

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

**A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT**

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

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

Council Member, Curtis Haverty was not present.

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

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

**C. CITIZENS COMMENTS**

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

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

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

**C. CITY MANAGER'S REPORT**

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

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

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

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

**E. CONSENT AGENDA**

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

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

ORDINANCE NO. 2010-10

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

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

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

ORDINANCE NO. 2010-11

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

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

ORDINANCE NO. 2010-12

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

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

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

Nays: None

The motion carried.

**F. REGULAR AGENDA**

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

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

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

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

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

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

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

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

Council also discussed:

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

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

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

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

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

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Nays: None

The motion carried.

RESOLUTION NO. 2010-11

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

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

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

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

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

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

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

Nays: None

The motion carried.

RESOLUTION NO. 2010-12

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

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

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

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

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

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

Nays: None

The motion carried.

ORDINANCE NO. 2010-13

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

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

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

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

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

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

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

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

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

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

Nays: None

The motion carried.

RESOLUTION NO. 2010-13

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

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

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

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

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

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

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

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

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

Nays: None

The motion carried.

ORDINANCE NO. 2010-14

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

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

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

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

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

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

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

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

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

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

Nays: None

The motion carried.

ORDINANCE 2010-15

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

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

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

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

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

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

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

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

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

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

Nays: None

The motion carried.

ORDINANCE NO. 2010-16

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

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

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

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

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

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

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

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

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

Nays: None

The motion carried.

ORDINANCE 2010-17

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

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

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

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

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

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

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

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

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

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

Nays: None

The motion carried.

RESOLUTION NO. 2010-14

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

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

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

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

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

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

The complete list of activities included:

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

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

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

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

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

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

- 1<sup>st</sup> Friday following the General Municipal Election
- 1<sup>st</sup> Saturday following the General Municipal Election
- 2<sup>nd</sup> Friday following the General Municipal Election
- 2<sup>nd</sup> Saturday following the General Municipal Election

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

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

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

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

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

- Baytown
- Pasadena
- Sugar Land

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

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

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

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

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

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

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

**H. ADJOURN**

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

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Lorri Coody, City Secretary