

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 29, 2008 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

The meeting was called to order at 7:02 p.m. with the following present:

Mayor, Russell Hamley  
Mayor Pro-Tem, Ernie English  
Council Member, Joyce Berube  
Council Member, Greg Holden  
Council Member, Frances Wubbenhorst  
Council Member, Jill Klein

City Manager, Mike Castro  
City Attorney, Ken Wall  
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.

#### FISCAL 2008-2009 MUNICIPAL BUDGET ITEMS

- 1. Conduct the first public hearing giving all persons interested the right to appear and to be heard on the proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 4.25 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax rate calculated under Chapter 26, Tax Code).**

Mayor Hamley opened the public hearing at 7:02 p.m. in order to give all interested parties the right to appear and be heard on the proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 4.25 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax rate calculated under Chapter 26, Tax Code).

With no persons signing up to speak on the proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 4.25 percent, Mayor Hamley stated:

The City Council will meet on Monday, October 20, 2008 at 7:00 p.m. at the Civic Center, 16327 Lakeview Drive, Jersey Village, Texas, for the purpose of voting on the proposed tax rate.

He then closed the public hearing at 7:04 p.m. and called the next item on the agenda.

#### 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

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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.

No one signed up to speak on the Citizen Comment section of the agenda.

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. Minutes of the August 18, 2008 Regular City Council Meeting, Minutes from the Joint Work Session Meeting held on September 2, 2008, Minutes from the Special Meeting held on September 3, 2008, Minutes from the Regular Session Meeting held on September 15, 2008, and Minutes from the Emergency Session Meeting held on September 15, 2008.**
- 2. Resolution No. 2008-40 confirming the Mayor's Authority to Declare a State of Disaster for a Period not to exceed 120 days.**

RESOLUTION NO. 2008-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, CONFIRMING THE MAYORS AUTHORITY TO DECLARE A STATE OF DISASTER FOR A PERIOD NOT TO EXCEED 120 DAYS

- 3. Ordinance No. 2008-29 allowing a budgetary amendment for emergency repairs to the 2007-2008 Utility Fund budget.**

ORDINANCE NO. 2008-29

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE UTILITY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; AND PROVIDING FOR SEVERABILITY.

- 4. Resolution No. 2008-41 authorizing the City Manager to enter into a contract with Insituform Technologies, Inc., for the Emergency Repair of the 8" Sanitary Sewer Line located at 15910 Capri.**

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RESOLUTION NO. 2008-41

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 EMERGENCY REPAIR OF THE 8” SANITARY SEWER LINE LOCATED AT 15910 CAPRI.

Council Member English moved to approve the Consent Agenda items 1 through 4. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube, Wubbenhorst and Klein

Nays: None

The motion carried.

REGULAR AGENDA

**1. Resolution No. 2008-42 approving the contract with Ashbritt, Inc. signed on September 18, 2008 for Disaster Recovery Services.**

City Manager Castro explained to that On September 13, 2008, Hurricane Ike caused major damage to trees and fences in Jersey Village. The amount of debris was substantially beyond the means of residents to dispose of on their own. The normal waste hauler for the city, WCA Corp., will not pick up and dispose of storm debris, per contract. For such events, it is incumbent upon the city to procure the services of a debris collection and removal service.

On Monday, September 15, 2008, City Council authorized a Disaster Declaration for the city. Under the auspices of the Sep 15 Declaration, the City Manager signed an agreement with AshBritt, Inc. on September 18, 2008 for removal and disposal of debris from Jersey Village. Prior authorization had been received from Mayor Hamley. Work commenced that day.

The services of AshBritt are being procured through the HGAC buy board. Contract prices have been established prior to the event. For several months prior to Hurricane Ike, staff has worked with AshBritt to formalize an agreement for debris management and familiarize AshBritt with the City. The term of the contract is four years.

Council Member Berube moved to approve Resolution No. 2008-42 as submitted. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube, Wubbenhorst and Klein

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Nays: None

The motion carried.

RESOLUTION NO. 2008-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE CONTRACT WITH ASHBRIIT, INC. SIGNED ON SEPTEMBER 18, 2008 FOR DISASTER RECOVERY SERVICES.

**2. Ordinance No. 2008-31 waiving late fee payments for utility bills for the month of August 2008.**

With limited discussion on this item, Council Member Holden moved to approve Ordinance 2008-31 as submitted. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube, Wubbenhorst and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2008-31

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, WAIVING LATE FEE PAYMENTS FOR UTILITY BILLS FOR THE MONTH OF AUGUST 2008; AND PROVIDING AN EFFECTIVE DATE.

**3. Ordinance No. 2008-32 allowing a budgetary amendment for emergency repairs to the 2007-2008 General Fund budget.**

Director of Public Works, Danny Segundo explained to Council that this item is a budgetary amendment appropriating the funds to provide for the necessary emergency repairs for the damage to the roof at City Hall caused by Hurricane Ike. He told Council that this item is connected to the next item wherein staff is will be asking Council to approve the authorization of a contract with Tremco for the roof repairs.

After limited discussion concerning insurance coverage and deductible amounts, Council Member Berube moved to approve Ordinance No. 2008-32 as submitted. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube, Wubbenhorst and Klein

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Nays: None

The motion carried.

ORDINANCE NO. 2008-32

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; AND PROVIDING FOR SEVERABILITY.

**4. Resolution No. 2008-43 authorizing the City Manager to enter into a contract with Tremco for emergency repair of roof damages to City Hall.**

Council Member Wubbenhorst moved to approve Resolution No. 2008-43 as submitted. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube, Wubbenhorst and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2008-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TREMCO INC., TO REPAIR DAMAGES TO THE CITY HALL ROOF CAUSED BY HURRICANE IKE.

**5. Discuss with possible action City activities associated with Hurricane Ike.**

City Manager, Mike Castro gave a recap of the preparation and planning that goes into getting ready for a hurricane event. He told Council that once it is determined that a hurricane is coming this way, the planning and preparation starts at 120 hours out.

Over the course of the different events – Rita, the table top exercise, Edouard, Gustav, and Ike (to name a few) staff has learned that there are six phases to a hurricane event:

1. Preparation and Planning
2. The Hurricane and Evacuation
3. Search and Rescue
4. Short-Term Recovery
5. Long-Term Recovery

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6. Documentation and Review Stage

Mr. Castro briefly touched on each stage and explained the processes of staff. He also went into the damage assessed by staff for Hurricane Ike and how he expects that FEMA will handle reimbursement. He talked briefly about after action review and the estimated expense of this event.

Council engaged in discussion about the length of time it will take to get reimbursement from FEMA. Mr. Castro's estimate is 8 weeks, but a lot will be determined on where the City of Jersey Village's application falls in comparison to other Cities and how quickly it is approved by FEMA.

**6. Resolution No. 2008-44, reappointing members to the Golf Course Advisory Committee.**

There was discussion about the effectiveness of this Committee and whether or not this committee should be continued. The consensus was that this item should be placed on the next agenda for consideration about the continuation of this committee. No action was taken on this item.

**7. Discuss and consider proposals for a Franchise Agreement with CenterPoint Energy for the provision of electrical service.**

City Manager Castro explained that the City's franchise agreement with CenterPoint energy expired January 1, 2008. CenterPoint is currently providing service under the terms of the expired franchise agreement.

For consideration are two proposed agreements that the City Attorney will explain. Prior to taking action, the City Charter requires three readings before a Regular Scheduled Council Meeting to effect changes to any utility franchise.

City Attorney Wall explained that the CenterPoint proposal is similar in scope and purpose to a recently negotiated agreement with the City of Houston. The Olsen and Olsen proposal is a different agreement with CenterPoint. The Olson Agreement provides for a reduced franchise agreement in lieu of greater control and limits placed on the franchisee within the city's rights of way. Mr. Wall explained the difference and fielded the questions that Council had in connection with these differences.

After limited discussion concerning the proposals, Council Member Wubbenhorst moved to approve the Olsen proposal. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube, Wubbenhorst and Klein

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Nays: None

The motion carried.

**8. Discussion regarding Transit Oriented Development within Jersey Village.**

City Manager Castro gave Council an update concerning a conference call he had with Kimley Horn, the consultants Council met with during their September 3, 2008 Special Council Meeting on this subject. He told Council that he will be ready to bring them an action item concerning a proposal on the feasibility study for the October 20, 2008 agenda.

**9. Receive Project Update Regarding the Street Rehabilitation.**

Erik Tschanz, Project Manager, gave the updated project report for the Street Rehabilitation project. Council asked questions concerning the report and Mr. Tschanz responded accordingly.

**10. Discuss with possible action the incident at Post Elementary occurring on September 8, 2008.**

Mayor Hamley reported that he and City Manager Castro attended a meeting with school officials last week. The outcome of the meeting was positive. It was agreed that all would participate in better communication.

COUNCIL MEMBERS' COMMENTS

Council Member English thanked everyone for their hard work and stated that Hurricane Ike caused a lot of destruction for many cities and it is times like this that we recognize the importance of the financial stability of our City. The leadership of our City has been remarkable through this whole event, head and shoulders above everyone around us and he is thankful for the dedicated public employees that serve our City.

Council Member Klein also thanked the public employees because they have worked hard. She also thanked the residents because they too worked hard in getting their debris cleaned up and to the curb so the employees could get it picked up. She stated it was a team effort and she is proud to live in Jersey Village where people can live and work together to get things done.

Council Member Wubbenhorst thanked the staff and the volunteers for their work, but she wanted to thank the staff's and the volunteers' families because of their contribution of having to go it alone while their family member served the public.

Council Member Holden thanked staff for all their help during this event. Good planning took place. Things do not just happen. He commends staff for their actions.

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Council Member Berube agreed with all that was said. Staff was great. The volunteers were great. She thanked the Mayor and the Chief of Police for their work with Post Elementary.

MAYOR'S COMMENTS

Mayor Hamley stated that while he was out and about he was stopped several times and asked "How did you get the Village cleaned up so quickly? Can you come help our community?"

Mayor Hamley stated that he appreciates everything that staff and the City Manager has done during this event. The hard work shows, even the Golf Course looks great. You do not have to drive far from Jersey Village to see the residual effects from Ike.

ADJOURN

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

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Lorri Coody, City Secretary