

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON OCTOBER 19, 2009 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 – Jeff Kopecky

C. PRESENTATIONS

1. Presentation of Police Department Employee of the Third Quarter, 2009.

Howard Mead, Commander of American Legion Post #324 and Mayor Hamley made the presentation to the Police Department Employee of the Third Quarter for 2009. Detective Sergeant, Shawn Horton received the award.

2. Recognize members of the Building Board of Adjustment and Appeals for their service to the City of Jersey Village.

The Building Board of Adjustment and Appeals is a seven member Board responsible for making recommendations to the city council on any code changes and shall be responsible for the study of any code changes brought before them dealing with the building code, the electrical code, the plumbing and gas codes, the mechanical code or the fire code. If there is need for an in depth study of one particular code, the board may appoint subcommittees to study and make their recommendations for any changes.

Council Liaison Haverty and Mayor Hamley assisted by Board Chairman Michael O’Kelley presented certificates to the Building Board of Adjustment and Appeals members.

The following citizens from Jersey Village are serving on this Board and received a certificate:

	<u>POSITION</u>	<u>FIRST APPOINTED</u>	<u>TERM ENDS</u>
M. Reza Khalili	1	09/09	09/10
Frank Gullo	2	03/96	09/10

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

Benny Grimmer	3	06/03	09/10
Clint Childress	4	07/03	09/10
Ari Fleitman	5	10/08	09/11
Michael O’Kelley	6	03/96	09/11
Gary Vossler	7	03/96	09/11

D. PUBLIC HEARING AND RELATED ITEMS

1. Conduct a public hearing on the need to continue the City of Jersey Village Juvenile Curfew Ordinance.

Mayor Hamley opened the public hearing at 7:10 p.m. and with no one signing up to speak the public meeting was closed at 7:10 p.m.

2. Review the City of Jersey Village Juvenile Curfew Ordinance’s effects on the community and on problems the ordinance was intended to remedy.

Chief of Police, Charles Wedemeyer, gave a presentation to Council concerning the City’s Juvenile Ordinance and its effects on the community and on the problems the ordinance was intended to remedy. He told Council that this Ordinance has been a good tool for law enforcement as it was designed to protect those under age 17 by keeping them off the street. The Chief explained that his Officers are able to use this law for probable cause and the law has been effective in the past. He told Council that Harris County and the City of Houston have laws that mirror our juvenile laws.

3. Consider Ordinance No. 2009-51, continuing in effect Ordinance No. 1995-20, adopted on November 20, 1995, and codified as Chapter 42, Article III, Division 3, entitled “Curfew” of the Code of Ordinances of the City of Jersey Village, Texas.

With limited discussion on this item, Council Member English moved to approve Ordinance No. 2009-51, continuing in effect Ordinance No. 1995-20, adopted on November 20, 1995, and codified as Chapter 42, Article III, Division 3, entitled “Curfew” of the Code of Ordinances of the City of Jersey Village, Texas. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2009-51

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CONTINUING IN EFFECT ORDINANCE NO. 1995-20, ADOPTED ON NOVEMBER 20, 1995, AND CODIFIED AS CHAPTER 42, ARTICLE III, DIVISION 3, ENTITLED “CURFEW” OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS;

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

REFLECTING COMPLIANCE WITH ALL REQUIREMENTS OF STATE LAW;
PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVING CLAUSE; AND
PROVIDING AN EFFECTIVE DATE.

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.

Tom Williams, 8401 N. Tahoe, Jersey Village, Texas (713) 896-0111 – Mr. Williams addressed Council about the trash bag ordinance. He told Council that he is not in favor of this new ordinance and felt that its passage was a step backward for the city.

David Theiss, 15106 Lakeview, Jersey Village, Texas (713) 896-9464 – Mr. Theiss told Council that he too is against the trash bag ordinance. He stated that there will be problems in using the bags such as trash in yards due to broken bags. He stated that he does not understand the need for this change.

Keith Nevils, 16005 St. John Court, Jersey Village, Texas (713) 856-7065 – Mr. Nevils at one time felt that the bags were easier to use, but quit using them because he had a problem with the bags breaking. He stated that he would like the vendor to pick up the trash should the bags break and not leave the trash behind. He also complained about the vendor throwing the trash cans upon emptying them instead of placing them back at the curb so as to insure they would not roll into the street. He inquired into the cost of the new service and wanted to know if it contained a discount since it would mean less work for the vendor. He suggested an automated system be considered by council.

Michelle Walker, 16310 Acapulco, Jersey Village, Texas (832) 467-1189 – Ms. Walker does not support the new ordinance. She believes that bags are “see through” and she does not want anyone to see her trash. She told Council that the bags leak and she believes that leakage will cause unsightly stains on our streets and draw ants. She also stated that the bags are too heavy and will break.

Patrice Krus, 15410 Jersey Drive, Jersey Village, Texas (713) 466-0850 – Ms. Krus told Council that she is against the new ordinance. She presented a petition that she said was signed by over 200 people that also are against the new trash bag ordinance. She stated that the new ordinance is not for beautification and believes that there are more important areas for focus in our city. She stated that plastic bags break and the vendor will leave the trash behind. She told Council that she is in favor of backdoor pickup.

Mike Walker, 15502 Congo Lane, Jersey Village, Texas (713) 937-4697 – Mr. Walker told Council that he is against the trash bag ordinance and agrees with all that has been

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

stated. He stated that there is a need to accommodate the elderly citizens and he would like to see backdoor trash pickup reinstated.

Brett Phanauf, 15605 Australia Street, Jersey Village, Texas (832) 480-9389 – Mr. Phanauf spoke to Council about there being a problem with animals and the use of plastic bags. He is not in favor of the new ordinance.

Nora Klier, 63 Parkway Place, Jersey Village, Texas (512) 797-2913 – Ms. Klier stated that she agrees with all that has been said and pointed out the environmental problems with using plastic bags.

Mr. Lee Ahlstrom, 8518 Wyndham Court, Jersey Village, Texas (281) 890-2396 – Mr. Ahlstrom presented a picture of a problem where trash was strewn in the street from a broken trash bag to demonstrate what can be expected from this new ordinance. He also stated that he would be in favor of backdoor trash pickup and suggested using the red light camera funds to pay for it.

Rodney Macon, 15326 Leeds, Jersey Village, Texas (713) 466-0107 – Mr. Macon stated that he agreed with all that has been said concerning the trash bag ordinance. He would like to know who and why this ordinance was brought into law. He was frustrated that he had written to Council members and received no response. He believes that there are bigger issues that Council should be addressing.

Bobby Plaster, 15502 Mauna Loa, Jersey Village, Texas (713) 937-8005 – Mr. Plaster told Council that he agrees with all that has been said about the trash bag ordinance. He believes that animals will be a problem and would like to have agendas published in the newsletter so they have time to respond to issues that will affect them.

Gloria Uroda, 15301 Leeds Lane, Jersey Village, Texas (713) 466-5694 – Ms. Uroda told Council that she agrees with all that has been stated. She stated the cost of the plastic bags as an issue. She also stated health issues as a problem.

Earl Layton, 16109 Singapore Lane, Jersey Village, Texas (713) 466-3057 – Mr. Layton told Council that no one at the meeting spoke for the new ordinance and that should tell the Council something about the use of plastic bags as opposed to cans. He also stated his concern for the elderly and their ability to get the bags to the curb.

Mr. Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 937-0408 – Mr. Maloy thanked the Council Members for their work. He told Council that he attends council meetings so he can keep up with what is happening in City Government. He asked Council to help him in (1) getting the rubberized asphalt coating along the toll road feeder area from the bypass channel to hwy 290 and along the feeder roads at Senate and Jones Road to help with the noise problem; and (2) building an earthen berm on the toll roll feeder near the high school with the dirt excavated from the 43 acre detention pond.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

Larry Biemer, 16217 Tahoe, Jersey Village, Texas (713) 849-4471 – Mr. Biemer told Council about a security light problem. He stated that he received notice that his light was not in compliance with the city's code. When he inquired about the letter and told city staff that it had not been a problem, he was told that the interpretation of the code had changed, thus making his light unacceptable. While he has removed the light, he has since seen many similar lights in the city and does not understand why his light was a problem and these other lights are permitted to remain. He is requesting a written response to his question and his problem.

Edward Mitchell, 15301 Mauna Loa, Jersey Village, Texas (713) 849-0801 – Mr. Mitchell thanked the city for trimming the trees on Senate. He also spoke to Council about the recreational vehicle ordinance. He told Council that he has his vehicle registered for the 10 year grandfather program but is not happy and is having a problem in understanding why seeing a recreational vehicle behind a fence is a problem.

Al Bahler, 16313 Acapulco, Jersey Village, Texas (713) 466-9422 – Mr. Bahler told Council about small lawn clippings and twigs being an issue with plastic trash bags.

Stephen Scott, 16202 Acapulco, Jersey Village, Texas (832) 283-5500 – Mr. Scott told Council that this new ordinance was unreasonable and untimely. He stated that having a time restriction of 7:00 p.m. to place trash at the curb was not a good time and he would like the city to send out notices before passing ordinances.

Glenn Williamson, 15322 Lakeview, Jersey Village, Texas (713) 937-8595 – Mr. Williamson agrees with all that has been stated. He would like to have backdoor trash pickup reinstated. He believes that the cost would only be \$5.00 per month and he is willing to pay this amount for the service. He also spoke to the problem with the Recreational Vehicles. He owns a small RV and stated that he must pay to store his RV because it is too small to qualify for the program. He felt that the RV grandfather clause was unfair and he did not understand the logic in implementing this program.

Carolyn Venible, 8014 Argentina, Jersey Village, Texas (281) 386-8385 – Ms. Venible discussed issues with heavy trash and also discussed issues with recycling.

Carol Townsend, 8705 Wyndham Village Drive, Jersey Village, Texas (281) 807-4937 – Ms. Townsend agrees with all that has been stated. She also complained that there seems to be many inconsistencies in the city. She complained about the traffic lights at 290 and Senate, the new stop sign on Wall, and how information is improperly being given out by our dispatch department.

F. CITY MANAGER'S REPORT

City Manager, Mike Castro, called Council's attention to items 11 and 12 on his report. Police Chief, Charles Wedemeyer introduced Officers Christopher Murphy and Louis

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

Arriazola, III who have started work with his department. Fire Chief, Mark Bitz reminded Council of the Fire Department's Open House on October 24, 2009.

1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Quarterly Investment Report, and Governmental Funds Report.
2. Departmental Request Report and Open Records Request and Solicitor's Permit Requests
3. Fire & Emergency Services Departmental Report
4. Police Activity Report, Crime Prevention Unit, Warrant Report, Investigations/Calls for Service Report and Red Light Camera Summary 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 and North Tahoe Construction Update
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. Introduction of Officer Christopher Murphy and Officer Louis Arriazola, III.
12. Jersey Village Fire Department Open House Set for October 24, 2009

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.

1. **Consider approval of the Council Minutes for the following meetings: Neighborhood Meeting held on July 23, 2009; Special Meeting held on September 14, 2009; Special Meeting held on September 23, 2009; and Special Meeting held on October 6, 2009.**
2. **Consider Resolution No. 2009-63, authorizing an Interlocal Agreement with Harris County for housing City prisoners.**

RESOLUTION NO. 2009-63

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

3. **Consider Resolution No. 2009-64, setting a two year staggered term of office for the Recreation and Events Committee beginning October 1, 2010.**

RESOLUTION NO. 2009-64

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SETTING A TWO YEAR STAGGERED TERM OF OFFICE FOR THE RECREATION AND EVENTS COMMITTEE.

- 4. Consider Ordinance No. 2009-52, amending Ordinance No. 2009-50 passed, approved, and adopted September 14, 2009 to reflect 5:00 p.m. as the correct time for residents to place trash out on the street for pick- up the day preceding the day of collection.**

ORDINANCE NO. 2009-52

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING ORDINANCE NO. 2009-50 PASSED, APPROVED, AND ADOPTED SEPTEMBER 14, 2009.

- 5. Consider Resolution No. 2009-65, approving change order No. 4 with SER, which allows for the change in elevations to the Storm Water System on North Tahoe Drive.**

RESOLUTION NO. 2009-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING CHANGE ORDER NO. 4 WITH SER, WHICH ALLOWS FOR THE CHANGE IN ELEVATIONS TO THE STORM WATER SYSTEM ON NORTH TAHOE DRIVE.

Council Member English moved to approve items 1 through 5 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.

H. REGULAR AGENDA

- 1. Receive presentation pertaining to the tax rate for the City of Jersey Village for tax year 2009.**

Finance Director, Isabel Kato gave a presentation pertaining to the City's tax rate for the City for tax year 2009. Upon completion of the presentation, there was limited discussion by Council pertaining to the decrease in property tax valuation for our City and the reasons for same.

City Manager, Mike Castro was asked to give a brief summary of why the City is experiencing good financial health in these trying times. He explained that three years ago, even though economic conditions looked promising, the City of Jersey Village

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

proceeded with caution in its fiscal programs. Last year, when the budget year began in October, many major purchases were deferred; others were monitored; and about 2/3rds were eliminated. Additionally, staff cut 3% of its budget which annualized to about 1.5% after it was put into place for the 2008-09 budget and in putting together the 2009-10 budget staff cut their budgets by 3% and major ticket items were also cut from this budget. All of this was done given the economic conditions.

Mr. Castro stated that in addition to the concrete steps taken to insure the financial stability of the city, there were also policy changes made and other steps taken which have increased the city's credit worthiness. In the past four years, the city has received six (6) bond rating increases, moving from a B to an AA which puts Jersey Village in the 95 percentile in credit worthiness.

2. Discuss and consider approval of a motion to set the tax rate for debt service for tax year 2009.

With limited discussion on this item, Council Member English moved to set the Debt Service tax rate of \$0.277225 per \$100 value for the year 2009. Council Member Haverty seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Haverty, English, 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 2009.

With limited discussion on this item, Council Member English moved to set the Maintenance and Operation tax rate of \$0.4653 per \$100 value for the year 2009. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

The motion carried.

4. Consider Ordinance No. 2009-53, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2009.

With limited discussion on this item, Council Member English moved to approve Ordinance No. 2009-53, providing for the levy and collection of ad valorem taxes by the City of Jersey Village, Texas, for the year 2009. Council Member Berube seconded the motion. The vote follows:

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

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

Nays: None

The motion carried.

ORDINANCE NO. 2009-53

AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES BY THE CITY OF JERSEY VILLAGE, TEXAS, FOR THE YEAR 2009; 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.

5. Discuss and take appropriate action regarding the passage of Ordinance No. 2009-50, which requires the use of plastic bags for residential waste and grass clippings.

Council Member Joyce Berube presented this item. She told Council that she had received many calls pertaining to the passage of this Ordinance and would like Council to consider rescinding this Ordinance for the following reasons:

- The ordinance places an undue hardship on the elderly
- Unprotected bags present a problem with animals
- Plastic bags will become damaged and trash will litter the streets
- Getting trash out before work will be an issue
- Heavy trash pick-up has been eliminated
- Why has backdoor pickup been eliminated

The City Attorney advised Council that the posting for this item was not adequate for rescinding the ordinance.

Council engaged in discussion about:

- Heavy trash pick-up had not been eliminated by the changes that were made to the trash ordinance.
- About 40% of the residents are already using plastic trash bags
- The reason why we are no longer using backdoor pick-up
- Statistical information from other cities and what they are doing concerning the use of plastic bags and/or paper bags as opposed to cans
- The budget process and how this topic was discussed
- The fact that the vendor will not pick up trash from broken bags

After a lengthy discussion on this topic, Council Member Berube moved to revise Ordinance 2009-50 to make the change to provide for the use of trash cans and to bring this ordinance back for Council's review at the November meeting for approval. Council Member Haverty seconded the motion. The vote follows:

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

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

Nays: None

The motion carried.

6. Consider Resolution No. 2009-66, authorizing an agreement with Kimley-Horn Associates Inc., for services relating to Phase Two of a Feasibility Study regarding Transit Oriented Development within the City of Jersey Village.

City Manager, Mike Castro introduced the item. He explained the Transit Oriented Development concept in conjunction with the Jones Road Extension Project, Commuter Rail, and Managed Lanes initiatives. All of these initiatives are meeting up in Jersey Village where we have undeveloped land in our ETJ. This location is ideal for a rail stop but also ideal for commercial development. Currently, this land is mixed development and is not well planned. With these initiatives, the City has a unique opportunity and with this prime location, we want to make the most of it. Mr. Castro explained that Kimley-Horn is the consulting firm looking at the feasibility of this location. The purpose of Phase One was to make sure the area was suited for a TOD. No decisions have been made thus far except to study the options.

Mr. Castro explained that Phase Two is the planning phase. It expands upon Phase One and begins to look at what is possible with this area. Joe Willhite with Kimley-Horn addressed Council. He explained Phase Two and its tasks.

Discussion was had on the options available to the City and the possibility of getting to the cost of this project sooner. Mr. Willhite explained that the soonest that information would be available would be in Notices to Proceed 5 and 6 which is 2/3rds to 3/4th of the way through Phase Two.

There was discussion about the time line of the project and if that time line remains ahead of or at least in line with the County's rail project as a whole. Mr. Willhite believes it will.

With no further discussion on this matter, Council Member Berube moved to approve Resolution No. 2009-66, authorizing an agreement with Kimley-Horn Associates Inc., for services relating to Phase Two of a Feasibility Study regarding Transit Oriented Development within the City of Jersey Village. Council Member English seconded the motion. The vote follows:

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

Nays: None

The motion carried.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

RESOLUTION NO. 2009-66

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 TWO OF A FEASIBILITY STUDY REGARDING TRANSIT ORIENTED DEVELOPMENT WITHIN THE CITY OF JERSEY VILLAGE.

7. Consider Ordinance No. 2009-54, allowing a budgetary amendment to the 2009-10 budget (Transit Oriented Development – Phase Two – Feasibility Study).

City Manager, Mike Castro told Council that in approving Resolution 2009-66, a budget amendment is needed to ensure sufficient budget authority is available. Staff is recommending amendment the General fund (Fund 01) to authorize \$175,000 for the Consulting Services line item.

Council Member Berube moved to approve Ordinance No. 2009-54, allowing a budgetary amendment to the 2009-10 budget (Transit Oriented Development – Phase Two – Feasibility Study). Council Member Klein seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2009-54

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.

8. Receive presentation on the status of the Police Department Expansion Project from Hall, Barnum, Lucchesi, Architects.

Mr. Hall with Hall, Barnum, Lucchesi, Architects appeared before Council and gave an update on the status of the Police Department Expansion Project. He explained that the Council Packet contains plans of the proposed Police Department Expansion Building. He also told Council that he had a scheduled meeting for October 20 to develop the front end specifications for the sealed proposals. During that meeting, all of the particulars for the proposals will be ironed out and the specifications will be completed by November 2, 2009.

Council engaged in discussion on the time line for the project including the proposal through completion. There was also discussion on why the city is going out for a seal

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

proposal as opposed to a sealed bid. Our City Attorney explained the difference between the two, stating that a sealed proposal gives the city the opportunity for negotiations.

9. Consider Resolution No. 2009-67, authorizing a contract with Belt Harris & Associates, LLLP for auditing services.

Finance Director, Isabel Kato presented the item. She stated that Council had directed staff to prepare request for proposals (RFP) for auditing services for a period not to exceed three years. Two firms responded to the City's Request for Proposal (RFP). One was our current auditor Null-Lairson, who has provided this service for the last six years, and the other was the firm of Belt Harris and Associates. A comparison schedule of the two proposals was created according to the criteria outlined in the RFP. The review team consisted of the City Manager, the Finance Director, and the Assistant Finance Director. Results of the review indicated a higher score for Belt Harris and Associates.

Robert Belt with Belt Harris and Associates was present and briefly addressed Council. With limited discussion on this item, Council Member English moved to approve Resolution No. 2009-67, authorizing a contract with Belt Harris & Associates, LLLP for auditing services. 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. 2009-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT WITH BELT HARRIS & ASSOCIATES LLLP FOR AUDITING SERVICES.

10. Consider Resolution No. 2009-68, changing the name of the City's fire fighting organization from "The City of Jersey Village Emergency Services" to "The City of Jersey Village Fire Department."

Council Member, Jill Klein introduced the item. She gave background information as to why the name for this department should be changed and how the change would/could take place. With limited discussion on this item, Council Member Klein moved to approve Resolution No. 2009-68, changing the name of the City's fire fighting organization from "The City of Jersey Village Emergency Services" to "The City of Jersey Village Fire Department." Council Member Berube seconded the motion. The vote follows:

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

Nays: None

The motion carried.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

RESOLUTION NO. 2009- 68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, CHANGING THE NAME FROM CITY OF JERSEY VILLAGE EMERGENCY SERVICES TO CITY OF JERSEY VILLAGE FIRE DEPARTMENT.

11. Discuss and take appropriate action concerning the enforcement of traffic laws within the residential areas of the City of Jersey Village.

Council Member Curtis Haverty introduced the item and gave background information. Included in the Council packet was a summary of police department statistics from 2004 through 2009. Council engaged in discussion about the need for enforcement of our traffic laws particularly in the residential areas of our city. Council also discussed the statistics provided by the police department. There was discussion about the decline in the number of tickets issued from 2007 to 2008, almost half as many. Chief Wedemeyer explained that the drop was due to Hurricane Ike and a reduction in manpower and the inability to hire replacement officers.

Council discussed solutions to the enforcement problems and suggested the use of the speed machine and asked about its effectiveness. The Police Chief stated that they have had success in using the machine in the areas it is situated but once it is removed, the speeders return. Council then discussed the allocation, availability, and placement of resources within the police department. Council would like to understand these issues better in order to understand how it relates to a decline in the number of tickets being issued and how that affects traffic enforcement in our city.

Council also considered a directive for stricter enforcement in the residential areas of Jersey Village and the affects such a directive would have on the police department staff.

Council Member Haverty moved to encourage the City Manager to take the appropriate action to increase the traffic enforcement within the residential areas of the City of Jersey Village. Council Member Berube seconded the motion. Discussion followed.

City Manager, Mike Castro asked for clarification on what is meant by “increased traffic enforcement” which evoked discussion from Council that it may be better for staff to come back with a plan on how this issue might be resolved. Following this discussion, Council Member Haverty withdrew his motion and Council Member Erskine moved that the City Manager work with the Chief of Police to present a plan, similar to the one that was done for the first day of school, on how the city can better manage traffic in the residential areas of the city. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – October 19, 2009

The motion carried.

12. Discuss and take appropriate action concerning the need for a part-time public relations position and/or public relations consultant.

Council Member Curtis Haverty presented the item. He gave background information and explained the need for a part-time public relations person to assist the City Manager in getting information out to the residents of the city.

Discussion was had concerning this item and how it might be an important topic once the TOD project begins, but with the day to day operations of the City it may not be needed. Council Member Haverty asked that the City Manager review the needs of the city in this area and come back with a request for help should there be a need.

I. EXECUTIVE SESSION

1. Consult with Attorney pursuant to the Texas Open Meetings Act Section 551.701 to discuss a proposed settlement agreement for ongoing litigation in *Sign-Ad Ltd. vs. City of Jersey Village and Jersey Village Board of Adjustment*, C.A. No. 4:09-cv-01260 in the United States District Court for the Southern District of Texas, Houston Division.

Mayor Hamley called the item as stated in the agenda. He then announced, "I hereby convene into Executive Session at 10:20 o'clock p.m. pursuant to the Texas Open Meetings Act, Government Code Section 551.071 for Consultation with our Attorney."

Mayor Hamley reconvened into Open Session from the Executive Session with the following statement, "I reconvene into Open Session at 10:33 o'clock p.m. No official Action was taken during the Executive Session."

J. MAYOR'S COMMENTS

1. Receive comments from Mayor Hamley concerning Transit Oriented Development.

No comments were made on this item.

2. Receive comments from Mayor Hamley concerning reactions to citizen's comments.

No comments were made on this item.

K. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:40 p.m.

Lorri Coody, City Secretary