10/01/10	09/30/12

Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

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The Board of Adjustment

Currently, there are no vacant positions on the Board of Adjustment, but the term of office for Positions 4, 5, and A2 will expire on September 30, 2010. The new term for these positions begins on October 1, 2010 and will end on September 30, 2012.

There are applications on file with the City Secretary from residents interested in serving on this Board. The interested applicants are as follows:

George E. Ohler Debra Sappington

In addition to the pending applications, the current members serving on this Board desire re-appointment.

In consideration of the desire of those seeking reappointment, Council Member Berube moved to approve the following appointments to this Board for the term to begin October 1, 2010 and end September 30, 2012:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
HERMAN LAUHOFF	4	10/01/10	09/30/12
ANDREW HENDERSON	5	10/01/10	09/30/12
M. REZA KHALILI (Alternate)	A2	10/01/10	09/30/12

Council Member Erskine seconds the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

Building Board of Adjustment and Appeals

Currently, there are no vacant positions on the Building Board of Adjustment and Appeals; however, the term of office for Positions 1, 2, 3, and 4 to expire on September 30, 2010. The new term for these positions begins on October 1, 2010 and will end on September 30, 2012.

There are two (2) applications on file with the City Secretary from residents interested in serving on this Board. The interested applicants are as follows:

Debra Sappington William D. Berger

In addition to the pending applications, the current members serving on the Board desire re-appointment.

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In consideration of the desire of those seeking re-appointment, Council Member Berube moves to approve the following appointments to this Board for the positions and terms listed:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
M. REZA KHALILI	1	10/10	09/12
FRANK GULLO	2	10/10	09/12
BENNY GRIMMER	3	10/10	09/12
CLINT CHILDRESS	4	10/10	09/12

Council Member Erskine seconds the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

Recreation and Events Committee

Ms. Coody explained that when this committee was created, no term of office was set. In October of 2009, Council passed Resolution 2009-64 which states that the members of the Recreation and Events Committee shall be identified by place numbers (1) through (7) effective October 1, 2010. Therefore, this item is to appoint members to the Committee and to assign place numbers. Places (1), (2), (3) and (4) shall be appointed initially for a term of one year, places (5) and (6) and (7) shall be initially appointed for a term of two years. Thereafter, all members shall be appointed for a term of two years. The Place Number assigned will identify either a one or two year term to begin on October 1, 2010.

Currently, there is one vacant position on the Recreation and Events Committee. One application has been received from Karie Lawrence who is interested in serving on this Committee.

In addition to this pending application, the current members serving on this Committee desire re-appointment.

Council engaged in discussion regarding the open position on this Committee. It was decided not to fill same at this time.

In consideration of the desire of those seeking re-appointment, Council Member Klein moved to approve the following appointments and place assignments for this Committee for a term beginning October 1, 2010, with the ending date determined by the place assignment as outlined below:

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	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
DOROTHY STARKEY	1	10/01/10	09/30/11
KAYLA TOWLE	2	10/01/10	09/30/11
BARBARA ERSKINE	3	10/01/10	09/30/11
KAREN LISTI	4	10/01/10	09/30/11
FRANCES WUBBENHORST	5	10/01/10	09/30/12
DORIS MICHALAK	6	10/01/10	09/30/12
VACANT	7	10/01/10	09/30/12

Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Haverty, Maloy, and Klein

Abstain: Council Member Erskine

Nays: None

The motion carried.

Golf Course Advisory Committee

Currently, there are no vacant positions on the Golf Course Advisory Committee; however, the term of office for Positions 1 through 7 will expire on September 30, 2010. The new term for these positions begins on October 1, 2010 and will end on September 30, 2011.

There are two (2) applications on file with the City Secretary from residents interested in serving on this Committee. The interested applicants are as follows:

James Sappington and George Ohler

In addition to the new applicants, the current members desire re-appointment.

In consideration of the desire of those seeking reappointment, Council Member Erskine moved to approve the following appointments to this Committee for a one year term beginning October 1, 2010 and ending September 30, 2011:

	<u>POSITION</u>	<u>TERM BEGINS</u>	<u>TERM ENDS</u>
VANCE BURNHAM	1	10/01/10	09/30/11
GREG FAIR	2	10/01/10	09/30/11
ROBERT GONZALES	3	10/01/10	09/30/11
BILL SCHUSTER	4	10/01/10	09/30/11
BILL SMITH	5	10/01/10	09/30/11

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HAROLD SMITH, JR.	6	10/01/10	09/30/11
JOHN TERRELL	7	10/01/10	09/30/11

Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

After completing the appointments for all the Boards and Commissions, Mayor Hamley called for a motion on Resolution No. 2010-60. Accordingly, Council Member Berube moved to approve Resolution No. 2010-60, appointing members to the Planning and Zoning Commission, the Board of Adjustment, the Building Board of Adjustment and Appeals, the Recreation and Events Committee, and the Golf Course Advisory Committee. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Haverty, Maloy, and Klein

Abstain: Council Member Erskine

Nays: None

The motion carried.

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING MEMBERS TO THE PLANNING & ZONING COMMISSION, BOARD OF ADJUSTMENT, BUILDING BOARD OF ADJUSTMENT AND APPEALS, AND THE GOLF COURSE ADVISORY COMMITTEE; AND ASSIGNING PLACE NUMBERS AND APPOINTING MEMBERS TO SERVE ON THE RECREATION AND EVENTS COMMITTEE.

10. Discuss and take appropriate action concerning the placement of no parking signs that restrict parking during certain time periods along Village Green.

Council Member Joyce Berube asked that this item be passed; therefore, no action was taken on this item.

11. Conduct the City Manager’s annual performance evaluation and consider setting salary for budget year 2010-2011.

Mayor Hamley called the item and explained that each year the City Manager receives an evaluation. Mayor Hamley stated that each Council Member previously had been given a performance evaluation sheet for this process. He then called each Council Member to make comments concerning Mr. Castro’s performance.

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Council Member Maloy stated that it is his belief that City Manager Castro is doing well in his position. He has many years of experience and works well with staff to reduce costs without reducing services. He recommends a 2% increase in salary in order that his increase is kept in line with that awarded to staff.

Council Member Haverty explained his evaluation sheet, stating that he gives Mr. Castro's performance twelve (8's), one (9), and two (7's). His highest mark was in Fiscal Management and his lowest marks were in Public Relations and Council Relations. Council Member Haverty sees Mr. Castro as having excellent fiscal leadership, great vision, and maintaining a very high professional work ethic. He believes that Mr. Castro, on occasion, appears to resist new ideas or alternate solutions, and sees this as an area for improvement. Council Member Haverty recommends a 2% salary increase.

Council Member Erskine stated that the elements of his evaluation of Mr. Castro's performance ranged from (7's) to (9's) with one (6). Overall, Council Member Erskine is satisfied with Mr. Castro's performance and actions as City Manager. He does not see any glaring weaknesses. He sees Mr. Castro's strongest attributes as Fiscal Management and mentioned that these are difficult times. He stated that Mr. Castro's philosophy, preparation, and stewardship of the budget has kept the City in excellent financial condition. His Financial Management abilities are dependent upon his organizational management, planning and decision making skills which Council Member Erskine also views as strengths. Although there has been some improvement in the area of Public Relations, Council Member Erskine sees this as an area for continued work as well as improvement in the area of communications with Council. He mentioned that during the last evaluation, Mr. Castro was asked for better and more frequent communications with Council and Mr. Erskine agrees that Mr. Castro has improved the communications with Council. However, he stated that there is a fine line between guiding actions to a desired result and simply providing information. Mr. Erskine stated that occasionally, he would like more information. He recommends a 2% cost of living adjustment and a 1% merit increase.

Council Member Klein stated that the elements of her evaluation of Mr. Castro's performance ranged from (6's) to (9's). She sees Fiscal Management as his strength, stating that Mr. Castro has vision and the ability to plan. She too stated that there is room for improvement in communicating with Council, suggesting that calls to council to verify Council's desire may be the better path, rather than trying to decipher their meaning by listening to meeting tapes. Council Member Klein recommends a 2% salary increase.

Mayor Hamley stated that the elements of his evaluation of Mr. Castro's performance ranged from (6's) to (9's) with one (10). He sees Fiscal Management as Mr. Castro's greatest strength, thus the score of (10). He explained that Mr. Castro has been asked in the past to improve his communications with Council and he has done that. He believes that there are times when Mr. Castro is resistant to hearing the ideas of Council and feels

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that he gives staff too much latitude in their decision making. He would like to see more leadership from Mr. Castro as it pertains to staffing instances. Mayor Hamley recommends a 2% COLA and 2% merit increase. He explained that he is satisfied with Mr. Castro's performance and would like for him to stay at Jersey Village. He stated that making this offering was a way for Jersey Village to show their appreciation and to demonstrate their desire to keep him as City Manager.

Discussion was had about a 2% COLA increase and a 2% merit increase. City Manager Castro stated that while he was very appreciative of the sentiments of Council, he did not believe it would be appropriate for him to accept anything more than a 2% COLA increase since that is all his staff is receiving.

Council Member Haverty moved to increase the base salary of the City Manager for budget year 2010-2011 by 2%. Council Member Klein seconded the motion. The vote follows:

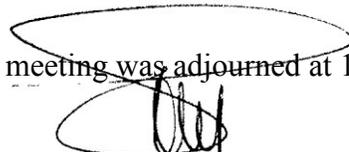
Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

J. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:10 p.m.



Lorri Coody, City Secretary



MINUTES OF THE JOINT WORK SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AND THE JERSEY VILLAGE PLANNING AND ZONING COMMISSION HELD ON OCTOBER 18, 2010 AT 6:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. The meeting was called to order by Mayor Pro tem Berube at 6:00 p.m. with the following present:

Mayor Pro tem, Joyce Berube	City Manager, Mike Castro
Council Member, Rod Erskine	City Secretary, Lorri Coody
Council Member, Curtis Haverty	Martha Williams, City Attorney
Council Member Mark Maloy	Charles Wedemeyer, Chief of Police
Council Member Jill Klein	Isabel Kato, Director of Finance
	Danny Segundo, Director of Public Works
	Michael Brown, Director of Parks
	Mark Bitz, Fire Chief

Mayor Russell Hamley was not present at the time the meeting was called to order, but joined the meeting in progress at 6:45 p.m.

B. Open Meeting. Call to Order and the roll of appointed P&Z officers taken.

The following City of Jersey Village Planning and Zoning Commission members were present:

Commissioner Richard Faircloth, Vice Chairman
Commissioner Justin Ray
Commissioner Michael O'Neal
Commissioner Harry Beckwith, III
Commissioner Barbara Freeman

Chairman, Debra Mergel and Commissioner Tom Eustace were not present at this meeting.

After taking the roll of appointed officers, Vice Chairman Faircloth called the meeting's agenda beginning with the following item:

C. Receive overview of the proposed ordinance for locating pawnshops in a newly created District J1 only, which was included in the Planning and Zoning Commission's Final Report dated August 23, 2010.

Danny Segundo, Director of Public Works, presented the item. Background information is as follows:

The request for the Planning and Zoning Commission to locate pawnshops in certain districts or areas within the City came from staff and resulted from a request of a pawnshop owner who had applied for various permits aimed at establishing this type of business at 17930 Northwest Freeway (District J). In reviewing the permit requests, city staff discovered that the City's Code of Ordinances did not locate pawnshops in any specific district within our City. In discussing the matter with our City Attorney,

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Sec. 211.0035 of the Local Government Code was pointed out which basically states that a City must permit pawnshops to be located in at least one of its zoning districts. As a result, the item was presented to the Planning and Zoning Commission for review in order that a zoning recommendation be made to Council for locating pawnshops.

The Planning and Zoning Commission met on May 18, June 22, and July 12 and discussed the particulars of this issue. They were especially concerned if there was a law that stated pawnshops had to have a certain amount of distance between each location. The Commission discussed the best district in the City for locating pawnshops. It was decided that it might be best to locate them in District J, but only west of Jones Road, which resulted in the final solution of creating a new district J1 with all the uses of district J, but include the land use of pawnshops; and that the land use of pawnshops would be prohibited from all other districts except district J1.

Accordingly, the Commission, in its Final Report submitted a Proposed Pawnshop Ordinance (Ordinance 2010-39) that:

1. Added to Section 14-5 of the Code new definitions for “Retail Shops And Trade” and for “Pawnshop”;
2. Amended Section 14-81 to create the new district J-1 and added and new Section 14-109.1 to Article IV of Chapter 14 in order to establish regulations for the new district J-1 by permitting the operation of pawnshops; and
3. Authorized an amendment to the Official Zoning Map to reflect the boundaries of the new district J-1.

Ordinance No. 2010-39 was considered by Council on August 23, 2010 and did not pass. The Ordinance failed and subsequently several members have asked that the item be reconsidered.

Mr. Segundo explained that because the Ordinance did not pass, pawnshops are now permitted to operate within any district in the City that permits retail sales as opposed to the single J-1 district that was proposed in the Ordinance on August 23.

Discussion was had about the distance requirements for pawnshops. Mr. Segundo explained that there is a distance requirement that is two-fold. For example, if a pawnshop is relocating from one location to another the distance between existing pawnshops is one mile; however, if a new pawnshop is being located in a district, the distance requirement is two miles. It was established that the newly created district J1 in the proposed pawnshop ordinance was acceptable.

City Attorney Williams explained the process for moving forward, stating that most of the work was done in that the proposed ordinance was written. However, she stated that the notice process would begin again as well as the receipt of the preliminary and final reports from the Commission.

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D. Discuss and take appropriate action regarding zoning regulations and district boundaries applicable to pawnshops.

After receiving the presentation from staff concerning the locating of pawnshops within the City and after limited discussion on same, Council Member Haverty moved that the Planning and Zoning Commission resubmit for Council approval the proposed ordinance (included in the Final Report dated August 23, 2010) that located pawnshops in a newly created District J1 only. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carries.

E. Receive overview of the effects resulting from the passage of Ordinance No. 2010-40, which amended the City of Jersey Village's Comprehensive Zoning Ordinance by creating a Motor Vehicle Sales Overlay District.

Danny Segundo, Public Works Director presented the item. He explained that in passing Ordinance 2010-40 a Motor Vehicle Sales Overlay District was established that resulted in the following requirements being added to Chapter 14 of the City's Code of Ordinance:

- 1) At Section 14-5 a new definition of "motor vehicle sales" was added;
- 2) Section 14-81 was amended to add a new subsection (13), establishing a motor vehicle sales overlay district;
- 3) Revisions were made to the official zoning map;
- 4) A new Section 14.111 was added relating to a motor vehicle sales overlay district, and establishing an amortization period for nonconforming uses; and
- 5) Section 14-22 was amended to provide for appeal to the board of adjustment in order to extend the amortization period.

F. Receive summary from the City Attorney regarding the process of amortization and its effect on non-conforming land use and the appeal process for land owners for extending the amortization period as both of these processes apply to Ordinance 2010-40.

City Attorney, Martha Williams, explained that the Motor Vehicle Sales Overlay District was designed to lay on top of the existing district, meaning that all of the requirements of the overlay district must be met by property owners in addition to the requirements of the existing district. In establishing this overlay district, the City had to comply with a very stringent notice requirement which consisted of letter writing, publication requirements and the posting of signs throughout the districts wherein the changes would take place.

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One concern that was discussed in depth by the zoning commission was what to do with those businesses that would fall outside the overlay district. Ms. Williams explained that a City has the right to say what to do with land uses in districts within the City. Currently, a business that becomes a non-conforming use is entitled to continue the use until the use changes. However, the law states that a City does not have to be stuck with this arrangement. A City can change the time span for non-conforming uses by either paying to terminate the use or eliminating the use through the process of amortization.

The process of amortization is figuring out the useful life in terms of time. Once established, the business owner is entitled to continue the non-conforming use for the period of established time and when the time expires the non-conforming use expires.

Ms. Williams explained that in deciding what amount of time is fair, a specific span of time for an amortization period is established. If this amount of time is not reasonable, an appeal process is also available to the business owner by which he/she may present evidence explaining that more time is needed in which to recover their investment. Typically an appeal process is handled through the City's Board of Adjustment. Courts have found that having this appeal process makes the amortization process fair and equitable as it applies to non-conforming use.

Ordinance 2010-40 sets the amortization period at 3 years and includes a provision for appeal to the Board of Adjustment. In connection with the appeal requirement, discussion was had regarding real estate values versus the business value. Ms. Williams explained that the value of the land is not taken into account by the Board of Adjustment in determining the amount of additional time allotted a business owner to amortize a non-conforming use.

There were lengthy discussions concerning non-conforming use and the various situations in which the use would terminate. Basically, the use remains until the use changes even if ownership changes.

Discussion was had on the meaning of the ordinance should the amortization requirement be removed. Ms. Williams explained that basically it would mean that the non-conforming uses currently in existence would be permitted to continue until these uses are terminated. Additionally, she stated that no new businesses would be permitted with motor vehicle sales as a use. Some thought this might be considered spot zoning. Ms. Williams explained that it is not spot zoning.

G. Receive a summary from the Planning and Zoning Commission of the actions and or thought processes taken that resulted in submitting the proposed Ordinance 2010-40 in their Final Report dated August 23, 2010.

Background information on Planning and Zoning Commission activity regarding this issue is as follows:

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The Planning and Zoning Commission met on May 18, June 22, and July 12 and discussed the particulars of this issue. The following is a list of most of the topics discussed during these meetings:

1. Non-Conforming Use and how this concept is or can be applied to used car lots and auto sales. It was determined that the used car lots are currently considered a conforming use;
2. Separating used car lots from retail sales in all Districts throughout the City;
3. The future sale of existing car lots and how that affects the use of the property for the new owner;
4. The location of all the existing used car lots and auto sales business in the City;
5. The City of Manvel's Ordinance (Based upon a city-mandated vehicle registration program);
6. Where to locate and how to zone used car lots within the City;
7. Change of property use and change of occupancy and how this affects the need to upgrade the property;
8. Regulating/changing the requirements for building exteriors for aesthetic purposes;
9. The Transit Oriented Development (TOD) and the affects that this development will have on the land this side of 290.
10. The provision of city utilities to existing used car lots on Jones Rd., and the impact of utility availability on future potential land uses.
11. Amortization of non-conforming land use and the different time periods that might be acceptable; and
12. The requirements and ramifications of establishing an overlay district for auto sales.

Members of the Planning and Zoning Commission briefly explained to Council the various steps and positions that the Commission took in arriving at their recommendation. They reminded Council of the Transit Oriented Development that is being planned to the South of US 290 and how this development affects the intended outcome for the area being discussed. It was also mentioned that the City's current set of ordinances provides little remedy for improving the appearance of existing businesses along this stretch of Jones Road.

Discussion was had about code enforcement. The Commission explained that it had lengthy discussions about the landscape ordinance, but this ordinance only applies to new construction and not existing structures. For code enforcement to come into play, the non-compliance issues would have to come under health and sanitation violations. Consequently, there simply is not much that can be done in this area short of condemning property, a lengthy and intricate code enforcement process requiring severe health and sanitation violations.

Discussion was had on the possibility of establishing an appearance ordinance. Ms. Williams explained that such an ordinance would be enforceable, but there is a definite distinction on just how far such an ordinance could go.

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Mayor Russell Hamley joined the meeting at 6:45 p.m.

Further discussion was had on removing the amortization requirement, which would “grandfather” the existing properties along Jones Road and would not impact sales values or lease values for those property owners.

Members of the Commission asked for clarification, as they believed that it was the intent of Council to have this stretch of Jones Road to coincide with the development being planned South of US 290.

The consensus of Council was that 5-Star Auto be added to the Overlay District and that the amortization requirement be removed permitting the existing non-conforming uses to remain until the uses change.

H. Discuss and take appropriate action regarding possible amendments to Ordinance No. 2010-40, which amended the City of Jersey Village’s Comprehensive Zoning Ordinance by creating a Motor Vehicle Sales Overlay District.

Council Member Klein moved that the Motor Vehicle Sales Overlay District be redrawn to include 5-Star Auto Sales and that there be no amortization period for the non-conforming use businesses that fall outside the overlay district that are currently in existence. Council Member Berube seconded the motion. The vote follows:

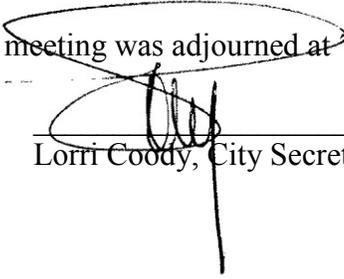
Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carries.

I. Adjourn

There being no further business on the Agenda the meeting was adjourned at 7:00 p.m.


Lorri Coody, City Secretary



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON OCTOBER 18, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Hamley at 7:10 p.m. with the following present:

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Curtis Haverty	
Council Member, Mark Maloy	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Charles Wedemeyer, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks and Recreation.

Planning and Zoning Members in attendance:

Rick Faircloth, Vice Chairman	Michael O'Neal, Commissioner
Barbara Freeman, Commissioner	Justin Ray, Commissioner
Harry Beckwith, III, Commissioner	

Debra Mergel, Chairman and Tom Eustace, Commissioner were not present.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer by: Michael Brittain, Chaplain, American Legion Post #324
2. Pledge by: Jimmy Baughman, Commander of American Legion Post #324

C. PROCLAMATIONS

1. **Presentation of Police Department Employee of the Third Quarter, 2010 – by Jimmy Baughman Commander and Howard Mead, Past Commander of American Legion Post #324.**

Commander Jimmy Baughman and Howard Mead, Past Commander of the American Legion Post #324 made the presentation for the Police Department Employee of the Third Quarter to Sgt. D. R. Smith.

D. FISCAL 2010-2011 MUNICIPAL BUDGET ITEMS

1. **Receive presentation pertaining to the tax rate for the City of Jersey Village for tax year 2010.**

Finance Director, Isabel Kato gave a presentation pertaining to the City's tax rate for tax year 2010. Upon completion of the presentation, there was limited discussion by Council pertaining to the decrease in property tax valuation for our City and the affects of same of revenue and revenue projections.

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2. Discuss and consider approval of a motion to set the tax rate for debt service for tax year 2010.

With limited discussion on this item, Council Member Berube moved to set the Debt Service tax rate of \$0.260905 per \$100 value for the year 2010. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

3. Discuss and consider approval of a motion to set the tax rate for maintenance and operation for tax year 2010.

With limited discussion on this item, Council Member Erskine moved to set the Maintenance and Operation tax rate of \$.481595 per \$100 value for the tax year 2010. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

4. Consider Ordinance No. 2010-43, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2010.

With limited discussion on this item, Council Member Maloy moved to approve Ordinance No. 2010-43, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2010. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-43

AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES BY THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE YEAR 2010; PROVIDING FOR THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

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E. CITIZENS COMMENTS

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

Allen Bammel, 15301 Clevedon Lane, Jersey Village, Texas (713) 466-0626 – Mr. Bammel spoke to Council regarding the passage of the Motor Vehicle Sales Overlay District and about the affects of this ordinance on the sale of used cars along Jones Road. He told Council that he has lived in the City for 34 years. He mentioned 3 specific used car dealers on Jones Road and stated that of the three, one has not been kept properly and as a result Council has passed this Ordinance in an effort to eliminate this one place of business. He mentioned that the used car lots will look the same whether they are located along US 290 or whether they are located along Jones Road. He does not understand how this ordinance is beneficial and would like to ordinance to be repealed.

Wes Lansdale, 17000 NW Freeway, Jersey Village, Texas 281-770-8291 – Mr. Lansdale reported that he is the owner of the property where 5-Star Auto Sales is currently located along US 290. He told Council that he understands from the work session meeting held earlier in the evening that Council has directed that his property is to be included in the overlay district when the overlay district boundaries are reworked. He is happy about that, but he wanted to tell Council that he did not understand why his property was omitted in the first place. He just wants Council to know that he wants his property included in the overlay district, not “grandfathered.”

Frank Maher, 16514 Saint Helier, Jersey Village, Texas – Mr. Maher spoke to Council about the item that appears on the agenda concerning the installation of speed humps on Village Drive. He told Council that he is not in favor of these devices. He stated that he has been a volunteer fire fighter for the City for many years and can recall times when they had to run the trucks over the curbs to exit the station. He told Council that such activity truly damaged the trucks and he believes that these speed humps will do the same. He stated that the humps will cause maintenance problems with the trucks because the tanks will twist. He also stated concern that once these devices are installed on one street in the city that they will be installed on others and it will not be long before every street in the city has a speed hump.

Jim Fields, 16415 Saint Helier, Jersey Village, Texas (713) 466-0804 – Mr. Fields spoke to Council about the Open Meetings Act requirement to permit public comment. He stated that recently at a Council work session and at other city held board meetings he has not been permitted to speak. He stated that governing bodies may permit the public give input or have comment sessions during public meetings and he would like Council to consider adopting such rules.

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He also mentioned that he has heard many complaints about residents not receiving letters that were sent informing them of the recent proposed zoning map changes. He wanted to know if the City actually mailed such letters, why there was no proof. He suggested that all such letters in the future should be mailed certified mail, return receipt requested.

Michael O’Neal, 8501 Wyndham Court, Jersey Village, Texas (281) 955-5253 – Mr. O’Neal stated that while he is a member of the Planning and Zoning Commission, he is speaking tonight as a citizen of the City. He wanted Council to know that there are some 7,600 residents that live in the City and that each Council Member serves each and every one of these 7,600 residents. He stated that the City of Jersey Village is in competition for business and for new residents and the decisions being made seem to be adjusted to accommodate the two or three voices that show up at Council meetings. Decisions need to be made from a broader perspective. He told Council that US 290 is a major thoroughfare, and most people traveling in this area know the City of Jersey Village and their perspective is shape by the appearance of both US 290 and Jones Road. Decision should be based accordingly. He pointed to other areas in the Houston metro-plex that in the past were in a similar situation that is currently being faced by the City of Jersey Village such as Sheppard Drive and Antoine Drive. He asked Council to remember what these areas looked like 20 years ago and reminded them that decisions today will have an affect 20 years from now. That should be our perspective. He asked Council to think about the small number of residents that appear at Council meetings versus the 7,600 residents that live in the City and then make decisions for the whole not just the few.

Jerry Roberts, 16542 Village Drive, Jersey Village, Texas (713) 466-4199 – Mr. Roberts spoke to Council concerning the item on the agenda concerning speed humps. He told Council that speeding is a problem, but speed humps are not the answer. Speed humps will not only take a toll on City equipment, but resident equipment as well. He suggested posting an officer on this route from time to time to write tickets to violators as a viable solution.

F. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. The items below were included. Discussion was had concerning the Red Light Camera Fund Report and the end of year revenue. Council wanted to know how much of the reported \$1.3 million would be reported to the State of Texas. Finance Director, Isabel Kato explained that ½ of this amount will be reported to the State of Texas and the City will transfer the remaining ½ into the City’s Traffic Enforcement Fund.

Council also engaged in discussion about the HOT funds. There was discussion about taking some of these funds and using them for motel/golf advertizing to increase “player-ship.” City Manager Castro explained that the use of the HOT funds is very restrictive and Cities need to be very careful to insure that the funds are spent correctly. He told Council that the State audits the funds annually. He explained that currently the Golf Course advertizes in the Dallas-Fort Worth area in order to bring players to the course. He told Council he would see how this advertizing area might be increased.

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Council also discussed that the Golf Course ended its year with some 5,000 to 6,000 less rounds of golf than it did last year. Several reasons were discussed for this shortage.

1. **Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report; Investment Report – September 2010; and Budget Projections as of September 2010.**
2. **Departmental Request Report and Open Records Request, and Solicitor's Permit Requests**
3. **Fire Departmental Report and Communication Division's Monthly Report**
4. **Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report, Crime Prevention Unit Monthly Report, and Staffing/Recruitment Report.**
5. **Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, Municipal Citations within Residential Area Report, and Court Proceeds Comparison Report.**
6. **Public Works Departmental Report, Jones Road Construction Up-Date Detail Report, and Jones Road Construction Update Summary**
7. **Combined Monthly and Annual Mileage Report**
8. **Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
9. **Report from Code Enforcement**
10. **Capital Improvements Projects Report**
11. **White Oaks Bayou Capital Improvements Projects Report**

G. CONSENT AGENDA

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

Mayor Hamley called the Consent Agenda and asked for any items to be removed. Council Member Maloy asked that item (2) and item (3) be removed for separate consideration.

1. **Consider approval of the Minutes for the Special Session Meeting held September 20, 2010.**

Having removed item (2) and item (3), Council Member Berube moved that consent agenda item (1) be approved. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

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Mayor Hamley then called items (1) and (2) from the Regular Agenda out of order as follows:

H. REGULAR AGENDA

- 1. Conduct Public Hearing for the purpose of giving CenterPoint Energy Houston Electric LLC an opportunity to address the City Council regarding its current rates and its Statement of Intent to increase rates.**

Russell Hamley, Mayor opened the public meeting at 8:02 p.m. for the purpose of giving CenterPoint Energy Houston Electric LLC an opportunity to address Council regarding its current rates and its intent to increase rates.

Mr. Tim Sbrusch addressed the Council on behalf of CenterPoint Energy. He gave background information pertaining to the events that have led to today's hearing. Basically he told Council that CenterPoint Houston was required to file the rate adjustment application to comply with a Public Utility Commission's (PUC) Order issued in CenterPoint's last rate review proceeding. The Order required CenterPoint to file a rate request change by June 30, 2010 unless released from doing so by the Staff of the PUC, the City of Houston, and the Gulf Coast Coalition of Cities. CenterPoint Houston was not released from the obligation to file, and on June 30, 2010 filed its Statement of Intent to Increase Rates.

Mr. Sbrusch told Council that since the last rate case, CenterPoint Houston has invested \$1.5 billion to meet the demands of electricity for its customers and has added a number of large cities to its service areas. Additionally, many lines have been added to accommodate customers.

Council asked questions and Mr. Sbrusch answered accordingly. There were questions concerning how this process affects the sale of electricity in this area by other vendors. Mr. Sbrusch explained that this process does not affect the other electricity vendors, as they are not included in the rate increase. There was also discussion about disasters and how CenterPoint handles such events and who pays. Mr. Sbrusch explained that CenterPoint does carry insurance protection for such events, but the coverage is not limited and is really not a factor in covering the loss that occur in event such as that occurring with Hurricane Ike.

With no further questions from Council, Mayor Hamley closed the public hearing at 8:10 PM.

- 2. Consider Ordinance No. 2010-45, finding that the existing electric distribution rates of CenterPoint Energy Houston Electric LLC ("CenterPoint" or "Company") are unreasonable and should be reduced; ordering CenterPoint to reduce its existing rates within the city; ordering CenterPoint to submit tariffs consistent with the recommendation of the Gulf Coast Coalition of Cities' Consultants in Public Utility Commission of Texas Docket No. 38339 and ordering CenterPoint to reimburse the**

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city for its reasonable costs incurred in this rate case and any related rate making proceedings or appeals of said proceedings.

Thomas Brocato, Attorney for the GCCC introduced the item via telephone conference call. He told Council that on June 30, 2010, CenterPoint filed with the City of Jersey Village a Statement of Intent to change electric delivery rates effective August 6, 2010. As a result of this filing, Council authorized participation with the Gulf Coast Coalition of Cities in hiring experts and legal counsel to review CenterPoint's Statement of Intent, and on July 19, 2010, suspended the effective date of the CenterPoint's requested rate change for 90 days from August 6, 2010.

The City now must take final action on the application no later than November 2, 2010. If the City fails to take final action regarding the filing before November 2, CenterPoint's rate request is deemed administratively approved.

The Public Utility Regulatory Act (PURA) at § 36.151(a) provides that if a regulatory authority, after reasonable notice and hearing, finds that the existing rates of an electric utility for a service are unreasonable or in violation of law, the regulatory authority shall enter an order establishing the just and reasonable rates to be observed thereafter, and serve a copy of the order on the electric utility. PURA also provides at § 36.151(b) that the rates ordered by the regulatory authority constitute the legal rates of the electric utility until changed as provided by PURA.

Since Council has held the necessary public hearing and has given CenterPoint its opportunity to speak about its current rates and its Statement of Intent to increase rates, Council may now consider Ordinance No. 2010-45.

Mr. Brocato told Council that there are 33 cities in the GCCC and most of them have passed the Ordinance. City Attorney, Martha Williams voiced her support of the Ordinance.

Council Member Erskine moved to approve Ordinance No. 2010-45, finding that the existing electric distribution rates of CenterPoint Energy Houston Electric LLC ("CenterPoint" or "Company") are unreasonable and should be reduced; ordering CenterPoint to reduce its existing rates within the city; ordering CenterPoint to submit tariffs consistent with the recommendation of the Gulf Coast Coalition of Cities' Consultants in Public Utility Commission of Texas Docket No. 38339 and ordering CenterPoint to reimburse the city for its reasonable costs incurred in this rate case and any related rate making proceedings or appeals of said proceedings. Council Member Maloy seconded the motion.

Council engaged in discussion concerning the appeal process. Mr. Brocato explained the process. He also explained what the process would be should Council not approve the Ordinance.

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With no further discussion, Mayor Hamley called for the vote on Council Member Erskine's motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-45

AN ORDINANCE FINDING THAT THE EXISTING ELECTRIC DISTRIBUTION RATES OF CENTERPOINT ENERGY HOUSTON ELECTRIC LLC ("CENTERPOINT" OR "COMPANY") ARE UNREASONABLE AND SHOULD BE REDUCED; ORDERING CENTERPOINT TO REDUCE ITS EXISTING RATES WITHIN THE CITY; ORDERING CENTERPOINT TO SUBMIT TARIFFS CONSISTENT WITH THE RECOMMENDATION OF THE GULF COAST COALITION OF CITIES' CONSULTANTS IN PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 38339; ORDERING CENTERPOINT TO REIMBURSE THE CITY FOR ITS REASONABLE COSTS INCURRED IN THIS RATE CASE AND ANY RELATED RATEMAKING PROCEEDINGS OR APPEALS OF SAID PROCEEDINGS; AUTHORIZING THE GULF COAST COALITION OF CITIES TO ACT ON BEHALF OF CITY AND INTERVENE IN ANY PROCEEDINGS BEFORE ADMINISTRATIVE OR JUDICIAL BODIES; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL.

In completing items (1) and (2) from the Regular Agenda (out of order), Mayor Hamley returned to the Consent Agenda to continue the order of the agenda as posted.

G. CONSENT AGENDA – Continued

2. Consider Resolution No. 2010-61, declaring surplus equipment, and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures.

Danny Segundo, Public Works Directors presented the item. He told Council that Staff is requesting Council to declare surplus equipment and authorize City Manager to dispose of same via a method approved by the city's administrative procedures. He also stated that all equipment being declared surplus equipment has met the requirements according to the vehicle replacement plan.

Discussion was had concerning the method that the surplus equipment will be disposed. Mr. Segundo explained that some equipment from the Golf Course will be traded in during the new equipment process and the rest will be disposed of via auction.

With no further discussion, Council Member Maloy moved to approve Resolution No. 2010-61, declaring surplus equipment, and authorizing disposition by the City Manager

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in accordance with the City's Administrative Procedures. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DECLARING SURPLUS EQUIPMENT AND AUTHORIZING DISPOSITION BY THE CITY MANAGER IN ACCORDANCE WITH THE CITY'S ADMINISTRATIVE PROCEDURES.

- 3. Consider Ordinance No. 2010-44, amending the Code of Ordinances at Chapter 14, Article IX, Section 14-226(c)(4); pertaining to Hydraulic Design for Drainage Areas Greater than Five Acres; providing a penalty as provided by Section 1-8 of the Code of Ordinances, and providing an effective date.**

Mike Castro, City Manager presented the item. He explained that an error was discovered in the City of Jersey Village Code of Ordinances at Chapter 14, Article IX, Section 14-226(c)(4) wherein the Code provides for an "Exhibit 1" to calculate the required storage volume of a detention pond; however, no "Exhibit 1" is included. The omission of "Exhibit 1" at Section 14-226(c)(4), requires that said Section be amended to provide a specific formula for calculating the required storage volume of a detention pond for this Section. This Ordinance is to correct the error. Council engaged in discussion about properties greater than 5 acres and detention pond requirements. There was discussion about the properties south of US 290 and the use of regional detention as opposed to detention for each piece of property. City Manager Castro explained the concept of regional detention. City Attorney, Martha Williams cautioned that this discussion was outside the scope of the agenda posting and if Council wanted to continue such discussions it would be better to post an item that more specifically details same.

With no further discussion on this matter, Council Member Klein moved to approve Ordinance No. 2010-44, amending the Code of Ordinances at Chapter 14, Article IX, Section 14-226(c)(4); pertaining to Hydraulic Design for Drainage Areas Greater than Five Acres; providing a penalty as provided by Section 1-8 of the Code of Ordinances, and providing an effective date. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

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ORDINANCE NO. 2010-44

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CODE OF ORDINANCES AT CHAPTER 14, ARTICLE IX, SECTION 14-226(c)(4) OF THE CODE OF ORDINANCES; PERTAINING TO HYDRAULIC DESIGN FOR DRAINAGE AREAS GREATER THAN 5 ACRES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE OF ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

H. REGULAR AGENDA – Continued

- 3. Consider Ordinance No. 2010-46, amending Chapter 14 Section 14-244(e)(2) of the Code of Ordinance; pertaining to operating permits for existing signs; providing for repeal; providing for severability; providing a penalty as provided by Section 1-8 of the Code of Ordinances, and providing an effective date.**

Danny Segundo, Director of Public Works introduced the item. He told Council that this item requests an amendment to the City of Jersey Village Code of Ordinances at Chapter 14, Section 14-244(e)(2) in order to bring the City's code into compliance with the State of Texas statutes as it relates to the removal of damaged signs. The Opinion Letter that accompanies the Ordinance was written by Attorney Ray Viada and supports the need to make this amendment.

With limited discussion on this item, Council Member Berube moved to approve Ordinance No. 2010-46, amending Chapter 14 Section 14-244(e)(2) of the Code of Ordinance; pertaining to operating permits for existing signs; providing for repeal; providing for severability; providing a penalty as provided by Section 1-8 of the Code of Ordinances, and providing an effective date. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-46

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 14 SECTION 14-244(e)(2) OF THE CODE OF ORDINANCES; PERTAINING TO OPERATING PERMITS FOR EXISTING SIGNS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE OF ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

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4. Consider Resolution No. 2010-62, formally naming the project/area heretofore known as the Jersey Village Transit Oriented Development.

Lorri Coody, City Secretary introduced the item. She reminded Council that at their August 23, 2010 Council Meeting they had asked that the public make submissions to formally name the project area heretofore known as the Jersey Village Transit Oriented Development. In implementing this process, RULES FOR SUBMITTING ENTRIES TO FORMALLY NAME THE CITY OF JERSEY VILLAGE TRANSIT ORIENTED DEVELOPMENT were created and entries containing suggested names were received via email by the City Secretary through midnight on October 12, 2010. After the submittal deadline, the RULES FOR SELECTING A NAME FOR THE PROJECT/AREA HERETOFORE KNOWN AS THE JERSEY VILLAGE TRANSIT ORIENTED DEVELOPMENT were followed.

Council Member Haverty explained that the list of finalists has been narrowed to the top two selections being Jersey Crossing and Jersey Village Crossing. With that, the Mayor called for a vote on the top two selections. The submittal for Jersey Crossing received two (2) votes and the submittal for Jersey Village Crossing received three (3) votes.

Accordingly, Council Member Haverty moved to approve Resolution No. 2010-62, formally naming the project/area heretofore known as the Jersey Village Transit Oriented Development as Jersey Village Crossing. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, FORMALLY NAMING THE PROJECT/AREA HERETOFORE KNOWN AS THE JERSEY VILLAGE TRANSIT ORIENTED DEVELOPMENT.

5. Receive the Harris County Flood Control District's Tree Planting Plan and discuss and take appropriate action concerning additional amenities as they relate to this plan.

Michael Brown, Director of Parks and Recreation introduced the item. He told Council that over the past year Staff has been working with Harris County Flood Control to re-establish trees along the bypass channel that were removed during the widening of the channel.

This item will accomplish two activities. First, Council will receive the Harris County Flood Control District's Tree Planting Plan. The plan is depicted in three (3) Harris

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County Flood Control maps/layouts, which indicate areas where trees will be planted this season on Argentina Street, Senate Avenue, and Honolulu Street.

Secondly, Council will discuss and select, if appropriate, additional amenities as they relate to these plans. Example amenities for consideration are included in the “List of Amenities” included in the Council Packet.

Discussion was had concerning the town hall meeting that was held some months ago regarding the desires of the residents. City Manager Castro provided his recollection that those attending the meeting that currently have a fence were not in favor of having trees behind the fence, rather they wanted the trees planted in the open areas. Some attending the meeting wanted fencing and others did not.

Council engaged in discussion about security along the by-pass channel, access to the area by “4-wheelers,” the planting of oleanders in the open areas as opposed to the placement of fencing, the size of the trees to be planted by Harris County, and access points along the by-pass channel. Council also discussed at length the three map layouts presented by Harris County for tree planting along Argentina, Senate and Honolulu and the possibility of installing fencing.

Fencing was discussed in terms of security and whether fencing should be used as opposed to oleanders. There was also discussion about the securing fencing would provide around the park and along the by-pass channel and that there may be some locations that were more suitable for fencing. It was suggested that staff prepare for the next council meeting a proposal, including costs, for fencing along by-pass channel with security in mind. No formal action was taken on this item in terms of fencing.

6. Discuss and take appropriate action concerning the placement of “speed humps” on Village Drive.

Russell Hamley, Mayor presented the item. He told Council about the types of “speed humps” that are conducive to slowing traffic but are not harmful to fire trucks. He explained that they are made of a plastic type material and are easily installed. He also mentioned that should the Council decide that they do not like the “speed humps” for any reason after installation, they can easily be removed.

Discussion was had the fact that there is speeding on many streets within the City, not just on Village Drive. With this in mind, there was concern that once installed, these “speeding humps” would appear on every street in the City where speeding was an issue.

Discussion was had about the number of citations that are being issued for speeding in the residential areas of Jersey Village. The monthly report containing information on this statistic shows that the number of citations issued for speeding in residential areas is down. Chief Wedemeyer explained that enforcement equals compliance.

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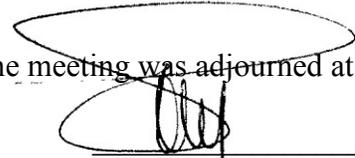
Council asked for input from the Jersey Village Fire Chief concerning these “speed humps.” The Fire Chief stated that he was inclined to disapprove of the “speed humps.”

No action was taken on this item.

I. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:00 p.m.





Lorri Coody, City Secretary

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON NOVEMBER 4, 2010 AT 6:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Pro-Tem Berube at 6:00 p.m. with the following present:

Mayor Pro-Tem, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty
Council Member, Mark Maloy
Council Member, Jill Klein

City Manager, Mike Castro
City Secretary, Lorri Coody

Mayor Russell Hamley was not present at this meeting,

Staff in attendance: Isabel Kato, Director of Finance; and Karen Farris, Human Resource Generalist.

B. Consider Resolution No. 2010-63, authorizing the City Manager to enter into a contract with Hardin & Robbins LLC for Court Consulting Services and to provide for the appointment of an Interim Municipal Court Clerk of the City of Jersey Village.

City Manager, Mike Castro introduced the item. He called attention to the professional qualification sheet for Leisa Hardin that had been placed at each Council Member's place. This information is being offered in support of the individual being considered by Council this evening for the appointment of an Interim Municipal Court Clerk.

Mr. Castor told Council that since the posting of this agenda, the City has received Ms. Deborah Haun's resignation from the position of Municipal Court Clerk. Prior to receiving this resignation, it was apparent that Ms. Haun would have been away from her position for sometime on leave. Because of this knowledge, this meeting was called in order to make arrangements for her absence.

In preparation for the appointment of an Interim Municipal Court Clerk, staff did contact Texas First, a trusted organization that has been used in the past to assist in filling Interim positions. However, after a two-week search, Texas First was unable to find anyone to offer as a candidate for this position.

In continuing the search, Human Resource Generalist, Karen Farris contacted Hardin & Robbins LLC, the firm for which you have been presented a proposed consulting contract. One of the principles of this firm is Margaret Robbins, a well known and respected leader in the Municipal Court field. This is a tremendous asset to have in addition to the expertise of Ms. Leisa Hardin, serving as Interim Clerk.

Mr. Castro explained that the dollar amount cited in the contract is the maximum amount that could be spent, but it is not expected that this amount will be spent. He explained that we are already searching for a full-time Court Administrator. Tonight Council is being asked to

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approve the contract for consulting services and appoint Leisa Hardin as the Interim Municipal Court Clerk.

Mr. Castro recommended the following changes to the contract before approval:

On page 1, No. 1 the last sentence should be struck and replaced with “Consultant will submit any written reports concerning issues from Exhibit A to the City Manager.”

On Page 3, No. 8 should read “Correspondence regarding Client’s municipal court operations should be sent to the City Manager” and Mr. Mike Castro’s contact information should be inserted into the appropriate blanks.

Council engaged in discussion on the time frame for the length of the consulting services being 90 days as this is the estimated time it will take to get someone hired into the vacant position. There was also discussion that the consultant will answer to the Director of Finance, as the chain of command has not changed.

With no further discussion on the matter, Council Member Klein moved that Resolution No. 2010-63, authorizing the City Manager to enter into a contract with Hardin & Robbins LLC for Court Consulting Services and to provide for the appointment of an Interim Municipal Court Clerk of the City of Jersey Village be approved with the changes being made to the contract as recommended by the City Manager. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HARDIN & ROBBINS LLC FOR COURT CONSULTING SERVICES AND TO PROVIDE FOR THE APPOINTMENT OF AN INTERIM MUNICIPAL COURT CLERK OF THE CITY OF JERSEY VILLAGE.

C. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 6:10 p.m.



A handwritten signature in black ink, appearing to read 'Lorri Coody', is written over a horizontal line. The signature is enclosed within a hand-drawn oval shape.

Lorri Coody, City Secretary

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON NOVEMBER 15, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Hamley at 7:05 p.m. with the following present:

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Martha Williams
Council Member, Curtis Haverty	
Council Member, Mark Maloy	
Council Member, Jill Klein	

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

Planning and Zoning Members in attendance:

Debra Mergel, Chairman	Rick Faircloth, Vice Chairman
Barbara Freeman, Commissioner	Tom Eustace, Commissioner
Harry Beckwith, III, Commissioner	

Commissioners Michael O'Neal and Justin Ray were not present.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by: Russell Hamley, Mayor

C. CITIZENS COMMENTS

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

Harry Beckwith, 8006 Senate, Jersey Village, Texas 77040 (713) 248-5449 – Mr. Beckwith spoke to Council about the amendments being presented by the Planning and Zoning Commission. He stated that while he sits on the Commission, the comments being made are of a personal nature and represent his standpoint as a resident of this community. He told Council that he believes that the current ordinance as it relates to the Motor Vehicle Sales Overlay District is the best ordinance for the City. He mentioned that he voted for the changes being submitted tonight by the P&Z only because it was the directives of Council. He does not feel that these changes are in the best interest of the City as what is currently in place will best promote the type of development desired south of U.S. Highway 290.

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Judy Dierker, 8318 North Tahoe, Jersey Village, Texas 77040 – Ms. Dierker spoke to Council regarding the use of the trails along the bayou. She told council that she had spoke to Harris County Flood Control and learned that there will be no hike and bike trails installed along the bayou, but there will be access points for pedestrians. Additionally, they will plant trees. She is happy to learn that she will be permitted to walk her dog along the bayou and she just wanted everyone to know that Harris County Flood Control does not plan to close access off from the public.

Dustin Harwell, 11011 Pleasant Colony Drive, Houston, Texas 77065 – Mr. Harwell presented Council with a signed petition from residents living in the apartments at the Promenade. The petition is a request that the City consider street lights for the streets that surround that complex. Mr. Harwell is the property manager for the Promenade. He explained that there have been many “break-ins” at the apartment complex and even though the apartment complex has made many safety changes, it is believed that the street lights will be a great benefit for this community.

Rick Faircloth, 16010 Lakeview, Jersey Village, Texas 77040 (713) 466-8065 – Mr. Faircloth gave thanks to the Jersey Village Fire Department for its 25 years of service. He is thankful for all that they do.

Robert Karlin, 16548 Village Drive, Jersey Village, Texas 77040 (281) 793-2348 – Mr. Karlin spoke to Council about the speeding along Village Drive. He stated that this is still a problem and told Council that the portable speed sign was effective while it was there, but once it was removed, the speeding returned. He was not able to come to the last Council meeting but learned that there was an item on the agenda about speed humps. Unfortunately, this did not get passed. He learned that there was some information about how speed humps causes damage to fire trucks. He requested a copy of this information. He also requested a meeting with Council in order to discuss alternative solutions for this issue.

D. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. In addition to the items below he introduced Eric Foerster, the new Chief of Police and gave a status report on the dog shooting incident.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, and Budget Projections as of October 2010**
- 2. Open Records Request and Solicitor’s Permit Requests**
- 3. Fire Departmental Report and Communication Division’s Monthly Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report, Crime Prevention Unit Monthly Report, and Staffing/Recruitment Report**
- 5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, Municipal Citations within Residential Area Report, and Court Proceeds Comparison Report**

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6. **Public Works Departmental Report, Jones Road Construction Up-Date Detail Report, and Jones Road Construction Update Summary**
7. **Combined Monthly and Annual Mileage Report**
8. **Golf Course Monthly Report, Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
9. **Report from Code Enforcement**
10. **Capital Improvements Projects Report**
11. **White Oaks Bayou Capital Improvements Projects Report**

Mayor Hamley called the Consent Agenda and asked for any items to be removed. Council Member Maloy asked that item (5) be removed for separate consideration.

E. CONSENT AGENDA

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

1. **Consider approval of the Minutes for the Regular Session Meeting held October 18, 2010, the Work Session Minutes held on October 18, 2010, and the Special Session Meeting held on November 4, 2010.**
2. **Consider Resolution No. 2010-64, canceling the Monday, December 20, 2010, Regular City Council Meeting, and calling a Special City Council Meeting on Monday, December 13, 2010 due to the Christmas holidays.**

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, CANCELING THE REGULAR COUNCIL MEETING TO BE HELD ON DECEMBER 20, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS; CALLING A SPECIAL COUNCIL MEETING TO BE HELD ON DECEMBER 13, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

3. **Consider Resolution No. 2010-65, approving the application of the Municipal Court Clerk's appointment of Deputy Clerk.**

RESOLUTION NO. 2010-65

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

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4. **Consider Resolution No. 2010-66, designating signatories by title for The City of Jersey Village’s depository bank accounts and for the wire transfers conducted against said accounts.**

RESOLUTION NO. 2010-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, DESIGNATING SIGNATORIES BY TITLE FOR THE CITY OF JERSEY VILLAGE’S DEPOSITORY BANK ACCOUNTS AND FOR THE WIRE TRANSFERS CONDUCTED AGAINST SAID ACCOUNTS.

6. **Consider Resolution No. 2010-68, authorizing the City Manager to enter into contract for Mutual Aid between member departments of the Harris County Fire Fighters Association.**

RESOLUTION NO. 2010-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT FOR MUTUAL AID BETWEEN MEMBER DEPARTMENTS OF THE HARRIS COUNTY FIRE FIGHTERS ASSOCIATION.

7. **Consider Resolution No. 2010-69, authorizing the City Manager to enter into a contract with KBR for the replacement of an existing pump and associated piping at the Seattle Water Plant.**

RESOLUTION NO. 2010-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KBR FOR THE REPLACEMENT OF AN EXISTING PUMP AND ASSOCIATED PIPING AT THE SEATTLE WATER PLANT.

8. **Consider Ordinance No. 2010-47, amending the City’s budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011, by allowing for the allocation of \$15,000 from the Philippine Generator line item 02-46-7073 to the Seattle Water Plant line item 02-46-7302.**

ORDINANCE NO. 2010-47

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011; AND PROVIDING FOR SEVERABILITY.

9. **Consider Resolution No. 2010-70, authorizing the City Manager to engage KBR to install an emergency generator at the Philippine Lift Station.**

RESOLUTION NO. 2010-70

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KBR THROUGH THE COOPERATIVE PURCHASING NETWORK FOR THE INSTALLATION OF AN EMERGENCY GENERATOR AT THE PHILIPPINE LIFT STATION.

Having removed item (5), Council Member Haverty moved to approve items 1 through 9, excluding item 5, on the consent agenda. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

Mayor Hamley then called item number 5 from the consent agenda for discussion as follows:

5. Consider Resolution No. 2010-67, authorizing an agreement with Jones and Carter, Inc. for engineering services relating to the Storm Water Management Program.

The item was introduced by Danny Segundo, Director of Public Works. He told Council that the City is in its fourth year of implementation of the storm water management plan (SM4). The submitted proposal by Jones and Carter includes a site inspection program for all of the city storm water inlets. Inspections of basins, channels, and ditches are also included. A manual for post construction site runoff controls, illicit discharge detection program, and spill response kits. Also, included is the annual report due at the end of year four.

All Best Management Practices (BMP's) will be implemented as set forth in the Storm Water Management Program (SWMP). Year four and subsequent years of the approved SWMP for the City of Jersey Village will see an increase in the amount of action for each BMP to meet the minimum control measures.

This item is to approve the City Manager to contract with Jones and Carter to perform year four services of the city's storm water management program.

With limited discussion on the item, Council Member Maloy moved to approve Resolution No. 2010-67, authorizing an agreement with Jones and Carter, Inc. for engineering services relating to the Storm Water Management Program. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

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The motion carried.

RESOLUTION NO. 2010-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH JONES AND CARTER, INC. FOR ENGINEERING SERVICES RELATING TO THE STORM WATER MANAGEMENT PROGRAM.

F. REGULAR AGENDA

1. Discussion by Kimley-Horn and Associates regarding Form Based Codes and their applicability to Jersey Village Crossing.

Background information on this item is as follows: On July 19, 2010, City Council authorized Kimley Horn and Associates to undertake Phase 3 of a feasibility study associated with Transit Oriented Development. Council was presented with the results of Phase 1 at a work session conducted on October 12, 2009. Phase 2 of the study was approved by Council in October 2009 and results were presented in July 2010.

Phase 3 is necessary to complete the study and basically involves the following steps:

- a. Developing Form Based Codes;
- b. Refining the capital cost estimates for the infrastructure program;
- c. Providing planning support in reviewing Proposed TOD Plats and Developments; and
- d. Developing a fiscal framework for a municipal bond election.

Completion of Phase 3 of the study will provide city council with sufficient information to determine the overall viability of developing Jersey Village Crossing. Kimley-Horn intends to complete the work in time for the city to conduct a General Obligation bond election in May of 2011, provided council chooses to go this route. The purpose in discussing form based codes at this time is to provide Council with sufficient background to make a timely decision regarding the development of Jersey Village Crossing.

Kimley-Horn Consultant, Joe Willhite gave a presentation providing information about Form Based Codes. He opened his presentation and gave information to Council on what has been completed during the feasibility study. He told them that Phases One and Two are complete and Phase Three comprises the implementation process and is well underway. Mr. Willhite recapped the activities performed in Phases One and Two. He stated that Phase Three includes the development of Form Based Codes which have a focus that dictates appearance not use. He then discussed the differences between form based codes and use based codes. He also discussed net operational costs for each phase of the project and the property values. He showed how the property values are expected to increase as each phase of the project is rolled out.

Mr. Willhite presented the following schedule for the items remaining in Phase 3:

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December 2010 through February 2011

- Meeting with current landowners and developers (12/14-12/15)
 - Introduce Form Based Code framework
 - Understand lending institution requirements
 - Market feasibility over next 5 years
 - Identify Potential Partnerships
- Present Form Based Code for Consideration / Adoption (January)
- Authorize partnership discussions between city staff and developers (January)
- Determine infrastructure needs for development (Dec. – Jan.)
- Identify secondary developments as per current market (Jan. – Feb.)
- Develop financial package geared towards future debt service options (Dec. – Feb.)

Council engaged in discussion about the zoning history of Jersey Village, when it began, when it was changed, and how it applies to the ETJ. City Manger Castro explained that we have no authority to zone in the ETJ. He explained that the area within the City limits to the south of U.S. Highway 290 is currently zoned industrial. There were questions about zoning the land that is already purchased. Mr. Willhite explained that the intention is not to preclude any landowner, but to designate what is expected as we move forward.

There was discussion about the success rate for Phase One of this project. Mr. Willhite explained that due to the current economic conditions, developers are not taking on projects much larger than 30 to 40 acres. With that said, Phase One of this project is very appealing and has promise.

Mr. Willhite also explained that Jersey Village is still being considered as a rail stop and giving consideration to other decisions that have recently been made in this area, it is very possible to see everything coming together in the next 5 to 7 years.

Council engaged in discussion about the need for a parking facility. It was decided that it would most likely not be needed in Phase One and that once it is needed there would most likely be at least a two year notice of such need. Mr. Willhite believes that there will also be help in getting this structure built.

In closing, there was discussion about how development on the land outside the city limits can be controlled. There was a consensus that the main focus now should be the development along Jones Road.

- 2. Consider Resolution No. 2010-71, receiving the Planning and Zoning Commission's Preliminary Report recommending amendments to the Jersey Village comprehensive zoning ordinance, to provide for the placement of pawnshops in a newly created district J1; making amendments to the motor vehicle sales overlay district to increase its boundaries and to eliminate the amortization requirements.**

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Planning and Zoning Chairman Debra Mergel presented the Commission's Preliminary Report. She told Council that the Commission's recommendation as it pertains to the placement of pawnshops within the City remains the same as the prior recommendation considered by Council. That is, the Commission recommends that pawnshops be placed in a newly created J1 district only.

Ms. Mergel stated that the Commission has made two (2) recommendations for Ordinance changes related to the Motor Vehicle Sales Overlay District. First, the Commission recommends that the boundaries of the district be expanded to include the property comprising 5 Star Auto which is located along the US 290 right of way. Second, the Commission recommends that the Motor Vehicles Sales Overlay District zoning requirements be amended to eliminate the amortization process.

In receiving the Commission's report, Council engaged in discussion about the recommendations. There was limited discussion about the pawnshop recommendations. However, discussion was had on the changes being recommended for the Motor Vehicle Sales Overlay District. Council discussed that eliminating the amortization process means that the land use (motor vehicle sales) is permitted to remain as long as the use does not change. This means that the property may change hands and as long as the use remains the same, the motor vehicle sales use may continue.

City Manager Castro gave an overview on non-conforming use, how long it lasts, and what actions would cause it to change. He explained what abandonment means and the affects of removing the amortization requirements.

With no further discussion on this matter, Council Member Maloy moved to approve Resolution No. 2010-71, receiving the Planning and Zoning Commission's Preliminary Report recommending amendments to the Jersey Village comprehensive zoning ordinance, to provide for the placement of pawnshops in a newly created district J1; making amendments to the motor vehicle sales overlay district to increase its boundaries and to eliminate the amortization requirements. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT RECOMMENDING AMENDMENTS TO THE JERSEY VILLAGE COMPREHENSIVE ZONING ORDINANCE TO PROVIDE FOR THE PLACEMENT OF PAWNSHOPS IN A NEWLY CREATED DISTRICT J1;

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AMENDMENTS TO THE MOTOR VEHICLE SALES OVERLAY DISTRICT TO INCREASE ITS BOUNDARIES; AND AMENDMENTS TO THE MOTOR VEHICLE SALES OVERLAY DISTRICT TO ELIMINATE THE AMORTIZATION REQUIREMENTS.

- 3. Consider Ordinance No. 2010-48, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the city's comprehensive zoning ordinance regarding pawnshops and amendments to the motor vehicle sales overlay district.**

With limited discussion on this item, Council Member Maloy moved to approve Ordinance No. 2010-48, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the city's comprehensive zoning ordinance regarding pawnshops and amendments to the motor vehicle sales overlay district for December 13, 2010 at 7:00 p.m. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-48

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING A PROPOSAL TO AMEND THE CITY'S COMPREHENSIVE ZONING ORDINANCE REGARDING PAWNSHOPS AND MOTOR VEHICLE SALES.

- 4. Consider Resolution No. 2010-72, authorizing a contract with Club Car, Inc. for the purchase of seventy-eight (78) 2011 Precedent Electric Golf Carts.**

Michael Brown, Director of Parks and Recreation presented the item. He told Council that the City purchased the existing fleet of golf carts in 2006. Since that time, in order to prepare for future purchases, annual contributions have been made into the Capital Replacement Fund.

The Golf Course Capital Replacement Plan has traditionally been a four (4) year replacement plan, but has inadvertently been recorded and approved into the City's 2010-2011 capital replacement budget as a five (5) year plan for golf carts. The existing fleet of golf carts now exceeds four years in age, and said carts are currently beyond warranty and should be replaced.

Accordingly, staff has obtained a proposal from Club Car, Inc. for the purchase of seventy-eight (78) 2011 Precedent Electric Golf Carts, and respectfully request

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authorization to purchase these golf carts during this budget year. The proposed vender is currently listed as a State of Texas Authorized Vendor, and the City of Jersey Village participates in the State of Texas Buy Board offered through the State of Texas Purchasing and General Services Commission.

Additionally, Staff asks that the 2010-2011 Capital Replacement Plan for golf carts be set at four (4) years as was traditionally intended. The proposed changes will have no bearing on the Golf Course's annual contribution of \$57,300 to the Capital Replacement Fund for golf cart replacements.

Discussion was had about Golf Course Revenue and Costs. The purchase was being questioned because while the Golf Course is a business, each year it does not generate enough revenue to pay for itself. Staff explained that as part of the Golf Course annual budget, it pays into the vehicle replacement fund in order to have the funds it needs to replace these vehicles. Therefore, the monies are available for the purchase.

Council Member Haverty moved to approve Resolution No. 2010-72, authorizing a contract with Club Car, Inc. for the purchase of seventy-eight (78) 2011 Precedent Electric Golf Carts. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CLUB CAR, INC. FOR THE PURCHASE OF SEVENTY-EIGHT (78) 2011 PRECEDENT ELECTRIC GOLF CARTS.

Mayor Hamley then called the next item on the agenda out of order:

6. Consider Resolution No. 2010-73, authorizing the City Manager to enter into a contract with KBR, for the installation of a new fencing along Welwyn Drive and Argentina Street.

Michael Brown, Director of Parks and Recreation presented the item. He explained that during the October Council meeting, Council directed Staff to obtain pricing for fencing along the newly constructed bypass channel and Welwyn Park. Accordingly, has obtained a proposal from KBR, which includes the following fencing options:

- | | |
|---|----------|
| A. Base proposal Chain Link Fence | \$14,361 |
| B. Alternate #1 for vinyl coated chain link fence | \$21,167 |
| C. Option #1 Wood Fence | \$21,200 |

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D. Option #2 Ornamental Iron Fence (Bond Included)	\$39,301
E. Option #3 Vinyl Privacy Fence Panels (Bond Included)	\$70,027

This item is for Council to choose an option. Based upon the selection made, the next item on the agenda is to allocate the money for the purchase.

Discussion was had concerning the location of the fences. Staff explained that the fences will run along Welwyn Park, beginning at the concrete wall at the Beltway and continue to the house on the edge of Welwyn Park. The intent of the fence is to provide security.

There was also discussion about the addition of the oleanders to run along the fence line in order to provide additional security. The cost of these oleanders was estimated to be approximately \$4,000 to \$5,000

Council Member Erskine moved to approve Resolution No. 2010-73, authorizing the City Manager to enter into a contract with KBR for the installation of new fencing along Welwyn Drive and Argentina Street constructed from the materials outlined in Option A, and to authorize an additional \$5,000 for the planting of oleanders along the fence line. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KBR FOR THE INSTALLATION OF NEW FENCING ALONG WELWYN DRIVE AND ARGENTINA STREET.

Mayor Hamley then resumed the order of the agenda by calling item 5 as follows:

- 5. Consider Ordinance No. 2010-49, amending the budget for fiscal year October 1, 2010 through September 30, 2011 by allocating \$212,000 from the Capital Replacement Fund balance to line item 07-72-6598 for golf cart purchases; and by recording the proper Capital Replacement Plan term of four years for city golf carts.**

Michael Brown, Director of Parks and Recreation introduced the item. He told Council that this item is needed in order to allocate \$212,000 from the Capital Replacement Fund balance to line item 07-72-6598 in order to purchase the golf carts approved in the previous item.

Council Member Berube moved to approve Ordinance No. 2010-49, amending the budget for fiscal year October 1, 2010 through September 30, 2011 by allocating

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\$212,000 from the Capital Replacement Fund balance to line item 07-72-6598 for golf cart purchases; and by recording the proper Capital Replacement Plan term of four years for city golf carts. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, and Klein

Nays: Council Member Maloy

The motion carried.

ORDINANCE NO. 2010-49

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011 BY ALLOCATING \$212,000 FROM THE CAPITAL REPLACEMENT FUND BALANCE TO LINE ITEM 07-72-6598 FOR GOLF CART PURCHASES; AND BY RECORDING THE PROPER CAPITAL REPLACEMENT PLAN TERM OF FOUR YEARS FOR CITY GOLF CARTS.

- 7. Consider Ordinance No. 2010-50, amending the City's budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 for the installation of new fencing along Welwyn Drive and Argentina Street in an amount not to exceed \$70,030.**

Michael Brown, Director of Parks and Recreation introduced the item. He told Council that this item is needed in order to allocate \$19,361 for the installation of new fencing and oleanders along Welwyn Drive and Argentina Street approved in the previous agenda item.

Council Member Berube moved to approve Ordinance No. 2010-50, amending the City's budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011 for the installation of new fencing along Welwyn Drive and Argentina Street in an amount not to exceed \$19,361. Council Member Erskine seconded the item. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-50

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND AND THE GOLF COURSE FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011; AND PROVIDING FOR SEVERABILITY.

- 8. Discuss and take appropriate action concerning the updated street list.**

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Danny Segundo, Director of Public Works introduced the item. He explained that during the budget, Council requested that Staff provide an updated version of the street repair list that incorporated recent projects. Council stated that no engineering analysis was necessary for the November meeting; council merely wanted to see an updated list.

A listing of streets that were not included in the 2007 rehabilitation is provided for council to review. If Council desires a rating system to prioritize the list, Staff requests that Council name the criteria to be used. Possible criteria are as follows:

- Condition of the Street;
- Age of Street;
- Drainage Issues (if any);
- Utility Issues (water/sewer);
- Volume of Traffic; and
- Any Other Needed Criteria.

This item is to discuss the criteria and if so desired, have Staff initiate the planning process necessary to develop a street project for Council consideration.

Discussion was had concerning the street list and how to move forward concerning same. It is not necessary to act tonight; however, if Council desires a street project, criteria for selecting the streets is needed. Once the streets are selected and approved, the entire process takes approximately 18 months.

Discussion was had concerning the streets remaining from the prior street list that still need to be addressed. There was also discussion about the development of Jersey Village Crossing and how such development will affect the street list and the funding of the street bond project.

Council also discussed the old software the City used to rate the streets. Discussion was had about that rating system and if it were used what streets would be included in the list. Danny Segundo, Director of Public Works explained that the old software rating system was focused on flooding and not on other criteria such as use, wear and tear, or high volume. Therefore, the list would most likely change.

After fairly detailed discussions on this topic, it was the consensus of Council that street repairs are not a high priority now, but the list should be re-addressed during the May budget work sessions.

9. Discussion regarding History of Jones Road Extension Project.

Council Member, Curtis Haverty introduced the item. He asked the City Manger to give a short overview pertaining to the Jones Road Extension Project.

City Manager Castro opened his presentation with a chronological listing of important events associated with the project as follows:

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- Oct 86 Court Decision on RR Crossing
- Sep 99 Council Discusses Jones Road Project
- Nov 02 Staff and Chamber meet to Discuss potential County Involvement
- Dec 02 Preliminary Alignment Discussed
- Apr 04 Inter-local Agreement Between Harris County and City
- Aug 04 Contract for Engineer Services
- Dec 06 Preliminary Engr. Report approved by Harris County
- May 07 ROW Agreement signed between city and property owners
- Jan 10 Environmental Clearance from USACE
- Apr 10 Construction Contract Awarded
- Aug 10 Groundbreaking

Mr. Castro also discussed the Interlocal Agreement for this project between the City and the County and he outlined the responsibilities for each party. Additionally, he discussed the project costs in terms of county vs. city responsibility and he outlined the various funds that are being used to fund the city's portion of the project as follows:

- City Responsibility: \$ 1,354,562
 - 2003 Street Bond
 - Water and Storm Water Drainage \$ 641,751
 - Utility Fund
 - Sanitary Sewer \$ 712,811

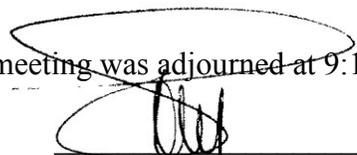
Mr. Castro closed his presentation with a project status overview.

In finishing his presentation, Council Member Maloy read excerpts from a 2002 JV Star Article. He pointed out that bond money was to be used for residential streets.

G. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:15 p.m.





Lorri Coody, City Secretary

MINUTES OF THE WORK SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON NOVEMBER 15, 2010 AT 6:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

The work session meeting was called to order by Mayor Hamley at 6:00 p.m. with the following present:

Mayor, Russell Hamley
Council Member, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty
Council Member, Mark Maloy
Council Member, Jill Klein

City Manager Mike Castro
City Secretary, Lorri Coody

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

Background information on the topic is as follows: In June of 2007, the Federal Emergency Management Agency (FEMA) adjusted the boundaries for the 100-year floodplain within Jersey Village. As a result of FEMA's changes to the floodplain boundary, most new homes built within Jersey Village must be built at a higher slab elevation than prior to the changes. For some newly constructed homes, this has required the placement of fill material two to three feet above finish grade.

Earlier this year, city council hired the engineer firm of Claunch and Miller to advise the city regarding slab elevation requirements. Claunch and Miller is currently engaged in the process of reviewing existing city ordinances and developing recommendations to alleviate any problems the new FEMA requirements may cause.

The purpose of workshop/work session item is for HDR – Claunch & Miller Engineering Consultants to obtain background information from the Council and the public on the specific ordinance changes needed, to present general drainage concepts, and to receive input from interested parties.

Accordingly, Consultant Rich Gallegos with HDR – Claunch & Miller gave a presentation. He outlined the objectives for the evening as follows:

1. Review of Floodplain and Drainage Ordinance
2. Develop Alternatives to Resolve Ordinance Conflicts
3. Receive Input from Our Community
4. Provide INITIAL General Recommendations
5. Riverine Flooding Source – White Oak Bayou
6. Extensive Floodplain Limits
7. Future Participation In Community Rating System

WORK SESSION MEETING OF THE CITY COUNCIL
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Mr. Gallegos showed a flood plain map of Jersey Village and discussed the flood plain and drainage impacts. He then gave a detailed description of each of the recommendations that his firm suggests given this point in the project. Following is a list of general subject areas that cover the areas for which the consultant made recommendations:

1. Submittal Process
2. Floodplain Development
3. Fill Requirements
4. Site Drainage
5. Landscape

Throughout Mr. Gallegos presentation, he fielded questions from the public regarding each recommendation. The discussion included comments from the public about the current city code and the need for a distinction between “builder” and “developer.” There was also discussion about:

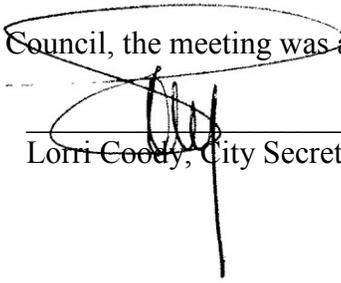
- Fill requirements for the 500 year flood plain;
- The use of gutters on re-builds to help divert runoff water from eroding neighboring property;
- How the proposed changes might affect new construction, including landscape requirements;
- What can be done with existing “moguls?”

Mr. Gallegos explained in his presentation that the focus of the changes being suggested is future construction.

In closing the presentation, Council discussed when the final presentation would be ready. Mr. Gallegos explained that he would be ready by the next council meeting.

Adjourn

With no other items to be addressed by the Council, the meeting was adjourned at 6:58 p.m.



Lorri Coody, City Secretary





Project Objectives

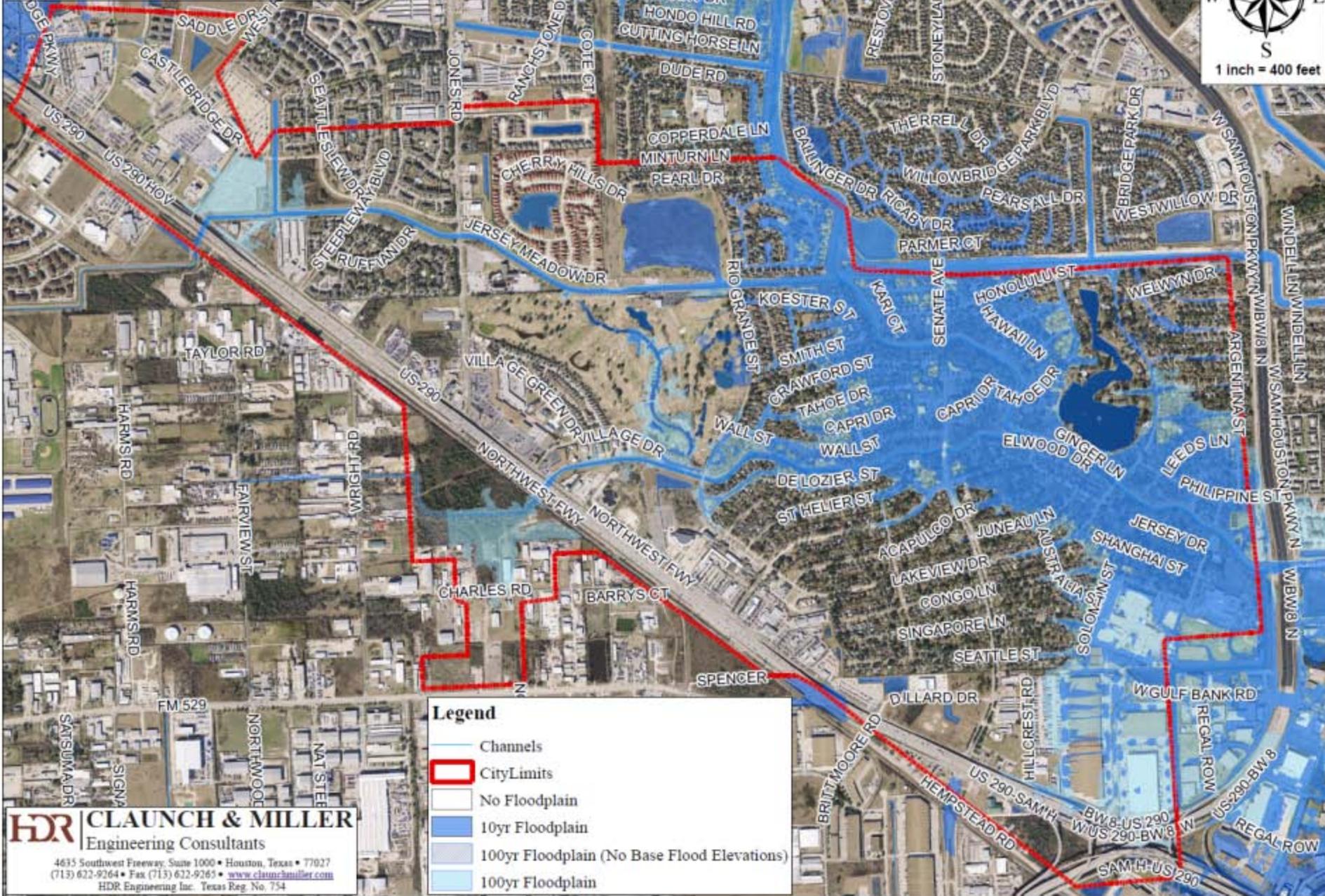
- Review of Floodplain and Drainage Ordinance
 - Slab Elevations for New Structures (Teardown and Rebuilds)
 - Development Requirements for All New Construction
- Develop Alternatives to Resolve Ordinance Conflicts
- Receive Input from Our Community
- Provide INITIAL General Recommendations



Floodplain Impacts

- Riverine Flooding Source – White Oak Bayou
- Extensive Floodplain Limits
 - 100-Year Storm (1% Probability):
26% Chance of Flooding During a 30-Year Mortgage
 - 10-Year Storm (10% Probability):
96% Chance of Flooding During a 30-Year Mortgage
- Future Participation In Community Rating System

Existing Floodplain Map City of Jersey Village, Texas



Legend

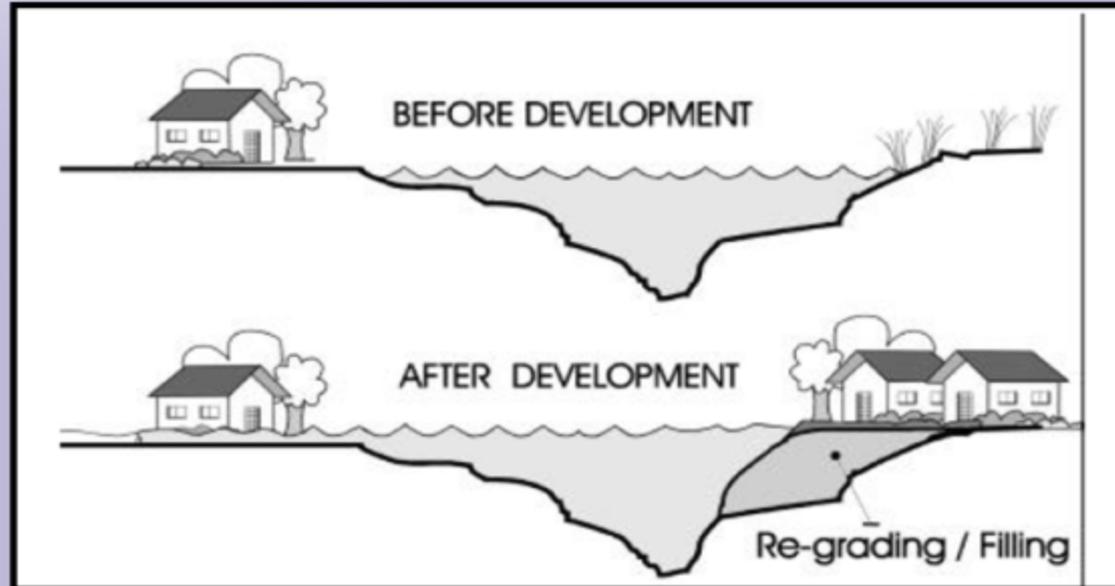
-  Channels
-  City Limits
-  No Floodplain
-  10yr Floodplain
-  100yr Floodplain (No Base Flood Elevations)
-  100yr Floodplain

HDR CLAUNCH & MILLER
Engineering Consultants

4635 Southwest Freeway, Suite 1000 • Houston, Texas • 77027
(713) 622-9264 • Fax (713) 622-9265 • www.claunchmiller.com
HDR Engineering Inc. Texas Reg. No. 754

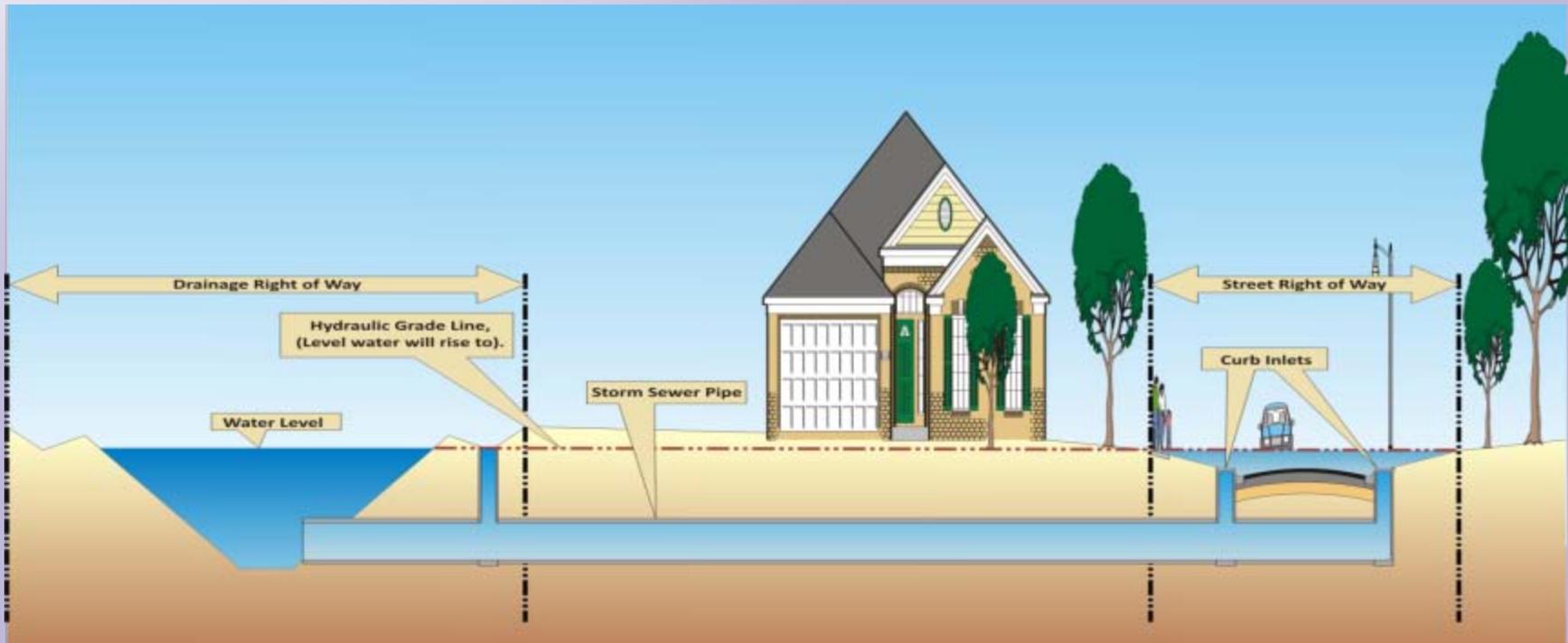
Floodplain Impacts

- Protect Structures
 - Older Homes Typically More Prone to Flooding
- Preserve Floodplain Storage
 - Prevents Downstream Impacts



Drainage Impacts

- Protect Structures
 - Utilize Overland Flow Paths
 - Avoid Impacts to Adjacent Lots



Recommendations

- Submittals
- Floodplain Development
- Fill Requirements
- Site Drainage
- Landscape



Submittal Process Recommendations



- Provide General Development Packet
 - Reduce Work Load of Staff
 - Provide Consistent Guidance to all Developers
 - Expand Upon Information Already Used
- All Plans Approved Together (Current City Policy)
 - Including:
 - Site Civil
 - Grading
 - Drainage
 - Landscape



Floodplain Development Recommendations



- Increase Freeboard to 18" Above BFE
 - Currently 12" Required
 - Extents of 10-Year Floodplain are Significant
 - Provides Additional Protection to Future Changes to Bayou
- Elevation Certificates For All New Construction
 - Insurable Structures
 - Includes Areas Outside of Floodplain
 - Verify Elevations at:
 - Design
 - Prior to Placement of Concrete
 - After Lowest Finished Floor Is Complete



Floodplain Development Recommendations



- Plan Requirements

- Engineer Shall Show Floodplain/Floodway Limits and Data
- CLOMR/CLOMR-F – Meet Endangered Species Act (ESA) Requirements
- Use or Relate Elevations to FEMA Effective Map Benchmarks (TSARP)

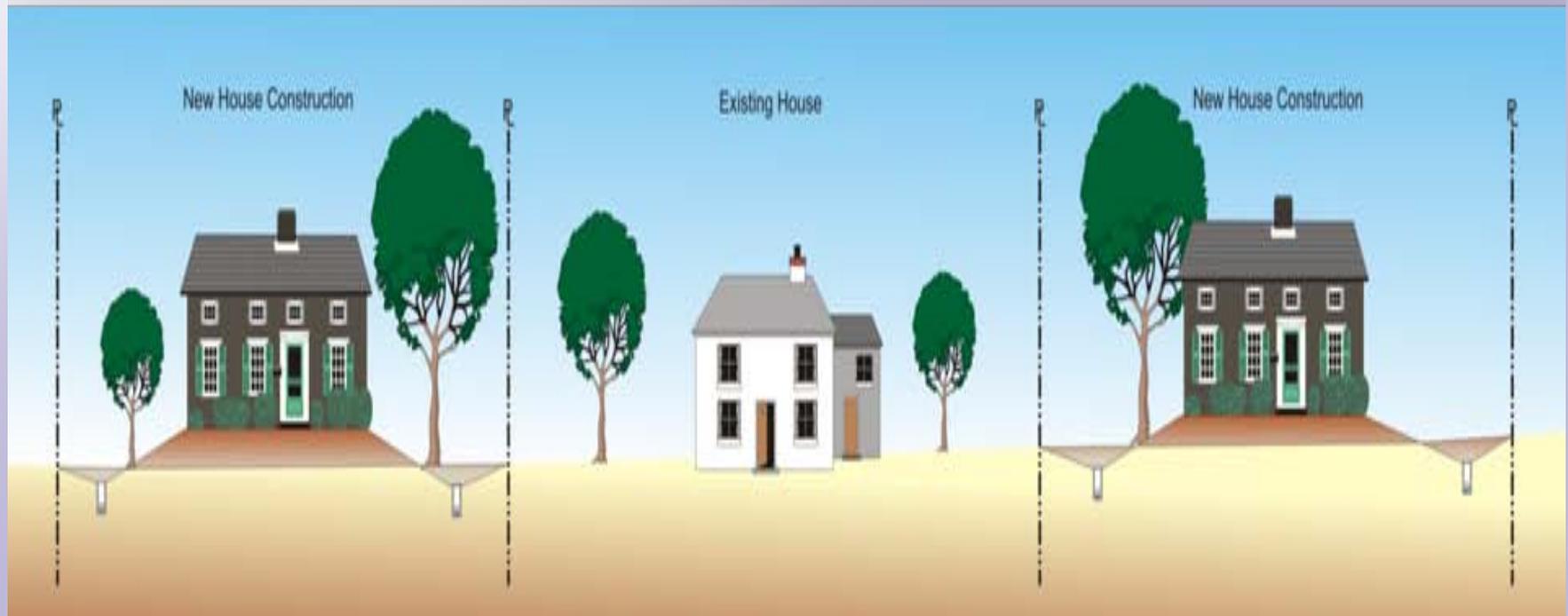


- Create Formal Floodplain Development Permit
- No Additional Floodplain Fill

Floodplain Development Recommendations



- No Floodplain Fill – Avoids “Mogul” Effect



Floodplain Development Recommendations



- No Floodplain Fill – Avoids “Mogul” Effect



Floodplain Development Recommendations



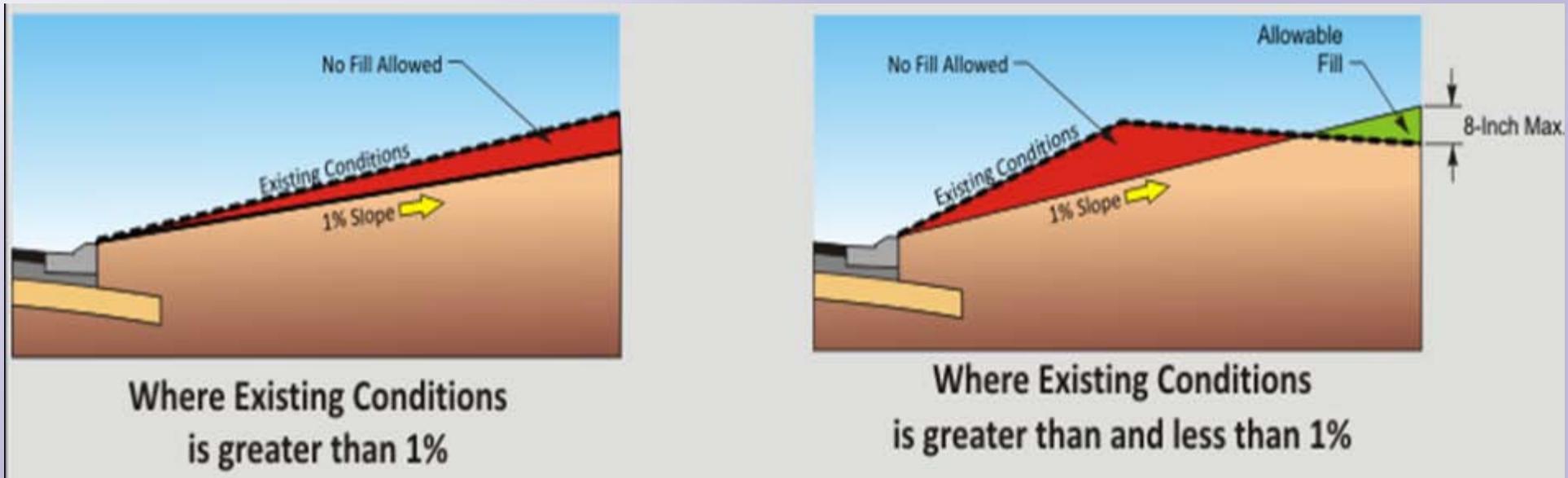
- Elevate Finished Floor Elevations
 - Stem Walls
 - Block Walls
 - Pier and Beam
- Lower Garage Elevation



Fill Limitation Requirements



Examples of Existing Conditions and Allowable Re-Grading

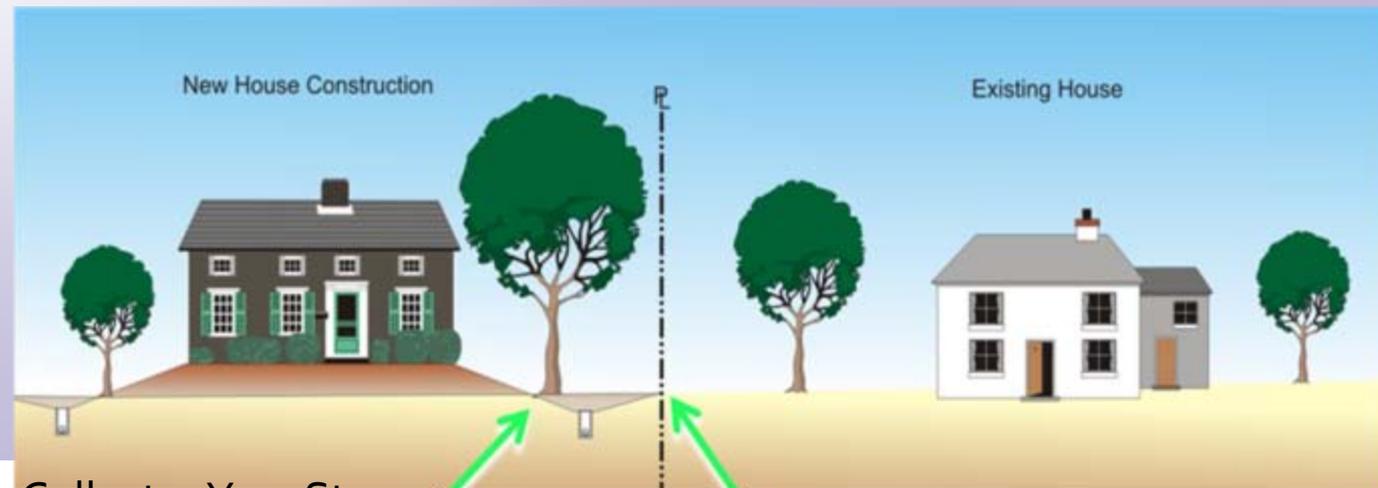


All off-site flows historically draining to the parcel will be accommodated in the on-site system

Site Drainage Requirements



- On-Site/Historic Off-Site Drainage Contained on Lot



Grade To Collect 3-Year Storm

Match Perimeter Elevation



Site Drainage Requirements



- Development Requirements
 - No “Private Deals” Between Homeowners Unless Recorded with County Clerk Office
 - Survey Spot Elevations in 25-foot Grid & at Property Lines
 - Side Swales Accept and Contain Sheet Flow (Additional Measures May be Required)
 - Curb Heads
 - Area Inlets
 - No Net Fill



Site Drainage Requirements

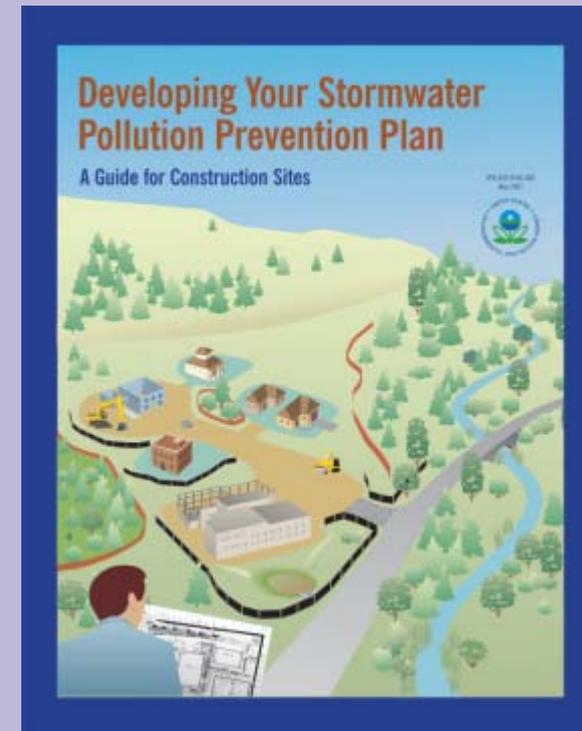


- Development Requirements
 - No French Drains (Landscape Use Only)
 - Area Drains
 - Minimum 3 ft/sec Velocity
 - Cleanouts/Inlets/Junctions at Every Bend
 - Minimum Inlet Size of 12 in. x 12 in.
 - Roof Drains
 - Identify on Plans Tie in Points
 - 1 per 4 in. line
 - 4 per 6 in. line

Site Drainage Requirements



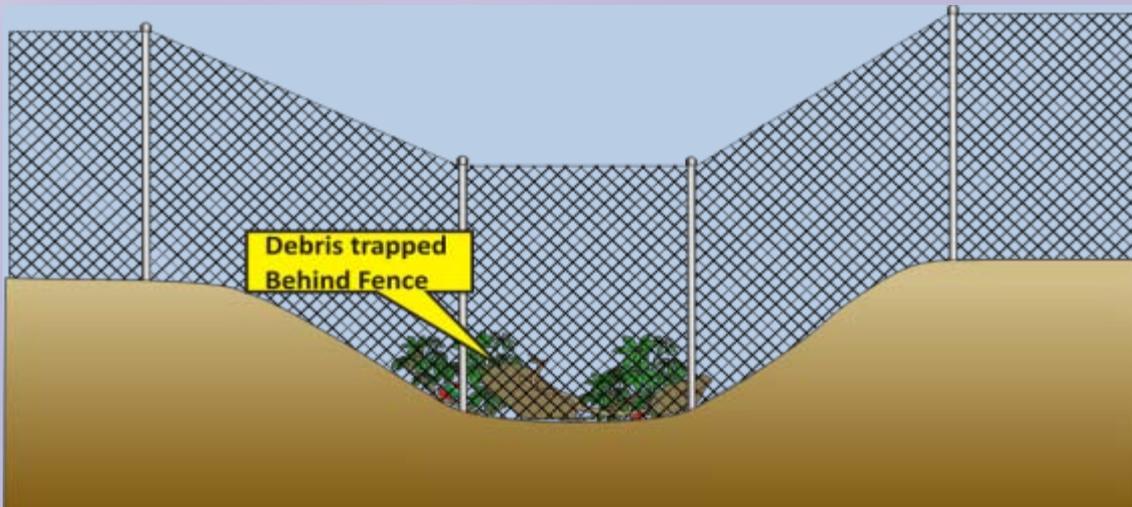
- Standardize Engineer's Certification
- Storm Water & Erosion Control
 - Contractor Responsible for SWPPP
 - Contractor Responsible for Removal of Erosion Control Measures



Landscape Recommendations



- Landscape Plan Approval with Rest of Plan Set
- Fencing
 - Barrier is Permissible to Confine Pets
 - Provide Flow Area Through Barrier





Questions & Comments

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON DECEMBER 6, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Rod Erskine	City Secretary, Lorri Coody
Council Member, Mark Maloy	City Attorney, Martha Williams
Council Member, Jill Klein	

Council Members Joyce Berube and Curtis Haverty were not present at this meeting.

Planning and Zoning Commissioners present were:

Rick Faircloth, Vice Chairman	Harry Beckwith, III, Commissioner
Justin Ray, Commissioner	Barbara Freeman, Commissioner
Tom Eustace, Commissioner	

Chairman, Debra Mergel and Commissioner, Michael R. O'Neal were not present.

Staff in attendance: Eric Foerster, Chief of Police; Danny Segundo, Director of Public Works; and Christian Somers-Kuenzel, Building Official.

- 1. Conduct a public hearing concerning the adoption of a moratorium, as permitted under Section 212.1352 of the Texas Local Government Code, on commercial property development in the area located to the south of the US 290 right of way and within the corporate limits of the City of Jersey Village.**

Russell Hamley, Mayor opened the public hearing at 7:01 p.m. The purpose of the public hearing is to provide affected parties an opportunity to be heard concerning the adoption of a moratorium on commercial property development in the area located to the south of the U.S. Highway 290 right-of-way and within the corporate limits of the City of Jersey Village.

With no one signing up to speak, Mayor Hamley closed the public hearing at 7:01 p.m.

- 2. Consider Resolution No. 2010-74, receiving a Report from the Planning and Zoning Commission, containing a record of the events for the public hearing conducted on December 6, 2010 at 6:00 p.m. pertaining to the adoption of a moratorium for commercial property development in the area located to the south of the US 290 right of way and within the corporate limits of the City of Jersey Village.**

Rick Faircloth, Vice Chairman of the Planning and Zoning Commission, presented a report containing a record of the events for the public hearing conducted by the Commission on December 6, 2010 at 6:00 p.m. concerning the adoption of a moratorium for commercial property development in the area located to the south of the U.S. Highway 290 right-of-way and within the corporate limits of the City of Jersey Village.

SPECIAL MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 6, 2010

He reported to Council that the meeting was conducted and that no one signed up to speak at the hearing. The meeting was closed without receiving any public comments.

At this point in the meeting, City Attorney Williams asked that the exhibits to the proposed ordinance be made a matter of the public hearing record. She was made aware that the public hearing had been closed. Accordingly, she asked that the public hearing be re-opened in order that the City Manager could publicly state into the record the documents.

Mayor Hamley re-opened the Public Hearing for public comments at 7:10 p.m. He called upon the City Manager for comments. City Manager Castro stated that he would offer into the record the Kimley-Horn November 15, 2010 presentation concerning form based codes and his recommendation document that supports the imposition of a moratorium on commercial property development in the subject area. Both of these documents support the statutory findings needed in order to impose a moratorium.

Mayor Hamley then called for a motion to have the items included. Council Member Klein moved that the Kimley-Horn November 15, 2010 presentation concerning form based codes and the City Manager's recommendation document that supports the imposition of a moratorium on commercial property development in the subject area by included into the record of this hearing. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Erskine, Maloy, and Klein

Nays: None

The motion carried.

The Mayor then called for further public comments. Hearing no response, the Mayor closed the public hearing at 7:11 p.m.

Upon closing the public hearing, Council Member Maloy moved to approve Resolution No. 2010-74, receiving a Report from the Planning and Zoning Commission, containing a record of the events for the public hearing conducted on December 6, 2010 at 6:00 p.m. pertaining to the adoption of a moratorium for commercial property development in the area located to the south of the US 290 right of way and within the corporate limits of the City of Jersey Village. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-74

SPECIAL MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 6, 2010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING A REPORT FROM THE PLANNING AND ZONING COMMISSION, CONTAINING A RECORD OF THE EVENTS FOR THE PUBLIC HEARING CONDUCTED ON DECEMBER 6, 2010 AT 6:00 P.M. PERTAINING TO THE ADOPTION OF A MORATORIUM FOR COMMERCIAL PROPERTY DEVELOPMENT IN THE AREA LOCATED TO THE SOUTH OF THE US 290 RIGHT OF WAY AND WITHIN THE CORPORATE LIMITS OF THE CITY OF JERSEY VILLAGE.

3. **Consider on First Reading Ordinance No. 2010-51, declaring a 90-day moratorium on the acceptance of applications for the issuance or renewal of permits for new construction or remodeling to commercial property located south of the US 290 right-of-way and within the corporate city limits of the City of Jersey Village; providing for a waiver method; and providing that this ordinance shall take effect immediately upon passage.**

City Manager Castro introduced the item. He explained the moratorium process. Two public hearings are required, one by the Planning and Zoning Commission and one by City Council. The Council is required to have two readings of the Ordinance before it is approved and passed. Once passed, the moratorium will be in effect for 90 days. This period can be extended for another 90 day period should Council hold another public hearing and make additional findings. The moratorium applies to commercial property development, and assuming that Council passes the Ordinance on first reading, a temporary moratorium will be imposed on December 7. During the period of the temporary moratorium, the City will stop accepting permits, authorizations, and approvals necessary for the subdivision of, site planning of, or construction on real property.

He also told Council that the Ordinance makes specific statutory findings. These findings are found in Section 1 of the Ordinance.

Upon completing his summary, Council engaged in limited discussion about enforcement of the moratorium. With no further discussions, Council Member Maloy moved to approve on First Reading Ordinance No. 2010-51, declaring a 90-day moratorium on the acceptance of applications for the issuance or renewal of permits for new construction or remodeling to commercial property located south of the US 290 right-of-way and within the corporate city limits of the City of Jersey Village; providing for a waiver method; and providing that this ordinance shall take effect immediately upon passage. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Maloy, and Klein

Nays: None

The motion carried.

SPECIAL MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 6, 2010

ORDINANCE NO. 2010-51

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, DECLARING A 90-DAY MORATORIUM ON COMMERCIAL PROPERTY DEVELOPMENT FOR PROPERTY LOCATED SOUTH OF THE U.S. HIGHWAY 290 RIGHT-OF-WAY AND WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF JERSEY VILLAGE; MAKING FINDINGS RELATED TO THE SUBJECT; PROVIDING FOR A WAIVER METHOD; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

B. CLOSE THE REGULAR SESSION

Mayor Hamley closed the Regular Session at 7:15 p.m. to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071 – Consultation w/Attorney.

C. EXECUTIVE SESSION

- 1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.071 to discuss an appeal of decision in Docket No. 458-10-3147; Texas Alcoholic Beverage Commission vs. Coaches Pub Inc. D/B/A Coaches Sports Bar and Grill.**

D. ADJOURN EXECUTIVE SESSION

Mayor Hamley adjourned the Executive Session at 7:42 p.m. and reconvened the Regular Session, stating that no official business was taken during the Executive Session.

E. CONVENE REGULAR SESSION

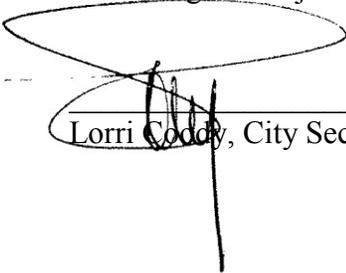
- 1. Consider Resolution No. 2010-75, regarding appeal of decision in Docket No. 458-10-3147; Texas Alcoholic Beverage Commission vs. Coaches Pub Inc. D/B/A Coaches Sports Bar and Grill.**

Mayor Hamley called the item and having received not discussion and no motion on the Resolution, no action was taken on this item.

F. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 7:43 p.m.





Lorri Cuddy, City Secretary

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON DECEMBER 13, 2010 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Rod Erskine	City Secretary, Lorri Coody
Council Member, Curtis Haverty	City Attorney, Martha Williams
Council Member, Mark Maloy	
Council Member, Jill Klein	

Staff in attendance: Rob Missall, Assistant Chief of EMS; Eric Foerster, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks; Courtney Rutherford, Assistant City Secretary; Deborah Capaccioli-Paul, Engineering Technician; and Christian Somers-Kuenzel, Building Official.

Council Member, Joyce Berube, and Fire Chief, Mark Bitz, were not present at this meeting.

The following City of Jersey Village Planning and Zoning Commission members were present:

Debra Mergel, Vice Chairman	Rick Faircloth, Commissioner
Barbara Freeman, Commissioner	Tom Eustace, Commissioner
Harry Beckwith, III, Commissioner	Justin Ray, Commissioner

Commissioner Harry Beckwith was not present when the meeting started, but arrived at 7:05 p.m. Commissioner Michael O'Neal was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. **Prayer and Pledge by:** Council Member, Curtis Haverty.

C. JOINT PUBLIC HEARINGS

1. **Conduct a joint public hearing with the Planning and Zoning Commission for the purpose of making amendments to the City's comprehensive zoning ordinance concerning the placement of pawnshops in a newly created District J1 only.**

Mayor Hamley and Chairman Mergel opened the first joint public hearing at 7:03 p.m.

Chairman Mergel briefly stated that the purpose of this Joint Public Hearing was to receive written and oral comments from any interested person(s) concerning amendments to the City's comprehensive zoning ordinance concerning the placement of pawnshops in a newly created District J1 only.

Accordingly, Mayor Hamley called those individuals signing up to speak on these matters as follows:

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With no one signing up to speak, Mayor Hamley and Chairman Mergel closed the public hearing at 7:04 p.m.

- 2. Conduct a joint public hearing with the Planning and Zoning Commission for the purpose of making amendments to the City’s comprehensive zoning ordinance by increasing the boundaries of the Motor Vehicle Sales Overlay District.**

Mayor Hamley and Chairman Mergel opened the second joint public hearing at 7:05 p.m. Chairman Mergel briefly stated that the purpose of this Joint Public Hearing was to receive written and oral comments from any interested person(s) concerning amendments to the City’s comprehensive zoning by increasing the boundaries of the Motor Vehicle Sales Overlay District.

Accordingly, Mayor Hamley called those signing up to speak on these matters as follows:

Otto Simmank, 8301 Jones Road, Jersey Village, Texas (713) 896-447 – Mr. Simmank told Council that he owns The Red Barn Furniture Store on Jones Road. It is situated on six (6) acres. He explained that over the course of the past several years he has tried to rent his property to prospective retailer, but has been unsuccessful because the City codes prevent such agreements and make it difficult. Currently, he does not see an advantage to owning this property and feels that Jones road needs to be recoded to encourage quality retail shops. He feels his property has been “contaminated” by the existing city codes.

With no one else signing up to speak, Mayor Hamley and Chairman Mergel closed the public hearing at 7:10 p.m.

- 3. Conduct a joint public hearing with the Planning and Zoning Commission for the purpose of making amendments to the City’s comprehensive zoning ordinance by eliminating the amortization requirements for the Motor Vehicle Sales Overlay District.**

Mayor Hamley and Chairman Mergel opened the third joint public hearing at 7:10 p.m. Chairman Mergel briefly stated that the purpose of this Joint Public Hearing was to receive written and oral comments from any interested person(s) concerning amendments to the City’s comprehensive zoning by eliminating the amortization requirements for the Motor Vehicle Sales Overlay District.

With no one signing up to speak, Mayor Hamley and Chairman Mergel closed the public hearing at 7:11 p.m. and the Planning and Zoning Commission retired from the City Council meeting to conduct its posted meeting agenda at 7:11 p.m.

D. CITIZENS COMMENTS

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is

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on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their presentation to the City Council.

Jeff Kopecky, 16125 DeLozier, Jersey Village, Texas (713) 849-2918 – Mr. Kopecky told Council about his concern for the buses being parked/stored off of Senate. He stated that they have been there for quite some time and he would like to know why this activity is being permitted. He requested that he be contacted with a status update concerning same.

Becky Kelley, 15726 Jersey Drive, Jersey Village, Texas (713) 849-4543 – Ms. Kelley addressed council concerning a report she obtained pertaining to speeders along Jersey Drive and Sue. She told Council that the speed trailer was placed at this location for a period of time and the information gathered has been reduced to a report. The report indicated that 40% of the cars during the study period exceeded the speed limit. She stated that speeding is an issue and she would like it addressed. She recommended that a three-way stop sign be installed; and that the current speed limit be reduced to 25 mph from Jersey Drive beginning at the park to Equador.

D. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. In addition to the items below he gave an update on the citizen comment made at last month’s council meeting by the Promenade’s Apartment Manager – a request for street lighting. Mr. Castro told Council that staff has obtained a quote for street lighting of the area from CenterPoint Energy. Chief of Police Foerster explained that he had met with the Manager to discuss the security issues and as a result (1) increased regular patrol in the area; (2) established foot and bike patrols; (3) conducted a security survey; and (4) opened up a better line of communication. City Manager Castro stated that the problems at the Promenade are not just lighting; they are multifaceted.

Council engaged in discussion about the quote from CenterPoint. City Manger Castro explained that the quote is for 29 lights and should be reviewed to insure that 29 are needed. Council also discussed funding the project should it be approved.

In addition to lighting at the Promenade, Council also discussed the police department budget, the decline in the number of citations registered in the Residential Citation Report, and the bus issue on Senate as indicated by the Code Enforcement Report.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, and Budget Projections as of November 2010.**
- 2. Open Records Request Report and Solicitor’s Permit Requests.**
- 3. Fire & Emergency Services Departmental Report and Communications Departmental Report**
- 4. Police Activity Report, Warrant Report, Investigations-Calls for Service Report, Red Light Camera Summary Report, CPU Monthly Report, and Staffing/Recruitment Report.**

SPECIAL MEETING OF THE CITY COUNCIL
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5. **Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, Residential Traffic Citation Report, and Court Proceeds Comparison Report.**
6. **Public Works Departmental Report, Construction Up-Date Detail Report, and Construction Update Summary**
7. **Combined Monthly and Annual Mileage Report**
8. **Golf Course Monthly Report; Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
9. **Report from Code Enforcement**
10. **Capital Improvements Projects Report**
11. **White Oaks Bayou Capital Improvements Projects Report**
12. **Police Department Expansion Project – Change Orders 9 and 10**

Mayor Hamley called the Consent Agenda and asked for any items to be removed. Council Member Maloy asked that items (3) and (4) be removed for separate consideration.

F. CONSENT AGENDA

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

1. **Consider approval of the Minutes for the Regular Meeting held November 15, 2010, for the Work Session Meeting held on November 15, 2010, and for the Special Meeting held on December 6, 2010. *Lorri Coody, City Secretary***
2. **Consider Resolution No. 2010-76, authorizing an Interlocal Agreement with Harris County for housing City prisoners.**

RESOLUTION NO. 2010-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, ENTERING INTO AN INTERLOCAL AGREEMENT WITH HARRIS COUNTY FOR THE HOUSING OF MUNICIPAL PRISONERS

5. **Consider Resolution No. 2010-78, declaring surplus equipment and authorizing disposition by the City Manager in accordance with the City's Administrative Procedures.**

RESOLUTION NO. 2010-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, DECLARING SURPLUS EQUIPMENT AND AUTHORIZING DISPOSITION BY THE CITY MANAGER IN ACCORDANCE WITH THE CITY'S ADMINISTRATIVE PROCEDURES.

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6. **Consider Resolution No. 2010-79, appointing Lawrence Paul Rex, III as Municipal Court Clerk for the City of Jersey Village to complete the unexpired term that began on January 1, 2010 and will expire on December 31, 2011, a term that runs concurrently with that of the Municipal Court Judges.**

RESOLUTION NO. 2010-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING LAWRENCE PAUL REX, III AS MUNICIPAL COURT CLERK FOR THE CITY OF JERSEY VILLAGE TO COMPLETE THE UNEXPIRED TERM THAT BEGAN ON JANUARY 1, 2010 AND WILL EXPIRE ON DECEMBER 31, 2011, A TERM THAT RUNS CONCURRENTLY WITH THAT OF THE MUNICIPAL COURT JUDGES.

7. **Consider Ordinance No. 2010-53, amending the Technology Court Fund budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011, allowing for the allocation of \$5,000.00 from the Court Technology Fund Balance to purchase and install a projector permanently to be used for trials and arraignments by the Municipal Court.**

ORDINANCE NO. 2010-53

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE COURT SECURITY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011; AND PROVIDING FOR SEVERABILITY.

Council Member Maloy moved to approve items 1, 2, 5, 6, and 7 on the consent agenda. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

Mayor Hamley then called items (3) and (4) on Consent for consideration as follows:

3. **Consider Ordinance No. 2010-52, amending the City's budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011, to cover increases in the Texas Commission on Environmental Quality (TCEQ) Public Health Service Fee.**

Public Works Director, Danny Segundo introduced the item. He told Council that the City pays an annual water system fee to the Texas Commission on Environmental Quality (TCEQ). The fee is charged in order to cover some of the costs incurred by the TCEQ in providing services to all active public water systems in the state. The cost associated with this service has increased, resulting in an increase in the Public Health Service Fee.

SPECIAL MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – December 13, 2010

Accordingly, this item is to request a budget amendment to cover increases. Council engaged in limited discussion about the history of the increases for this fee.

With no further discussion on the matter, Council Member Maloy moved to approve Ordinance No. 2010-52, amending the City's budget for the fiscal year beginning October 1, 2010 and ending September 30, 2011, to cover increases in the Texas Commission on Environmental Quality (TCEQ) Public Health Service Fee. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-52

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011; AND PROVIDING FOR SEVERABILITY.

4. Consider Resolution No. 2010-77, authorizing the City Manager to engage Urettek USA, Inc. to perform street raising work throughout various locations in the City of Jersey Village.

Danny Segundo, Director of Public Works introduced the item. He told Council that the Public Works Department is continuing its annual street raising program. The project includes street lifting, void filling, stabilizing and under sealing, proper drainage, and returning streets to proper load bearing capacity. Public Works will address 6 locations in the city that are experiencing concrete pavement settlement issues (ponding).

City Council has previously authorized the Public Works Department to receive proposals from entities approved by the Harris County Interlocal Agreement and authorized under Resolution 2007-60 dated December 17, 2007. Urettek USA, Inc. meets the criteria as an approved vendor under this interlocal agreement and has proposed street raising work for various locations throughout the City of Jersey Village as follows:

1. 16401 St. Helier	\$2,800.00	5. 16118 Singapore	\$1,300.00
2. 15325 Clevedon	\$7,500.00	6. 96 Cherry Hills	\$3,100.00
3. 16006 Kevindale	\$3,800.00	7. Contingencies	<u>\$1,000.00</u>
4. 16310 Congo Lane	\$1,350.00		Total \$20,850.00

This item is for the approval of Urettek's proposal for this street raising work.

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After limited discussion on the funding for this project and the process used to select streets, Council Member Erskine moved to approve Resolution No. 2010-77, authorizing the City Manager to engage Urettek USA, Inc. to perform street raising work throughout various locations in the City of Jersey Village. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENGAGE URETEK USA, INC. TO PERFORM STREET RAISING WORK THROUGHOUT VARIOUS LOCATIONS IN THE CITY OF JERSEY VILLAGE.

G. REGULAR AGENDA

- 1. Consider Ordinance No. 2010-54, amending Section 70-77 of the Code of Ordinances establishing rates for water service; providing for severability; providing for repeal; and providing an effective date.**

Danny Segundo, Director of Public Works introduced the item. Background information is as follows:

For the past four years, the City of Houston has implemented a series of water rate increases to wholesale customers. After several years without an increase, Houston commissioned several rate studies which determined the need for large, across-the-board increases to reflect the true cost of producing and distributing water to its customers. As a result, large rate increases by Houston have prompted Jersey Village to implement similar increases to maintain our water system as a viable entity.

The City of Jersey Village increased its water rates by 8% in January of 2010, in response to the City of Houston's 16% increase that took effect January 1, 2010. Believing that we had seen the last of the large Houston rate increases; staff recommended to Council that the city hold off on implementing the remaining 8% of the January 2010 increase until January of 2011.

In April of this year the Houston proposed a second large rate increase for wholesale customers. The Houston City Council passed ordinance 2010-305, which implements a water rate increase of 12.7% scheduled for January 1, 2011. This is in addition to the earlier 16% increase.

During our City's annual budget hearings, discussion was had on how to address the issue of water rates. At the May City Council meeting staff was given the task of

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determining the amount needed to adjust the city's water rates to fully accommodate the 16% increase from the City of Houston. City Council desired to increase the rate by an amount that would only amount to a "pass thru" cost for the residents. An analysis was conducted by the City's Finance Department which concluded that a 3.6% increase would be necessary to maintain a healthy operating fund balance. The 3.6% rate increase Council passed in June was intended only to address the balance of the 16% Houston rate increase in terms of "pass thru" costs.

In October the Finance Department implemented a Consumer Price Index (CPI) adjustment of 1.4%. According to Finance Department calculations, an additional 6.5% increase is required to cover the "pass thru" cost of the 12.7% water rate increase. This calculation was prepared by the Finance Department taking into consideration the amount of water revenue collected and the cost of the water purchased from the City of Houston as of Fiscal Year 2009-2010.

Council engaged in limited discussion about the increase and Council Member Erskine moved to approve Ordinance No. 2010-54, amending Section 70-77 of the Code of Ordinances establishing rates for water service; providing for severability; providing for repeal; and providing an effective date. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-54

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING SECTION 70-77 OF THE CODE OF ORDINANCES OF SAID CITY; ESTABLISHING RATES FOR WATER SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

- 2. Consider on Second Reading Ordinance No. 2010-51, declaring a 90-day moratorium on commercial property development for property located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village; making findings related to the subject; providing for a waiver method; and providing that this Ordinance shall take effect immediately upon passage.**

Mike Castro, City Manager introduced the item. He told Council that both of the required public hearings and the first reading of the Ordinance were had on December 6, 2010. During that meeting, the November 15, 2010 Kimley-Horn Presentation on Form Based Codes and comments from the City Manager on the 90 day moratorium were introduced and included in the record.

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Mr. Castro explained that this item is to consider the second reading of the Ordinance which will approve the moratorium on commercial property development in the area located to the south of the U.S. Highway 290 right-of-way and within the corporate limits of the City of Jersey Village. Once passed, the moratorium will take effect immediately for a 90 day period.

With limited discussion on this item, Council Member Haverty moved to approve on Second Reading Ordinance No. 2010-51, declaring a 90-day moratorium on commercial property development for property located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village; making findings related to the subject; providing for a waiver method; and providing that this Ordinance shall take effect immediately upon passage. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-51

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, DECLARING A 90-DAY MORATORIUM ON COMMERCIAL PROPERTY DEVELOPMENT FOR PROPERTY LOCATED SOUTH OF THE U.S. HIGHWAY 290 RIGHT-OF-WAY AND WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF JERSEY VILLAGE; MAKING FINDINGS RELATED TO THE SUBJECT; PROVIDING FOR A WAIVER METHOD; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

3. Discuss and take appropriate action regarding possible ordinance changes recommended by Consultants Claunch & Miller associated with the City's Floodplain and Drainage Ordinance Review Process.

Danny Segundo, Director of Public Works introduced Rich Gallegos with Claunch & Miller who gave a short presentation of the recommended ordinance changes.

Mr. Gallegos began by reviewing the project objectives as follows:

1. Resolving water runoff issues resulting from conflicting floodplain requirements.
2. Develop alternatives to utilization of fill to meet floodplain requirements.
3. Ensure compatibility of recommendations across all existing and revised ordinances including building codes.
4. Address construction phase drainage patterns to avoid flooding concerns.

The presentation focused on presenting city code change recommendations for each objective.

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Upon completing the presentation, Council engaged in discussion about the FEMA flood maps, flooding in the city and at the golf course. Additionally, Council discussed the “no net fill” requirement presented by the Consultant and how this process is connected to excavating the slab. Mr. Gallegos answered the questions posed and reminded Council that the focus of the code changes is to control run-off. Mr. Gallegos told Council that the recommendations will be ready for review in ordinance format in time for the January meeting.

4. Consider Resolution No. 2010-80, receiving the Planning and Zoning Commission’s Final Report recommending amendments to the Jersey Village comprehensive zoning ordinance, to provide for the placement of pawnshops in a newly created district J1.

Debra Mergel, Planning and Zoning Chairman, presented the final report to Council for their consideration. She told them that the Commissioners have previously met on several occasions, the latest being November 1, 2010, and recommended amendments to the City’s comprehensive zoning ordinance concerning the placement of pawnshops in a newly created District J1 only.

The preliminary report was submitted to the Jersey Village City Council at its November 15, 2010 meeting, and tonight, a joint public hearing was conducted which gave the public an opportunity to make comments concerning the proposed pawnshop amendment.

Ms. Mergel told Council that the Planning and Zoning Commission, after duly considering all the information before it, including that gathered at the Joint Public Hearing with City Council on December 13, 2010 at 7:00 p.m., recommends that:

The City’s comprehensive zoning ordinance be amended at Chapter 14, Article IV to reflect the placement of pawnshops in a new district J1 only.

This recommended amendment to the City’s comprehensive zoning ordinance is the same as that which was recommended in the Commission’s Preliminary Report.

With limited discussion on this item, Council Member Haverty moved to approve Resolution No. 2010-80, receiving the Planning and Zoning Commission’s Final Report recommending amendments to the Jersey Village comprehensive zoning ordinance, to provide for the placement of pawnshops in a newly created district J1. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

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RESOLUTION NO. 2010-80

RESOLUTION NO. 2010-80, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT RECOMMENDING AMENDMENTS TO THE JERSEY VILLAGE COMPREHENSIVE ZONING ORDINANCE, TO PROVIDE FOR THE PLACEMENT OF PAWNSHOPS IN A NEWLY CREATED DISTRICT J1.

5. **Consider Ordinance No. 2010-55, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by adding to Section 14-5 new definitions of “retail shops and trade” and “pawnshop”; amending Section 14-81 to create a new district J-1; adding to Article IV a new Section 14-109.1 establishing regulations for the new district J-1 to permit the operation of pawnshops in that district; authorizing amendment of the official zoning map of the City of Jersey Village, Texas, to show the boundaries of the new district J-1; containing other findings and provisions relating to the subject; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.**

Russell Hamley, Mayor called for a motion on the Ordinance. With limited discussion, Council Member Haverty moved to approve Ordinance No. 2010-55, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by adding to Section 14-5 new definitions of “retail shops and trade” and “pawnshop”; amending Section 14-81 to create a new district J-1; adding to Article IV a new Section 14-109.1 establishing regulations for the new district J-1 to permit the operation of pawnshops in that district; authorizing amendment of the official zoning map of the City of Jersey Village, Texas, to show the boundaries of the new district J-1; containing other findings and provisions relating to the subject; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-55

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 14, BUILDING AND DEVELOPMENT, BY ADDING TO SECTION 14-5 NEW DEFINITIONS OF “RETAIL SHOPS AND TRADE” AND “PAWNSHOP”; AMENDING SECTION 14-81 TO CREATE A NEW DISTRICT J-1; ADDING TO ARTICLE IV A NEW SECTION 14-109.1 ESTABLISHING REGULATIONS FOR THE NEW DISTRICT J-1 TO PERMIT THE OPERATION OF PAWNSHOPS IN THAT DISTRICT; AUTHORIZING

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AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF JERSEY VILLAGE, TEXAS, TO SHOW THE BOUNDARIES OF THE NEW DISTRICT J-1; CONTAINING OTHER FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

6. Receive comments from Council Member Klein pertaining to the Recreation and Events Committee's recent Holiday in the Park event.

Council Member Jill Klein thanked everyone for coming to Recreation and Event's Holiday in the Park. She told Council that the event was well attended, the weather was great, and that a record number of vendors participated. She was especially appreciative for the attendance and support given by the City Department Heads and the City Manager. The event was a success. Everyone had a great time.

7. Consider Resolution No. 2010-81, receiving the Planning and Zoning Commission's Final Report recommending amendments to the Jersey Village comprehensive zoning ordinance, making amendments to the motor vehicle sales overlay district to increase its boundaries.

Debra Mergel, Planning and Zoning Chairman, presented the final report to Council for their consideration. She told them that the Commissioners have previously met on several occasions, the latest being November 1, 2010, and recommended changes to the City's comprehensive zoning ordinance by making amendments to the motor vehicle sales overlay district to increase its boundaries.

The preliminary report was submitted to the Jersey Village City Council at its November 15, 2010 meeting, and tonight, a joint public hearing was conducted which gave the public an opportunity to make comments concerning the proposed motor vehicle sales district boundary amendment.

Ms. Mergel told Council that the Planning and Zoning Commission, after duly considering all the information before it, including that gathered at the Joint Public Hearing with City Council on December 13, 2010 at 7:00 p.m., recommends that:

The City's comprehensive zoning ordinance be amended at Chapter 14, Article IV to increase the boundaries of the Motor Vehicle Sales Overlay District.

This recommended amendment to the City's comprehensive zoning ordinance the same as that which was recommended in the Commission's Preliminary Report.

With limited discussion on this item, Council Member Erskine moved to approve Resolution No. 2010-81, receiving the Planning and Zoning Commission's Final Report recommending amendments to the Jersey Village comprehensive zoning ordinance,

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making amendments to the motor vehicle sales overlay district to increase its boundaries. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING & ZONING COMMISSION'S FINAL REPORT FOR INCREASING THE BOUNDARIES OF THE MOTOR VEHICLE SALES OVERLAY DISTRICT.

8. **Consider Ordinance No. 2010-56, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, the Jersey Village Development Code, by authorizing revision of the official zoning map as set out in Section 14-82 relating to the boundaries of the Motor Vehicle Sales Overlay District; containing other findings and provisions relating to the subject; providing a severability clause; providing for repeal; Providing a penalty as provided by section 1-8 of the code; and providing an effective date.**

Russell Hamley, Mayor called for a motion on the Ordinance. With limited discussion on this item, Council Member Erskine moved to approve Ordinance No. 2010-56, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, the Jersey Village Development Code, by authorizing revision of the official zoning map as set out in Section 14-82 relating to the boundaries of the Motor Vehicle Sales Overlay District; containing other findings and provisions relating to the subject; providing a severability clause; providing for repeal; Providing a penalty as provided by section 1-8 of the code; and providing an effective date. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2010-56

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, THE JERSEY VILLAGE DEVELOPMENT CODE, BY AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP AS SET OUT IN SECTION 14-82 RELATING TO THE BOUNDARIES OF THE MOTOR VEHICLE SALES OVERLAY DISTRICT; CONTAINING OTHER FINDINGS AND PROVISIONS RELATING TO THE

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SUBJECT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

9. Consider Resolution No. 2010-82, authorizing the City Manager to enter into a contract with CenterPoint Energy for the installation of street lighting along the Jones Road Extension.

Erik Tschanz, Project Manager for the Jones Road Extension Project explained the item. He told Council that the Jones Road Expansion contract did not provide for the installation of street lighting. It only provided for the installation of 2” conduit and the pulling of electrical wiring needed to acquire electrical service for lighting. As a result, Staff would like Council to consider the addition of streetlights along the newly constructed Jones Road Extension as a safety precaution in order to provide better visibility for motorists and to provide encouragement for future development in the area.

Mr. Tschanz explained that in considering approval of this request, Council must choose between the following two options:

- Option 1 – The installation of standard street lighting at a cost of \$14,960; or
- Option 2 – The installation of decorative street lighting similar to residential areas in Jersey Village at a cost of \$40,019

Mr. Tschanz also told Council that should the lighting be approved, installation costs will be absorbed by existing funds budgeted for the Jones Road Project. Costs for monthly electrical service fees will be dependent upon the style of streetlight chosen. Standard lighting will cost approximately \$706.64 per month, and decorative lighting will cost approximately \$803.00 per month. In considering the street lighting expenditures from last year, \$205,000 was budgeted and only \$190,000 was used, there should be enough funds in the street lighting budget to cover the addition of these lights. If not, a budget amendment will be requested should it be needed.

CenterPoint will install the designated street lighting upon approval from Council. If approving the motion, Council should indicate the desired option.

Council engaged in discussion about the cost to operate the lights once installed. There was concern that should Council approve this lighting project and the lighting project being considered for the Promenade Apartments, the budget for “City Lights” will surely be exhausted. This concern led to discussion about other lighting projects in the City and if developers paid for the lighting projects. Mr. Segundo, Director of Public Works, was called upon. Mr. Segundo stated that of the two developments being discussed, project developers did pay for the installation of the lights.

In connection with the lighting at Jones Road, safety is an issue. Staff pointed out that this issue has been brought to Council’s attention due to the safety of motorists. It is thought that should lighting be delayed until the area is developed, it might be years

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before a lighting project gets underway. Discussion was then had about the County being asked to contribute or if there are other sources for funding such as from a MUD.

Discussion was also had about the type of fixtures bid by CenterPoint. The single-pole, dual light fixture, decorative lamps similar to that used on Senate were not included. Some members of Council were interested in seeing a proposal for this type of lamp.

Accordingly, Council Member Haverty moved to table Resolution No. 2010-82, until the January 2011 Council Meeting in order that additional information might be gathered on this topic. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

10. Consider Resolution No. 2010-83, receiving the Planning and Zoning Commission's Final Report recommending amendments to the Jersey Village comprehensive zoning ordinance, to eliminate the amortization requirements.

Debra Mergel, Planning and Zoning Chairman presented the final report to Council for their consideration. She told them that the Commissioners have previously met on several occasions, the latest being November 1, 2010, and recommended changes to the City's comprehensive zoning ordinance by making amendments to the motor vehicle sales overlay district to eliminate the amortization requirements.

The preliminary report was submitted to the Jersey Village City Council at its November 15, 2010 meeting, and tonight, a joint public hearing was conducted which gave the public an opportunity to make comments concerning the proposed amendments to the motor vehicle sales district by eliminating the amortization requirement.

Ms. Mergel told Council that the Planning and Zoning Commission, after duly considering all the information before it, including that gathered at the Joint Public Hearing with City Council on December 13, 2010 at 7:00 p.m., recommends that:

The City's comprehensive zoning ordinance not be amended at Chapter 14, Article IV to eliminate the amortization requirement for the Motor Vehicle Sales Overlay District.

The recommendation for no amendment to the City's comprehensive zoning ordinance differs from the recommendation made by the Commission in its Preliminary Report where in the Commission recommended that the ordinance be amended to eliminate the amortization requirement.

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Council discussed the affects of the Commission's recommendation. Discussion was had regarding the affects of same on the three (3) non-conforming use businesses resulting from the creation of the Motor Vehicle Sales Overlay District.

City Attorney Williams explained that should Council follow the recommendation of the Commission and make no amendments to the comprehensive zoning ordinance, the three (3) non-conforming use properties would have three (3) years in which to recover investments in property use as well as an appeal option to request additional time in which to recover investments should additional time be needed. She further explained that upon the expiration of the three (3) year period or any amortization period properly extended through appeal, the property owner's non-conforming use rights terminate and the owner must comply with the requirements of the ordinance.

Ms. Williams went on to explain if Council elects to eliminate the amortization requirements from the comprehensive zoning ordinance, basically this will permit the three (3) non-conforming use properties to continue the non-conforming use until the use is discontinued and/or changed.

Council discussed the mechanics of moving forward – how to receive the report presented to them by the Planning and Zoning Commission that has been changed from the preliminary report. Council also discussed the possibility of adding back in the amortization requirements at some later date. The City Attorney explained that this would be possible and that eliminating the requirement now does not prevent them from adding it back in at a later date.

With no further discussion on this item, Council Member Haverty moved to approve Resolution No. 2010-81, receiving the Planning and Zoning Commission's Final Report recommending no elimination of the amortization requirements for the motor vehicle sales overlay district. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING & ZONING COMMISSION'S FINAL REPORT RECOMMENDING NO ELIMINATION OF THE AMORTIZATION REQUIREMENTS FOR THE MOTOR VEHICLE SALES OVERLAY DISTRICT.

- 11. Consider Ordinance No. 2010-57, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, the Jersey Village Development Code, by amending Section 14.111 relating to the Motor Vehicle Sales Overlay District to delete subsections (e) and (f) to delete an amortization period for nonconforming**

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uses; amending section 14-22 to delete Subsection (c)(3) to delete appeal to the board of adjustment; containing other findings and provisions relating to the subject; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.

Russell Hamley, Mayor called the item. He explained the content of the Ordinance. What it means if it should pass and what it means if it should not pass. He then called for discussion. Each member of the Council made comments pertaining to the proposed changes intended to eliminate the amortization requirements from the Motor Vehicle Sales Overlay District.

With limited discussion on this item, Council Member Klein moved to approve Ordinance No. 2010-57, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, the Jersey Village Development Code, by amending Section 14.111 relating to the Motor Vehicle Sales Overlay District to delete subsections (e) and (f) to delete an amortization period for nonconforming uses; amending section 14-22 to delete Subsection (c)(3) to delete appeal to the board of adjustment; containing other findings and provisions relating to the subject; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Erskine, Maloy, and Klein

Nays: Council Member Haverty

The motion carried.

ORDINANCE NO. 2010-57

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, THE JERSEY VILLAGE DEVELOPMENT CODE, BY AMENDING SECTION 14.111 RELATING TO THE MOTOR VEHICLE SALES OVERLAY DISTRICT TO DELETE SUBSECTIONS (E) AND (F) TO DELETE AN AMORTIZATION PERIOD FOR NONCONFORMING USES; AMENDING SECTION 14-22 TO DELETE SUBSECTION (C)(3) TO DELETE APPEAL TO THE BOARD OF ADJUSTMENT; CONTAINING OTHER FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

- 12. Consider Resolution No. 2010-84, receiving the recommendation of the Proposal Evaluation Committee, and authorizing the City Manager to negotiate and enter into a contract to provide Food, Beverage, and Alcoholic Beverage Services and related Concessions and Catering Services to patrons at the Jersey Meadow Golf Course.**

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Michael Brown, Director of Parks and Recreation introduced the item. Background information is as follows:

The proposal process began on October 31, 2010 with advertising in the Houston Chronicle followed by a Pre-Proposal Meeting on November 18, 2010 at 10:00 a.m. The proposal opening was held on November 30, 2010 at 2:00 p.m. in the Administrative Conference Room located at 16327 Lakeview in the City of Jersey Village. A total of two (2) proposals were received as follows: (1) Norton's Texas Grill & Pub; and (2) The Backyard Grill; and

The proposals were evaluated by the Proposal Evaluation Committee in accordance with the following criteria:

- A. Recent experience, satisfactory to the Evaluation Committee - **25 Points**
- B. Responsiveness and feasibility of plan for delivery of services - **25 Points**
- C. PROPOSER'S committed income and commission percentage payable to CITY - **35 Points**
- D. PROPOSER'S ability, capacity, skill, and financial strength to provide service - **15 Points; and**

The Proposal Evaluation Committee unanimously recommends The Backyard Grill for the award of the contract to provide food, beverage, and alcoholic beverage services and related concessions and catering services to patrons at the Jersey Meadow Golf Course.

Council engaged in discussion. They asked Mr. Brown about the scoring. He reported that the Backyard Grill received 100 points and Norton's Texas Grill & Pub received 45 points. Council also engaged in discussion concerning the commission amount that was proposed by each proposer. Mr. Brown explained that the amount ranged from 15 to 18% and included various options for the City to consider.

Council Member Erskine moved to approve Resolution No. 2010-84, receiving the recommendation of the Proposal Evaluation Committee, and authorizing the City Manager to negotiate and enter into a contract to provide Food, Beverage, and Alcoholic Beverage Services and related Concessions and Catering Services to patrons at the Jersey Meadow Golf Course. Council Member Maloy seconded the motion. The vote follows:

Ayes: Council Members Erskine, Haverty, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2010-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE RECOMMENDATION OF THE PROPOSAL EVALUATION COMMITTEE, AND AUTHORIZING THE CITY MANAGER TO

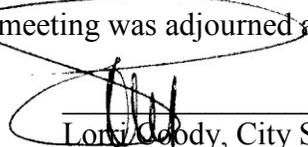
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NEGOTIATE AND ENTER INTO A CONTRACT TO PROVIDE FOOD, BEVERAGE, AND ALCOHOLIC BEVERAGE SERVICES AND RELATED CONCESSIONS AND CATERING SERVICES TO PATRONS AT THE JERSEY MEADOW GOLF COURSE.

J. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:26 p.m.




Lori Coody, City Secretary