

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MARCH 21, 2011 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 Russell 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; Eric Foerster, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks and Recreation.

The following City of Jersey Village Planning and Zoning Commission members were present:

Debra Mergel, Chairman	Rick Faircloth, Commissioner
Barbara Freeman, Commissioner	Tom Eustace, Commissioner
Harry Beckwith, III, Commissioner	Justin Ray, Commissioner
Michael O'Neal, Commissioner	

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by: Mayor, Russell Hamley.

C1. JOINT PUBLIC HEARING

1. Conduct Joint Public Hearing with Planning and Zoning Commission on amendments to the City's comprehensive zoning ordinance as it relates to qualifying the requirement for slab heights outside the one percent probability floodplain, building veneer finish standards, and internal consistency of ordinances, including building codes.

Mayor Hamley and Chairman Mergel opened the joint public hearing at 7:02 p.m.

Mayor Hamley called those individuals signing up to speak on these matters as follows:

Ron Moore, 15418 Jersey Drive, Jersey Village, Texas (713) 817-5227 – Mr. Moore told Council that he owns the property at the North end of Senate and Tahoe and the elevations have changed. If he wants to build on this property, he must now build 6 feet above ground level. He is opposed to the new ordinance. He stated that currently the city has an ordinance that addresses his ability to bring in dirt so as not to flood his neighbors and also for appearance purposes. He told Council that he wants to see flexibility in the City Ordinances.

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John Singletary, 8614 Senate, Jersey Village, Texas (832) 725-1788 – Mr. Singletary spoke to Council about elevated slabs and enhanced drainage. He stated that he believes the slab elevation changes are needed to address future development issues and he supports the changes that are being proposed by the slab elevation ordinance. He reminded Council that he has personal experience with this issue.

Jim Pulliam, 15713 Tenbury, Jersey Village, Texas (713) 983-0932 – Mr. Pulliam chose to speak to council during the Citizen Comment section of the agenda and did not speak during the Joint Public Hearing.

With no one else signing up to speak, Mayor Hamley and Chairman Mergel closed the public hearing at 7:05 p.m., and the Planning and Zoning Commission retired from the City Council meeting to conduct its posted meeting agenda at 7:05 p.m.

C2. ELECTION ITEMS

- 1. If no additional candidates file for positions on the ballot for the May 14, 2011 General Municipal Election by the filing deadline (March 21, 2011 at 5:00 P.M.), then the City of Jersey Village City Council will Consider Ordinance No. 2011-15, cancelling the election scheduled to be held on May 14, 2011, in accordance with Section 2.053(a) of the Texas Election Code.**

Lorri Coody, City Secretary introduced the item. She told Council that the final deadline for filing to run as a candidate in the City Election has past. The write-in candidate deadline was March 21, 2011 at 5:00 p.m.

Ms. Coody explained that because there were no contested races for the May 14, 2011 General Municipal Election, a Certificate of Unopposed Candidates was prepared for Council's review. The Unopposed Candidates for the May 14, 2011 Election follows:

Russell Hamley – for the position of Mayor
Rod Erskine – for the position of Council Member Place 2; and
Harry Beckwith, III – for the position of Council Member; Place 3

Ms. Coody explained that Council may officially accept the certification by a motion and vote. Once the Certification is received and accepted, Council then may consider Ordinance 2011-15 which is an order to cancel the May 14, 2011 General Municipal Election and orders that all unopposed candidates are elected. She told Council that the candidates are not required to be present for the passage of this Ordinance, but the Certificates of Election will be prepared for each unopposed candidate; and will issue after Election Day. Since Candidates must wait until on or after Election Day to take the oath of office; it is expected that the City will continue the tradition of installing new Council Members the first City Council Meeting after the election day, which will be May 23, 2011.

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In passing this Ordinance, Ms. Coody told Council that Item F2 on the Consent Agenda would no longer be necessary.

With limited discussion on this item, Council Member Maloy moved to accept the Certificate of Unopposed Candidates prepared by the City Secretary for the May 14, 2011 General Municipal Election. Council Member Berube 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 a motion on Ordinance 2011-15. With no discussion, Council Member Berube moved to approve Ordinance No. 2011-15, cancelling the election scheduled to be held on May 14, 2011, in accordance with Section 2.053(a) of the Texas Election Code. 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. 2011-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, CANCELLING THE ELECTION SCHEDULED TO BE HELD ON MAY 14, 2011, IN ACCORDANCE WITH SECTION 2.053(A) OF THE TEXAS ELECTION CODE.

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 Pulliam, 15713 Tenbury, Jersey Village, Texas (713) 983-0932 – Mr. Pulliam spoke to Council about Jersey Village Crossing and the amount of dollars that have been spent on this project. He believes that for this development to be successful, the city must overcome the bad reputation it has created with local businesses. He stated that the City cannot afford to spend the amount of money needed to attract developers for this project. He listed ways the City can be made more business friendly.

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Allen Bammel, 15301 Clevedon, Jersey Village, Texas (713) 466-0626 – Mr. Bammel spoke to Council about the street lights being considered for the Jones Road Extension. He stated that he does not support the purchase. He pointed out that there are many roads without streetlights that are heavily traveled and questions why the City should make this purchase in the name of safety. Mr. Bammel gave a summary of three intersections and the dangers involved with these three intersections. He told Council that he believes it is the developers' responsibility to provide the street lighting as has been done in other developments in Jersey Village.

Mr. Bammel also spoke to the expenditures made by the city in connection with the Jones Road Extension Project.

Jeff Kopecky, 16125 DeLozier, Jersey Village, Texas – Mr. Kopecky spoke to Council about the proposed street lighting for the Jones Road Extension. He told Council that he does not believe that the light poles will make the City in terms of appearance and/or image. He also stated that he does not believe the type of pole will help make a connection to the City. He is not in favor of the purchase and does not believe that the citizens living in the main part of the City should have to pay for this expense.

E. CITY MANAGER'S REPORT

City Manager, Mike Castro, gave his monthly report. In addition to the items listed below, he called Council's attention to item 12, Finance Audit Findings – FY 2009-2010. There was limited discussion on the City Manager's Report covering the budget snap shot and the police recruitment report.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, and Budget Projections as of February 2011**
- 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**
- 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**
- 12. Response to Finance Audit Findings – FY 2009-2010**

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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.

Mayor Hamley called the Consent Agenda asking that item 2 be removed from consideration, having cancelled the May 14, 2011 General Municipal Election. He then called for consideration of the Consent Agenda.

- 1. Consider approval of the Minutes for the Regular Session Meeting held on February 21, 2011.**
- 2. Consider Ordinance No. 2011-09, appointing an Alternate Presiding Election Judge to assist with conducting the General Election to be held on May 14, 2011.**

ORDINANCE NO. 2011-09 – NOT CONSIDERED

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING AN ALTERNATE PRESIDING ELECTION JUDGE TO ASSIST WITH CONDUCTING THE GENERAL ELECTION TO BE HELD ON MAY 14, 2011.

- 3. Consider Resolution No. 2011-12, authorizing the City of Jersey Village Fire Department to apply for a grant from the Federal Assistance to Fire Fighters Grant.**

RESOLUTION NO. 2011-12

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.

- 4. Consider Resolution No. 2011-13, 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. 2011-13

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.

Council Member Erskine moved to approve items 1, 3, and 4 on the consent agenda. Council Member Klein seconded the motion. The vote follows:

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

Nays: None

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The motion carried.

G. REGULAR AGENDA

- 1. Consider Resolution No. 2011-14, authorizing the City Manager to enter into a contract with CenterPoint Energy for the installation of “cobra style” street lighting along the Jones Road Extension.**

Council Member Jill Klein introduced the item. She told Council that she asked to have the lighting issues concerning the Jones Road Extension brought back in separate items before Council because it seemed that there was confusion surrounding these issues at the last Council meeting. She felt the confusion came with how the choices for the different lighting scenarios were presented on that council meeting agenda.

Discussion was had about the need for lighting and the reason for lighting along the Jones Road Extension. Council discussed safety issues and the connection to the number of lights that are needed in order to promote safety. The focus of the discussion was “to provide safety, but install as few of the lights as needed.” There was also discussion about what portion of the lighting Harris County was willing to install. It was felt that the County’s practice is to install lighting at intersections. Project Manager, Erik Tschanz told Council that the County does have a policy to install lighting at intersections; however, he is not sure it applies here and he if it does, he is not sure how the policy is carried out.

There was discussion about the location for planned traffic control devices. There will be signals at FM 529 and Jones Road; and US Highway 290 and Jones Road. There will only be a two-way stop sign at Charles and Jones.

Council engaged in a discussion about a lighting project. It was estimated that a street lamp lasts approximately 40 to 50 years, and the cost to operate such a lamp over the course of this time (cobra style) is minimal. Even the cost of a decorative light style lamp is minimal at only some \$20 per year to operate. Discussion was had about the probability that street lighting reduces crime and provides safety. It was noted, that when developing areas within the major part of the city (JV proper), decorative style lighting is installed. Therefore, some members of the Council felt that spending \$20 per year was not much to pay for atmosphere, and pointed out the possibility that it might help draw developers to the area.

Council engaged in discussion about the pros and cons of installing lights along the Jones Road Extension. Each member gave specific input for this discussion.

With no further discussion on the matter, Council Member Erskine moved that staff follow up with Harris County to confirm that the County will in fact install lights at intersections along the Jones Road Extension, and then he would like staff to make a recommendation on the minimum number of lights needed based upon the configuration

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of the road and safety issues. Council Member Maloy seconded the motion. The vote follows:

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

Nays: Council Member Haverty

The motion carried.

- 2. Consider Resolution No. 2011-15, authorizing the City Manager to enter into a contract with CenterPoint Energy for the installation of decorative “Postop style” street lighting along the Jones Road Extension.**

Mayor Hamley called the item and having received no discussion and no motion on the Resolution, no action was taken on this item.

RESOLUTION NO. 2011-15 – NO ACTION TAKEN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH CENTERPOINT ENERGY FOR THE INSTALLATION OF DECORATIVE POSTOP STYLE STREET LIGHTS ALONG THE JONES ROAD EXTENSION.

- 3. Consider Ordinance No. 2011-10, amending the budget for fiscal year October 1, 2010 through September 30, 2011, in the amount of \$41,000.00 to provide for the installation of street lighting along the Jones Road Extension by CenterPoint Energy.**

Mayor Hamley called the item and having received no discussion and no motion on the Ordinance, no action was taken on this item.

ORDINANCE NO. 2011-10 – NO ACTION TAKEN

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011, IN THE AMOUNT OF \$41,000.00, TO PROVIDE FOR THE INSTALLATION OF STREET LIGHTING BY CENTERPOINT ENERGY, ALONG THE JONES ROAD EXTENSION; AND PROVIDING FOR SEVERABILITY.

MAYOR HAMLEY CALLED THE ITEMS 12 and 13 OUT OF ORDER AS FOLLOWS:

- 12. Consider Resolution No. 2011-20, receiving the Planning and Zoning Commission’s Final Report pertaining to zoning ordinance amendments related to qualifying the requirements for slab heights outside the one percent probability floodplain, building veneer finish standards, and internal consistency of ordinances, including building codes.**

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Debra Mergel, Planning and Zoning Chairman, gave the final report pertaining to slab elevation requirements and the amendments related to same. She told Council that the Planning and Zoning Commission met on February 15, 2011 and recommended in its preliminary report that amendments be made to the City's comprehensive zoning ordinance. The preliminary report was submitted to the Council at its February 21, 2011 meeting. The Joint Public Hearing was had with Council this evening, and in preparing the final report concerning amendments to the City's comprehensive zoning ordinance related to qualifying the requirements for slab heights outside the one percent probability floodplain, building veneer finish standards, and internal consistency of ordinances, including building codes, consideration was given to: (1) the directives of Council; (2) the discussions had concerning these issues at prior P&Z meetings; and (3) the comments made by the public during the public hearing.

Accordingly, the Planning and Zoning Commission submits its Final Report and recommends that the City's comprehensive zoning ordinance be amended at Chapter 14, Article IV to qualify the requirements for slab heights outside the one percent probability floodplain, to set building veneer finish standards, and to establish internal consistency of ordinances, including building codes.

Council engaged in limited discussion about the FEMA requirements for the slab elevation to be set at 12 inches above base elevation but the Planning and Zoning report and the recommendation of the consultants hired to assist the City with this process is recommending that the requirement be set at 18 inches above base elevation.

With no further discussion, Council Member Haverty moved to approve Resolution No. 2011-20, receiving the Planning and Zoning Commission's Final Report pertaining to zoning ordinance amendments related to qualifying the requirements for slab heights outside the one percent probability floodplain, building veneer finish standards, and internal consistency of ordinances, including building codes. Council Member Erskine seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2011-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT PERTAINING TO ZONING ORDINANCE AMENDMENTS RELATED TO QUALIFYING THE REQUIREMENTS FOR SLAB HEIGHTS OUTSIDE THE ONE PERCENT PROBABILITY FLOODPLAIN, BUILDING VENEER FINISH STANDARDS, AND INTERNAL CONSISTENCY OF ORDINANCES, INCLUDING BUILDING CODES.

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13. Consider Ordinance No. 2011-14, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building And Development, by amending certain Articles and Sections of Chapter 14 to provide for changes in slab elevation requirements; providing a severability clause; providing for repeal; providing a penalty as provided by section 1-8 of the code; and providing an effective date.

Danny Segundo, Director of Public Works, introduced the item. Background information on the item is as follows:

Changes made by FEMA concerning floodplain boundaries have resulted in homes being added to the 100-year flood zone within Jersey Village. This newly established 100-year floodplain is several feet above the 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. Several recently constructed homes in the city stand two to four feet higher than their respective neighbors. In addition to issues regarding slab height / runoff, current city codes do not provide adequate guidance to the building official relating to the range of drainage options that may be considered to mitigate potential cross-neighbor flooding impacts. In short, our current ordinances are less than optimal for the homeowner, builders, and city officials. They are in need of a re-write as they relate to the specific area of drainage and slab construction.

On August 23rd, 2010, city council authorized staff to enter into contract with Claunch & Miller for professional services related to drainage issues within the City of Jersey Village. Specifically, city council desired 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.

Over the last several months, Claunch & Miller has reviewed the city's ordinances and developed a list of recommended changes that achieve city council's goals. These changes have been presented to the public at two public hearings. The city's Planning and Zoning Commission has been actively engaged in vetting the proposed changes. In addition, the Building Board of Adjustment has reviewed and approved relevant portions of the proposed changes. All meetings have been properly posted, and articles have appeared in the city's newsletter soliciting public feedback. All comments from the public have been forwarded to the city's consultant for review, and if appropriate inclusion into the final proposed changes.

On February 15, 2011, City Council and the Planning and Zoning Commission met in a joint work session to receive a presentation from Claunch & Miller Engineering Consultants pertaining to the consultant's recommendation concerning amendments to the City's Comprehensive Zoning Ordinance regarding Slab Elevation Requirements in the City of Jersey Village.

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The preliminary report was submitted to the Council at its February 21, 2011 meeting, and Joint Public Hearing has been ordered for March 21, 2011.

On March 21, 2011 the City Council and the Planning and Zoning Commission conducted a joint public hearing and the Planning and Zoning Commission made its final report and recommendations.

All of the procedural requirements of Section 14-84(c)(2) items a through c have been met.

This item is to approve the ordinance that will enact the final recommendation from the Planning and Zoning Commission regarding slab elevation requirements.

Council engaged in discussion about the requirement to set the slab 18 inches above base elevation and why the recommendation is 18 inches as opposed to the FEMA requirement of 12 inches. Rich Gallegos, the consultant with Claunch & Miller, explained that the 18 inch setting was chosen to keep consistent with the surrounding entities. He explained that this 18 inch requirement is used by the City of Houston, Harris County, and Harris County Flood Control. He went on to explain that there are some places in Harris County where the requirement is set at 24 inches; however, Claunch & Miller believe that using 18 inches as the requirement maintains consistency and also provides an added level of protection.

Discussion was had that raising a slab to 18 inches above base elevation will take a home out of the flood plain, and by doing so removes the requirement for flood insurance.

With no further discussion on the matter, Council Member Maloy moved to approve Ordinance No. 2011-14, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building And Development, by amending certain Articles and Sections of Chapter 14 to provide for changes in slab elevation requirements; 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 Berube, Erskine, Maloy, Haverty, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2011-14

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 14, BUILDING AND DEVELOPMENT, BY AMENDING CERTAIN ARTICLES AND SECTIONS OF CHAPTER 14 TO PROVIDE FOR CHANGES IN SLAB ELEVATION REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A

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PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

MAYOR HAMLEY CALLED THE ITEMS 8 THROUGH 11 OUT OF ORDER AS FOLLOWS:

- 8. Consider Resolution No. 2011-18, receiving the Planning and Zoning Commission's Preliminary Report related to the creation of a new District D – Jersey Village Crossing district, which primarily represents the property located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village; and establishing the Form Based Code Requirements for this district.**

Debra Mergel, Planning and Zoning Chairman, gave the preliminary report pertaining to the creation of a new District D – Jersey Village Crossing district, which primarily represents the property located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village; and establishing the Form Based Code Requirements for this district. She told Council that on February 15, 2011, City Council and the Planning and Zoning Commission met in a joint work session to receive a presentation from Kimley-Horn and Associates pertaining to the consultant's recommendation for the implementation of form based codes in the area located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village. After receiving this presentation, explanation, and recommendation for these form based codes from Consultants Kimley-Horn and Associates, the Planning and Zoning Commission met in separate session on February 15, 2011, March 3, 2011 and March 14, 2011. As a result their separate meetings and the discussions had surrounding the implementation of form based codes in the area located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village, the Planning and Zoning Commission presents its preliminarily report in connection with its findings to City Council tonight and asks that it be received.

City Attorney, Martha Williams, also addressed Council. She explained the challenges of implementing form based codes versus use based codes and the work involved in fitting the changes into our existing Code of Ordinances.

Limited discussion was had concerning zoning north of US 290. City Attorney Williams explained that these changes do not affect the zoning North of US 290. She briefly explained the administrative process that is set out in the proposed ordinance.

With no further discussion, Council Member Erskine moved to approve Resolution No. 2011-18, receiving the Planning and Zoning Commission's Preliminary Report related to the creation of a new District D – Jersey Village Crossing district, which primarily represents the property located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village; and establishing the Form Based Code Requirements for this district. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2011-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT RELATED TO THE CREATION OF A NEW DISTRICT D – JERSEY VILLAGE CROSSING DISTRICT, WHICH PRIMARILY REPRESENTS THE PROPERTY LOCATED SOUTH OF THE U.S. HIGHWAY 290 RIGHT-OF-WAY AND WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF JERSEY VILLAGE; AND ESTABLISHING THE FORM BASED CODE REQUIREMENTS FOR THIS DISTRICT.

9. **Consider Ordinance No. 2011-12, 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 related to the creation of a new District D – Jersey Village Crossing district, which primarily represents the property located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village; and establishing the Form Based Code Requirements for this district.**

Danny Segundo, Director of Public Works, introduced the item. He explained that this item is to set the required Joint Public Hearing.

Council Member Berube moved to approve Ordinance No. 2011-12, 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 related to the creation of a new District D – Jersey Village Crossing district, which primarily represents the property located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village; and establishing the Form Based Code Requirements for this district. Council Member Haverty seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2011-12

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 THE PROPOSAL TO AMEND THE CITY'S COMPREHENSIVE ZONING ORDINANCE RELATED TO THE CREATION

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OF A NEW DISTRICT D – JERSEY VILLAGE CROSSING DISTRICT, WHICH PRIMARILY REPRESENTS THE PROPERTY LOCATED SOUTH OF THE U.S. HIGHWAY 290 RIGHT-OF-WAY AND WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF JERSEY VILLAGE; AND ESTABLISHING THE FORM BASED CODE REQUIREMENTS FOR THIS DISTRICT.

10. Consider Resolution No. 2011-19, receiving the Planning and Zoning Commission’s Preliminary Report as it relates to amending the City’s Zoning Ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (c) to include Telecommunication Towers.

Debra Mergel, Planning and Zoning Chairman, presented the preliminary report. She told Council that the Planning and Zoning Commission met on March 3, 2011 to review the application request of T-Mobile West, Inc. and Danny Endeljac to amend the zoning ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (c) to include telecommunication towers.

As a result the discussions had surrounding the application and the request to amend the City’s Zoning Ordinance regarding telecommunication towers as a specific use permit in District G, the Planning and Zoning Commission presents its preliminarily report in connection with its findings to City Council tonight and asks that it be received.

Council engaged in discussion about the request and how it was received. City Manager, Mike Castro explained the process. He told Council that T-Mobile wants to place a cell phone tower on the property of Danny Endeljac which is located in District G. District G currently does not permit this use. Therefore, this request is actually a two part process. City Manger Castro explained that the first part of the process is to request the zoning amendment to District G which will permit telecommunication towers as a specific use. Then, if approved, T-Mobile will come back with an application for specific use requesting permission as a specific use to place the cell phone tower. City Manger Castro explained that it is during the second process that Council considers the conditions for placement.

With no further discussion on this matter, Council Member Berube moved to approve Resolution No. 2011-19, receiving the Planning and Zoning Commission’s Preliminary Report as it relates to amending the City’s Zoning Ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (c) to include Telecommunication Towers. Council Member Klein seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2011-19

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S PRELIMINARY REPORT AS IT RELATES TO AMENDING THE CITY'S ZONING ORDINANCE AT CHAPTER 14, ARTICLE IV, SECTION 14-106(A)(19) BY ADDING A SUBSECTION (c) TO INCLUDE TELECOMMUNICATION TOWERS.

- 11. Consider Ordinance No. 2011-13, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the City's zoning ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (c) to include telecommunication towers.**

Danny Segundo, Director of Public Works, introduced the item. He told Council that this Ordinance calls for the Joint Public hearing that is required to in order to complete the process. With no discussion on this item, Council Member Berube moved to approve Ordinance No. 2011-13, calling a joint public hearing of the City Council and the Planning and Zoning Commission concerning the proposal to amend the City's zoning ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (c) to include telecommunication towers. Council Member Haverty seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2011-13

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 THE PROPOSAL TO AMEND THE CITY'S ZONING ORDINANCE AT CHAPTER 14, ARTICLE IV, SECTION 14-106(a)(19) BY ADDING A SUBSECTION (c) TO INCLUDE TELECOMMUNICATION TOWERS.

MAYOR HAMLEY RETURNED TO THE AGENDA ORDER BY CALLING ITEMS 4 THROUGH 7 AS FOLLOWS:

- 4. Consider Resolution No. 2011-16, authorizing the City Manager to enter into a contract with AUC Group, L.P. for the replacement and installation of diffusers and air headers at the Castlebridge Wastewater Treatment Plant.**

Danny Segundo, Public Works Director, introduced the item. He explained that due to the worsening condition of the air diffuser system in the contact/aeration basin at the Castlebridge Wastewater Treatment Plant, immediate replacement is needed. The City Engineer, Brooks & Sparks, has provided the City with a proposal from AUC Group, L.P. for these repairs.

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The proposal includes the replacement of existing PVC piping with galvanized pipes. New air headers system and new diffusers for the chamber will also be installed. This will provide for better mixture of wastewater within the basin, and also provide for more efficient treatment of the wastewater. Replacement of the air diffuser system is necessary to ensure the health and safety of our residents.

The upgrades at the Castlebridge Wastewater Treatment Plant have been identified and are a part of the City's Capital Improvement Plan.

Council engaged in discussion about the proposal process. City Engineer Frank Brooks explained that while this item has been in the planning for some time, the worsening condition calls for immediate repair to ensure the health and safety of our residents. He explained that without the repair, the plant could go down at anytime; therefore, it needs to be fixed as soon as possible.

With no further discussion, Council Member Klein moved to approve Resolution No. 2011-16, authorizing the City Manager to enter into a contract with AUC Group, L.P. for the replacement and installation of diffusers and air headers at the Castlebridge Wastewater Treatment Plant. Council Member Haverty seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2011-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH AUC GROUP, L.P. FOR THE REPLACEMENT AND INSTALLATION OF DIFFUSERS AND AIR HEADERS AT THE CASTLEBRIDGE WASTEWATER TREATMENT PLANT.

- 5. Consider Ordinance No. 2011-11, amending the budget for fiscal year October 1, 2010 through September 30, 2011, in the amount of \$2,000.00 to provide for the installation of diffusers and air headers at the Castlebridge Wastewater Treatment Plant.**

Danny Segundo, Public Works Director, explained that this item is needed to provide for an additional \$2,000 that is necessary for the installation of the diffusers and air headers at the Castlebridge Wastewater Treatment Plant.

Council Member Berube moved to approve Ordinance No. 2011-11, amending the budget for fiscal year October 1, 2010 through September 30, 2011, in the amount of \$2,000.00 to provide for the installation of diffusers and air headers at the Castlebridge

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Wastewater Treatment Plant. Council Member Erskine seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2011-11

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011, IN THE AMOUNT OF \$2,000.00, TO PROVIDE FOR THE REPLACEMENT AND INSTALLATION OF DIFFUSERS AND HEADERS AT THE CASTLEBRIDGE WASTEWATER TREATMENT PLANT; AND PROVIDING FOR SEVERABILITY.

6. Discuss and take appropriate action regarding a review of the closeout for the Police Department Expansion Project.

Council Member, Curtis Haverty introduced the item. He explained that he requested this item be placed on the agenda to receive a brief summary about the police building addition, especially any unfinished or pending issues, potential warranty, etc., and how well the contractor fulfilled the contract. For the contractor segment, Council Member Haverty is seeking an opinion about how well the bid selection process worked, and if there are any lessons learned.

Additionally, he would like to hear about the furnishing/fixtures, e.g., does the staff have all the phones, desks, chairs, computers, etc., needed to do their jobs efficiently, or now that the building has been in use for a while, do we need to purchase anything to make it a great police building?

Parks and Recreation Director, Michael Brown gave an update on the police department expansion. It is in the final stages with final payment expected the end of this week. He explained that the proposal process was used for bidding the job and that he worked “hand-in-hand” with the Police Department staff in reviewing the submitted proposals and in the construction process as a whole. Mr. Brown completed his update by stating that there are no warranty issues with the building.

Chief of Police, Eric Foerster also gave an update to Council. He told Council that the final walk through is complete and not much is needed as his department is functioning at a capable 100%. He did say that there is always a wish list but he has all he needs to get the job done.

Discussion was had about project costs. Mr. Brown reported that the project came in under budget for the architect and the contractor for a total cost of \$740,000.

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7. Consider Resolution No. 2011-17, setting a date and time to conduct the 2011-2012 Council/Staff Budget Retreat.

Mike Castro, City Manager, introduced the item. He told Council that 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 Election (May 20, 2011)
- 1st Saturday following the General Election (May 21, 2011)
- 1st three days of the week following the General Election (May 16, 17 and 18, 2011)

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

Council engaged in discussion about the proposed dates and selected the 1st three days of the week following the General Election (May 16, 17 and 18, 2011).

Council Member Erskine moved to approve Resolution No. 2011-17, setting May 16, 17 and 18, 2011 at 6:00 p.m. as the dates and time to conduct the 2011-2012 Council/Staff Budget Retreat. Council Member Haverty seconded the motion. The vote follows:

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

Nays: None

The motion carried.

H. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:25 p.m.

Lorri Coody, City Secretary