

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON FEBRUARY 16, 2009 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

The meeting was called to order by Mayor Hamley at 7:03 p.m. with the following present:

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

City Manager, Mike Castro  
City Attorney, Ken Wall  
City Secretary, Lorri Coody

Council Member Greg Holden 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.

**INVOCATION AND PLEDGE OF ALLEGIANCE** - Jordan O'Neal, The Foundry Youth Ministry Program, Jersey Village, Texas

**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.

Aliene Houston, 15722 Jersey Drive, Jersey Village, Texas (713) 466-1062 – Ms. Houston spoke to Council about the speeding vehicles on Jersey Drive especially where the road curves near her home. She suggests speed bumps and signs. She gave a history of the problem. She stated that children at play signs as well as signs about a dangerous curve would be helpful. She also requested that Council place an action item on a future agenda.

Evelyn W. Boriskie, 15801 Congo Lane, Jersey Village, Texas (713) 937-7540 – Ms. Boriskie spoke to Council about her dogs. She told them that someone in the neighborhood had complained to the City about her dogs stating that they were barking too much. As a result she has received letters and a ticket concerning same. She does not think it is fair and is very upset.

Nancy Bolleter, 15805 Congo, Jersey Village, Texas (713) 937-0144 – Ms. Bolleter spoke to Council in support of Ms. Boriskie. She stated that the dogs do not bother her and that Ms. Boriskie is a good neighbor.

Jerry Rollo, 7811 Equador Street, Jersey Village, Texas (409) 692-0974 – Mr. Rollo asked for information/update about the Beltway 8 noise reduction project. He also spoke to Council about

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three houses in the City that need to be torn down. He reported that these homes are dilapidated and are in bad need of repair and wants the City to take action.

**CITY MANAGER’S REPORT**

City Manager, Mike Castro introduced Fire Chief Mark Bitz to give an update on the status of the purchase of the new fire truck. Chief Bitz updated Council on this item. The City Manager’s other monthly reports were as follows:

1. **Monthly Fund Balance Report, Enterprise Funds Report, and Governmental Funds Report.**
2. **Departmental Request Report and Open Records Request**
3. **Fire & Emergency Services Departmental Report**
4. **Police Activity Report, Crime Prevention Unit, Warrant Report, and Investigations/Calls for Service Report.**
5. **Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Detailed Report, and Revenue Comparison Report.**
6. **Public Works Departmental Report, Construction Update Summary, and Construction Update Detail**
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. **Capital Improvements Projects Report**
10. **Code Enforcement Monthly Report**
11. **Introduction of Officer Javier Perez**
12. **Update on New Fire Apparatus**

**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 of the Regular Session of the City Council Meeting held on January 19, 2009.**
2. **Consider Resolution 2009-04 authorizing an Interlocal Agreement with Harris County for housing City prisoners.**

RESOLUTION NO. 2009-04

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

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3. Consider Resolution 2009-05, approving the application of the Municipal Court Clerk's appointment of Deputy Clerk.

RESOLUTION NO. 2009-05

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.

5. Consider Ordinance No. 2009-06, ordering a general election on May 9, 2009 for the purpose of electing a Mayor and two (2) council members (Place 2 and Place 3).

ORDINANCE NO. 2009-06

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 9, 2009, FOR THE PURPOSE OF ELECTING THE MAYOR AND TWO (2) COUNCILMEMBERS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

Council Member Wubbenhorst moved to approve the Consent Agenda Items 1, 2, 3 and 5 as submitted, pulling item 4 for discussion. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

The motion carried.

4. Consider Ordinance No. 2009-05, allowing a budgetary amendment to the 2008-09 budget (Single Audit Requirement due to Hurricane Ike FEMA Grant).

Finance Director, Isabel Kato explained that due to the added expenditures after Hurricane Ike at the end of Fiscal Year 2007-2008, it is necessary for the City of Jersey Village to incur additional auditor charges on the Single Audit. The provisions of the Single Audit Act apply to all governments that expend \$500,000 or more per fiscal year in federal awards. Single audits are subject to the requirements of the Office of Management and Budget's (OMB) Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations.

With limited discussion on this item, Council Member English moved to approve the Ordinance as submitted. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

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The motion carried.

ORDINANCE NO. 2009-05

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009; AND PROVIDING FOR SEVERABILITY.

**REGULAR AGENDA**

**1. Discussion regarding the Red Light Safety Program and short presentation from the Police Chief regarding the same.**

Chief of Police, Charles Wedemeyer gave a presentation on the Red Light Safety Program. The presentation included:

- Information about the cameras and the locations of same;
- An explanation of the process for ticket issuance and notifying the violator;
- A review of the Violation Notice and Delinquency Notice;
- A review of the number of violations, court contests and percent of payments; and
- A review of pictures of actual violations.

Discussion was had about the number of accidents and the difference between major accidents and minor accidents. It was noted that the number of major accidents had increased since the cameras were installed while the total number of overall accidents had decreased considerably by some 60%.

**2. Consider Ordinance No. 2009-07, allowing a budgetary amendment to the 2008-09 budget (2007 Street Bond Budget - Carlsbad).**

Public Works Director, Danny Segundo explained that when council approved the 2007 Street Bond Project in March of 2007, Carlsbad was not included as a named street. It was understood by council that work on Carlsbad was included as an unnamed part of the Tahoe street project. However, when the FY 09 capital budget was approved the costs of the Carlsbad work was inadvertently left out of the Tahoe line item.

At present, the 2007 Street Bond Project is nearing completion. The last portion of the project includes work on Carlsbad. Staff is requesting a budget amendment to add funds for the Carlsbad work to the Tahoe line item since it was initially omitted. The funds for this work have already been approved when the overall project contract was awarded. This request is merely to move the funds from the 2007 Street Bond Fund to the Tahoe Project line item in order to pay for the Carlsbad work. This is a housekeeping measure only, and will not result in additional project costs to the city.

Council Member English moved to approve Ordinance No. 2009-07 as submitted. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2009-07

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE 2007 STREET BOND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009; AND PROVIDING FOR SEVERABILITY.

**3. Consider Ordinance No. 2009-08, allowing a budgetary amendment to the 2008-09 budget (2003 Street Bond Budget – Create Line Item for Engineering Services - Jones Road Extension Project).**

Public Works Director, Danny Segundo explained that in 2005, purchase order 4787 was created in the amount of \$88,983 for engineering service work connected to water and sewer services and inadvertently charged to line item 13-92-7102, which is the fund for Jones Road Extension Drainage. Line Item 13-92-7102 was originally funded from the 2003 Street Bond. Purchase Order 4787 should have been charged to its own line item – Engineering Services for the Jones Road Extension Project.

To date, engineering services for the Jones Road Extension Project under Purchase Order 4787 total \$63,967.24. The balance is \$25,015.76, and in order to properly allocate these funds, staff respectfully requests permission to create a new line item solely for this balance and establish line item 13-92-7107- Engineering Services for the Jones Road Extension Project.

The new line item will be funded with the balance of Purchase Order 4787 (line item 13-92-7102) in the amount of \$25,015.76.

Council Member Berube moved to approve Ordinance No. 2009-08 as submitted. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2009-08

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE 2003 STREET BOND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009; AND PROVIDING FOR SEVERABILITY.

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**4. Consider Resolution No. 2009-06, authorizing and adopting a City of Jersey Village Financial Accounting Policy.**

Finance Director, Isabel Kato explained that because the requirement for budgetary and accounting practices are outlined in so many areas of the law (the Texas Constitution, general Texas statutes, and the city charter), the responsibility of maintaining consistency of accounting principles can become challenging without written guidelines and/or policies that bring the processes together into one unified document.

The City of Jersey Village Financial Accounting Policy being presented for adoption sets the requirements for:

- Accounting, Auditing and Financial/Fiscal Reporting and Monitoring
- Financial Consultants
- Fund Balance/Ending Balances

Discussion was had about incorporating procedures for budgets, purchasing, internal controls, and other financial processes into one policy.

Council Member Berube moved to approve Resolution No. 2009-06 as submitted. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2009-06

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

**5. Discuss staff presentation concerning future rate increases by the City of Houston for contracted water and waste water services for the City of Jersey Village.**

Public Works Director, Danny Segundo explained that the City of Houston held its first annual contract water customer meeting. The meetings purpose was to inform contract customers of the City of Houston intent to perform a rate study. The meeting was attended by the Public Works Director Danny Segundo and Field Supervisor Roscoe Rector. The City is going to have these meetings quarterly to inform cities about future increases. Mr. Segundo explained to Council that we can expect as much as a 13% increase in our water rates this year and they will be doing a new study that will most likely increase the rates further.

Discussion was had about our contract and that is allows for cost of living adjustments. There was discussion about the notice requirements of the current contract. There was

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also discussion about what the City has done in the past to accommodate the City of Houston rate increases.

6. **Consider Ordinance No. 2009-09, ordering a joint public hearing with the Planning and Zoning Commission and City Council to review the Specific Use Permit Application of Owner Artisan American, 12505 Savile Lane, Jersey Village, Texas.**

Public Works Director, Danny Segundo explained that the Planning and Zoning Commission met on February 3, 2009 to review the Specific Use Permit Application of Owner Artisan American, 12505 Savile Lane, Jersey Village, Texas for development of 76 units of affordable housing.

After review and discussion, the Commissioners made no preliminary recommendations on the Specific Use Permit Application other than to request that Council call a joint public hearing with the Planning and Zoning Commission and City Council as required by Section 14-84(c)(2)(b) of the Jersey Village Code of Ordinances.

There was discussion about the application and the deadline. New information was received about the deadline what was originally thought to be February 27 has now been brought to the attention of the City that the date to file the application with the Federal Government is April 1.

Council Member Berube moved to approve Ordinance No. 2009-09 as submitted. Council Member Klein seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2009-09

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 SPECIFIC USE PERMIT APPLICATION OF OWNER ARTISAN AMERICAN, 12505 SAVILE LANE, JERSEY VILLAGE, TEXAS.

7. **Receive the Planning and Zoning Commission's Preliminary Report recommending amendments to the Jersey Village Code of Ordinances at Chapter 14, Article IV, Sec. 14-5 and Sec. 14-88(a) and consider Ordinance No. 2009-10 ordering a joint public hearing with the Planning and Zoning Commission as required by this same Chapter under Section 14-84.**

Public Works Director, Danny Segundo explained that The Planning and Zoning Commission met on February 3, 2009 in accordance with directives from City Council to review the zoning ordinances as they relate to the parking of recreational vehicles within

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the city limits of Jersey Village. The Commissioners specifically reviewed Chapter 14, Article IV, Sec. 14-5 and Sec. 14-88a of the Jersey Village Code of Ordinances.

After review and discussion, the Commissioners approved a motion to amend Section 14-88a subsection 6 and have submitted same in a preliminary report for Council's consideration. The next step in the process as required by Section 14-84(c)(2)(b) of the Jersey Village Code of Ordinances is for Council to call a joint public hearing with the Planning and Zoning Commission.

Council Member English spoke to Council about this item. He suggested that a work session between the two bodies may be in order before a public meeting is conducted in order that the amendments to the Ordinance might be better understood and to give an opportunity for discussion between Council and the Planning and Zoning Commission.

Council Member English moved to hold a work session with Council and the Planning and Zoning Commission concerning the proposed amendments to Section 14-88a to be held on March 16, 2009 at 6:00 p.m. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

The motion carried.

Council member Berube moved to approve Ordinance 2009-10 ordering a joint public hearing for March 16, 2009 at 7:00 p.m. Council Member English seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2009-10

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 THE PARKING OF RECREATIONAL VEHICLES.

- 8. Consider Resolution No. 2009-07, approving the selection of streets for the balance of the 2007 Street Bond Project funds.**

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The content of this item was discussed in detail in the work session that was held prior to this regular session meeting. Based upon the discussion held during the work session meeting, Council Member English moved that staff be directed to move forward with the preliminary engineering evaluation along the lines of the discussion held during the council work session, focusing on North Tahoe and the widening of Honolulu. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

The motion carried.

**9. Consider Resolution No. 2009-08, approving the road alignment for the extension of Jersey Meadow Street.**

No action was taken on this item.

**COUNCIL MEMBERS' COMMENTS**

**1. Receive comments from Council Member Klein concerning the Recreation and Events Committee's Easter Egg Hunt to be held March 29, 2009 at Carol Fox Park and the Spring Fling event to be held April 17, 2009 at the Clark Henry Pavilion.**

Council Member Klein announced the Recreation and Events Committee events.

**ADJOURN**

There being no further business on the Agenda the meeting was adjourned at 8:10 p.m.

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Lorri Coody, City Secretary