

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON DECEMBER 15, 2008 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

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

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

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

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

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.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713-937- 0408) – Mr. Maloy spoke with Council about the election process in Jersey Village. He told Council about the importance of single member districts and the representation that this type of election process brings to the voters. He would like Council to consider changing the Charter of the City to include an election process for our Council to be elected by single member districts. He believes it is best because it would distribute the membership of the Council more evenly across the city and therefore give better representation for the residents.

Jim Pulliam, 15713 Tenbury Street, Jersey Village, Texas (713-983-0932) – Mr. Pulliam spoke to Council about three issues on this agenda for which he wishes to express his support:

1. The development of a feasibility study regarding transit oriented development (TOD) in the City;
2. The funding for this TOD; and
3. Authorizing the Agreement with Trees For Houston for the planting of trees in the City.

He told Council that he spoke with citizens about the rail station and many citizens are in favor of it. He thinks being proactive is a good thing for this City. The study is the first step in

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moving the City forward for this project. He is also in favor of the planting of the trees. He told Council that much action has already been taken toward the planting of the trees project. He urges support for both of these projects.

Dorothy Starkey, 16206 Saint Helier, Jersey Village, Texas (713-896-7911) – Ms. Starkey spoke to the Council about the franchise agreement with CenterPoint Energy. She wants Council to delay the vote on the agreement. She is an attorney and her brother is a specialist in this area and they believe that the agreement is written in favor of CenterPoint and not the City. She believes the agreement can be written better so that it protects the city and would like additional time to work toward better language to achieve a better agreement for the City. Ms. Starkey also addressed the 30 year time frame for the agreement. She stated that it is a lengthy agreement and as such should not be entered into with haste. The agreement must be fully understood to insure that it is best for the City. She also stated that since our Charter is up for review, it might be well for the Council to consider amending our Charter to restrict contracts of such length.

CITY MANAGER'S REPORT

The City Manger had no additional information to add to his report. Council Member English thanked Gordon Gibson for his update on the Code Enforcement issues. Mayor asked about the Municipal Court Revenue Comparison Report and the fact that it is down considerably. City Manager Castro explained that the Court had been working the backlog which showed an increase in revenue in previous years, but the backlog has been caught up. Finance Director Kato also explained that there has been a decrease in the amount of tickets being filed with the Court for processing which accounts for some of the decrease in funds.

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. Code Enforcement – Follow-Up to Citizen Comment.
12. Update on Hurricane Ike Activities

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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 November 17, 2008.**
- 2. Consider Ordinance No. 2008-42 amending Ordinance No. 2006-30 passed, approved and adopted October 16, 2006.**

ORDINANCE NO. 2008-42

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING ORDINANCE NO. 2006-30 PASSED, APPROVED, AND ADOPTED OCTOBER 16, 2006.

- 3. Consider Ordinance No. 2008-43 amending Ordinance No. 2007-09 passed, approved and adopted March 19, 2007.**

ORDINANCE NO. 2008-43

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING ORDINANCE NO. 2007-09 PASSED, APPROVED, AND ADOPTED MARCH 19, 2007.

Council Member English moved to approve the Consent Agenda items 1 through 3 as submitted. Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

REGULAR AGENDA

- 1. Consider Resolution No. 2008-56, authoring the agreement with Kimley-Horn Associates Inc., for services relating to the development of a feasibility study regarding Transit Oriented Development (TOD) within the City of Jersey Village.**

City Manager Castro reminded Council of the preliminary study released by HGAC regarding the feasibility of commuter rail in the Houston metropolitan area. It recommended two corridor routes for immediate implementation: 1) The Highway 290 corridor, and 2) The Highway 3 corridor to Galveston which were selected best overall

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based on several criteria that included potential ridership, current rail traffic conflicts, costs, economic development potential, and connectivity.

With this in mind, City Manager Castro had approached the firm responsible for the HGAC study (Kimley-Horn Associates - KHA) regarding transit oriented development in the Jersey Village area. Of particular interest was the potential for the development of the site south of highway 290, proximate to the future extension of Jones Road and the location of an interchange with the future Hempstead Toll Way. Significantly, the site contains large undeveloped parcels that could also serve as potential rail stations for a commuter rail line. City Manager Castro explained that the development of this property, and adjacent property, could significantly impact property and sales tax revenues in a positive way. In addition, the development could potentially develop Jersey Village as a destination location.

City Manger Castro explained that the work proposed under the feasibility study agreement is the first of three blocks of work relating to TOD. The feasibility study will examine the potential for commercial and retail development at the site. The purpose of Phase 1 (Feasibility) will be to determine the “highest and best” use of the property south of 290. The results will be utilized to determine if the study continues on to Phase 2 (Planning) and Phase 3 (Implementation) of an overall Transit Oriented Development strategy. Staff has asked KHA to examine feasibility under two different scenarios, 1) With a commuter rail station, and 2) without a rail station. The length of the study will be approximately six months.

Scott Polikov with Gateway Planning Group, Inc. and Andrew Howard with Kimley-Horn Associates gave a presentation to Council on Transit Oriented Development (TOD) and the work that they would do for Jersey Village under the proposed feasibility study. Upon concluding the presentation, Council engaged in a question and answer session with Mr. Polikov and Mr. Howard. There were questions about the project and if it is started could it stop at any point with the concern being that property owners might not want this project at some point. The consultants explained that based upon their experience, that the best approach is an informed community with community involvement. They accomplish this by setting up community groups to create synergy with the goal to give and get information. This happens at the on-set of the project.

There were questions about project scope and how it might be too extensive. Mr. Polikov explained that the three phases of the project were presented in order to give Council a view of the whole TOD picture; but only Phase One concerns the feasibility study. This explanation engaged Council in discussion about the scale of the entire project and just how detailed the study needs to be to accomplish the goals of the city. The consultants explained that all of the transit authorities have determined that this “area” is ideal for a TOD and this study will just verify for them that Jersey Village is a viable location for a TOD.

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There was discussion about the status of the next step for the HGAC commuter rail. This process was explained by the consultants.

The consensus of Council was that the City should be proactive as Jersey Village in the next few years will be transitioning and the TOD decision could have a great affect on which way the city transitions. A suggestion was that a work session is needed to study this proposal more in depth. More questions were asked and discussed.

Mayor Hamley called for a motion on the Resolution, having received no motion this Resolution was not acted upon.

Mayor Hamley asked for Council's pleasure and it was the consensus of Council to have a work session on this item which is separate and apart from a Council session with Kimley-Horn present to assist with developing the scope for the feasibility study.

2. Consider Ordinance No. 2008-44, allowing a budgetary amendment to the 2008-09 budget (TOD – Phase One – Feasibility Study).

Mayor Hamley announced that with no action being taken on Resolution 2008-56, no action is need on Ordinance No. 2008-44 at this time.

3. Consider Resolution No. 2008-57, authorizing an agreement with HBL Architects for architectural services for the Jersey Village Police Department Expansion Project.

City Manager Castro explained that in September of 2007, City Council authorized HBL Architects to undertake a Master Plan for the expansion of the Police Department building. In February of 2008, Bill Hall presented the Master Plan for the Police Department expansion. Council accepted the report and directed staff to place the expansion as a part of the FY 2009 CIP budget.

The FY 2008-09 budget includes funding for both the design and construction of the expansion project. Staff has solicited a proposal from HBL Architects for completion of the design of the expansion and recommends that this proposal be approved by Council.

Council Member English moved to approve Resolution No. 2008-57 with an amendment to the Agreement with HBL Architects regarding their fee for Architectural Services which shall be amended to reflect a fixed fee of \$72,000. Council Member Berube seconded the motion.

Discussion was had on the motion. The question was asked if there was a possibility that the cost of the project would be less than \$600,000. City Manager Castro stated that he would not know until the project goes out for bids. There were concerns that if the

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construction costs are lower than \$600,000 than the fixed rate would be in excess of 12% of the construction costs.

Accordingly, Council Member Holden moved to amend the motion made by Council Member English to approve Resolution No. 2008-57 with an amendment to the Agreement with HBL Architects regarding their fee for Architectural Services which shall be amended to reflect 12% of construction costs with a maximum fee of \$72,000. Council Member Wubbenhorst seconded the motion. The vote follows on the motion to amend the original motion:

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

Nays: None

The motion to amend the original motion carried.

Mayor Hamley then called for the vote on the amended motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2008-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH HBL ARCHITECTS FOR ARCHITECTURAL SERVICES FOR THE JERSEY VILLAGE POLICE DEPARTMENT EXPANSION.

4. Consider Resolution No. 2008-58, accepting the Report and Recommendation of the 2008 Charter Review Commission.

Chairman Fannie Messec of the 2008 Charter Review Commission presented the Report and Recommendation of the Commission. She told Council that the Commission met and has held several meetings as charged by both the Charter and by Council. The meetings consisted of meeting with City Staff, City Council and the public. After conducting the meetings and reviewing the Charter the Commission found one issue that resulted in considerable discussions. Chairman Messec told the Council that the Commission discussed changing the method by which the City Council is elected from an at-large-by-place to an “open election” or that of an election of Council Members at-large without the distinction of having to run candidate against candidate for a specific place. The Commission considered a motion to amend the current Charter to provide for election of council members at-large by plurality vote; but this motion failed and as a

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result the Charter Review Commission recommends that no Charter Amendments be made at this time.

Upon receiving the report from Chairman Messec which is incorporated as an attachment to these minutes as “Exhibit A,” the Mayor asked City Attorney Wall for the next step in the process by Council. City Attorney Wall explained that: (1) Council could accept the report and recommendation of the Committee as is without amending the Charter and without conducting a Charter election in May 2009; (2) or they could choose to amend the Charter with amendments that they desire and approve. In any event the amendments would have to be approved at the next meeting in January because the charter election would have to be called at the February meeting, but certainly no later than early March. City Attorney Wall told Council that the Regular Meeting in March would be too late for Council to call the election.

After receiving this information from the City Attorney and receiving no motion from Council to approve the Resolution, the Mayor asked that this item be brought back for Council consideration at the next Council Meeting in January 2009.

5. Consider on third and final reading Ordinance No. 2008-35, granting a Franchise Agreement with CenterPoint Energy for the provision of electrical service.

Mr. Bob Roy with CenterPoint Energy made a brief presentation concerning the Franchise Agreement and CenterPoint’s services to the City over the years. In light of the comments made during the Citizen Comment Section of this agenda, this item was passed with no action taken in order to give the City Attorney time to speak with Ms. Starkey. No action was taken on this Resolution and staff was directed to bring this item back for Council action during the January 2009 Meeting.

6. Consider Resolution No. 2008-59, approving the list of recommended improvements for City Parks and Recreation for budget year 2008-09.

Parks Director, Michael Brown told Council that during the budget process City Council approved \$50,000 for improvements to the City’s parks. He explained the list of recommendations being made by his department to make these facilities safer and improve the appearance of City parks.

In reviewing the lists presented, discussion was had about the lighting at the Carol Fox Park and what would be the purpose of for the lighting. Mr. Brown addressed this question and the affects that adding lighting in the park would have on the city.

There was discussion about how the \$50,000 should be spent since there was concern that the list presented by the Parks Director did not contain too many of the items presented by the Parks Review Committee in the Parks Master Plan Report. After a lengthy discussion, Council Member Wubbenhorst moved to bring this item back on the January

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agenda with the Parks Director re-working the list prior to the January meeting while keeping in mind the following priorities:

- Keep #1
- Place #2 Alternate
- Keep #3
- Keep #4
- Place #5 Alternate
- Another item to consider adding to the list – benches and trash cans along the 43 acre jogging trail.

Council Member Holden seconded the motion. The vote follows:

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

Nays: None

The motion carried.

7. Consider Resolution No. 2008-60, authorizing an Agreement with Trees For Houston, for services relating to the planting and maintenance of trees within the City of Jersey Village, Texas.

City Manager Castro explained that City Council at its October regular meeting discussed the possibility of contracting with Trees For Houston for the planting of trees along the hike and bike trail on the eastern boundary of Jersey Village. This agreement would authorize \$15,000 to be expended towards such a project. The resolution also authorizes an agreement with Trees For Houston. Mr. Castro explained that should Council desire to take this action, Council will need to consider the budget amendment listed in item 8.

Council Member Wubbenhorst moved to approve Resolution No. 2008-60 as submitted. Council Member Berube seconded the motion. The vote follows:

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

Nays: Council Member Klein

The motion carried.

RESOLUTION NO. 2008-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH TREES FOR HOUSTON, FOR SERVICES RELATING TO THE PLANTING AND MAINTENANCE OF TREES WITHIN THE CITY OF JERSEY VILLAGE.

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- 8. Consider Ordinance No. 2008-45, allowing a budgetary amendment to the 2008-2009 budget in the amount of \$15,000 (Capital Improvements Fund) to fund a tree planting in the City of Jersey Village.**

Council Member Wubbenhorst moved to approve Ordinance No. 2008-45 as submitted. Council Member Holden seconded the motion. The vote follows:

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

Nays: Council Member Klein

The motion carried.

ORDINANCE NO. 2008-45

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

- 9. Discuss, consider, and evaluate the Golf Course Advisory Committee charge, setting specific goals for this Committee to assist Council in achieving the needs of the City.**

Council Member Klein stated that she had attended one meeting of the Golf Course Advisory Committee and told Council that the Committee needs Council direction concerning their Charge. She stated that they have not been giving reports to Council concerning their activities for some time and she believes this to be a necessary function of the Committee.

Mayor Hamley called attention to the current By-Laws of the Committee. He stated that he believes that these By-Laws detail a charge for this Committee, and asked if the Committee is following these By-Laws. Council Member Holden restated his position that while the Committee has achieved many accomplishments over the years; the Committee has reached a point where its purpose has been served. He questions the charge and what this Committee offers to Staff and to Council.

Council took no action on this item.

- 10. Consider Resolution No. 2008-61, authorizing the City Manager to engage Uretex USA, Inc. to perform street raising work throughout various locations in the City of Jersey Village.**

Public Works Director, Danny Segundo, explained that the Public Works Department is continuing its annual street raising program. The project includes street lifting, void

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filling, stabilizing and under sealing, returning streets to proper load bearing capacity and proper drainage. Public Works will address ten locations in the city that are experiencing concrete pavement settlement issues (ponding).

City Council has approved the Public Works Department to receive proposals from entities that have been approved by the Harris County Interlocal Agreement authorized by Resolution 2007-60 on December 17, 2007. Uretek USA, Inc., is an approved vendor under this interlocal agreement and has proposed street raising work for various locations throughout the City of Jersey Village.

Staff is requesting that city council authorize the City Manager to engage Uretek USA, Inc., an approved vendor under the Harris County Interlocal Agreement, to perform the street raising work as proposed.

Council Member Berube moved to approve Resolution No. 2008-61 as submitted. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2008-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENGAGE URETEK USA, INC. TO PERFORM STREET RAISING WORK THROUGHOUT VARIOUS LOCATIONS IN THE CITY OF JERSEY VILLAGE.

11. Consider Resolution No. 2008-62, allowing the City Manager to enter into a Lease Purchase Agreement/Contract with Oshkosh Capital for the purchase of a new Pierce Velocity Fire Truck.

Fire Chief, Mark Bitz explained that in the 2008-2009 fiscal budget Council approved the purchase of a new fire truck. The document being reviewed tonight is for a 7 year lease purchase agreement outlining the details for purchasing this new apparatus. The purchase price on the vehicle less vendor discounts is \$488,373.00 with 7 yearly payments to Oshkosh Capital for \$85,905.43. Interest included, the total Cost of the truck is \$601,338.01. The interest rate has increased from 4.5% to 6.027% since last reported. These payments will begin after the truck is delivered with the first payment due on 08-19-2009. Yearly payments will be the same amount with the last payment on 8/19/2015.

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Council Member Holden moved to approve Resolution No. 2008-62 as submitted. Council Member Wubbenhorst seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2008-62

A RESOLUTION AUTHORIZING A LEASE/PURCHASE AGREEMENT WITH OSHKOSH CAPITAL FOR A FIRE APPARATUS.

12. Consider Ordinance No. 2008-46, allowing a budgetary amendment to the 2008-09 budget (Asset Forfeiture Fund) and authorizing the purchase of law enforcement equipment permitted by Chapter 59 of the Code of Criminal Procedures.

Chief Wedemeyer explained that on November 17, 2008, the Jersey Village Police Department was presented with asset forfeiture funds from the Harris County District Attorney's Office in the amount of \$32,674.67. On this same date, Council received the presentation of these funds and in accordance with Chapter 59 of the Code of Criminal Procedures Finance Director, Isabel Kato, receipted, and deposited the \$32,674.67 into the Assets Forfeiture Fund for the sole use of law enforcement purposes.

In accordance with this same Chapter of the Code of Criminal Procedure, the police department requests authorization to purchase the following law enforcement equipment:

- Electronic equipment and software to allow electronic transmittal of in-car videos to Harris County District Attorney's Office and Courts
- Portable DVD Recording System
- Three digital cameras and accessories

Council Member Wubbenhorst moved to approve Ordinance No. 2008-46 as submitted. Council Member English seconded the motion. The vote follows:

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

Nays: None

The motion carried.

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ORDINANCE NO. 2008-46

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE ASSET FORFEITURE FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009, AUTHORIZING THE PURCHASE OF LAW ENFORCEMENT EQUIPMENT PERMITTED BY CHAPTER 59 OF THE CODE OF CRIMINAL PROCEDURE; AND PROVIDING FOR SEVERABILITY.

COUNCIL MEMBERS' COMMENTS

- 1. Receive comments from Council Member Klein concerning the Recreation and Events Committee Annual Holiday in the Park Celebration held December 7, 2008 at Carol Fox Park.**

Council Member Klein gave comments about the Recreation and Events Committee Annual Holiday in the Park Celebration held on December 7, 2008. She told of the problem with blowing the snow and the problems with the equipment.

MAYOR'S COMMENTS

- 1. Discuss meeting with Commissioner Eversole, December 1, 2008.**

The Mayor updated Council about the Jones Road Extension and approval by Commissioner's Court of the asphalt overlay project on the Harris County Toll Way.

- 2. Discuss meeting with Harris County Flood Control Department, December 1, 2008.**

The Mayor gave an update on the Flood Control projects. He stated that there are numerous projects being worked with some nearing completion. One project on Jones Road is having problems with a contractor.

- 3. Discuss 43-acre detention basin north of Golf Course.**

Mayor Hamley briefly mentioned the 43-acre detention basin north of the Golf Course and gave an update on same.

ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:07 p.m.

Lorri Coody, City Secretary



CITY OF JERSEY VILLAGE, TEXAS

16501 Jersey Drive, Jersey Village, TX 77040

713-466-2102 (office) 713-466-2177(fax)

December 15, 2008

The Mayor and City Council
City of Jersey Village
16501 Jersey Drive
Jersey Village, Texas 77040

Re: Recommendation of the City of Jersey Village 2008 Charter Review Commission

Honorable Mayor and City Council:

As required by Section 9.17 of the Charter of the City of Jersey Village, the 2008 Charter Review Commission has taken the following measures in considering amendments to the City's current Charter:

- Reviewed the Charter section by section and considered areas for amendment.
- Received input from the Mayor and Council on how well the city is operating under the Charter and considered recommendations for amendments.
- Received input from City Staff on how departments operate under the existing Charter. There were no recommendations for amendments.
- Conducted a public hearing to receive citizen recommendations for amendments to the City's Charter and considered these recommendations.
- Received input from the City Manager on how well the city is operating under the existing Charter. He had no recommendations for amendments.
- Received input from the notes and comments of past meetings from Charter Review Commissioners by conducting a review of the current Charter article by article.

These measures have resulted in the discussion of an amendment to Article II, Section 2.01 concerning the Council selection process. Currently, Council Members are elected at-large by place to a specific position number or place on the Council and these places are filled by popular vote. The office of Mayor is also be filled by popular vote.

The Commission discussed changing the at-large-by-place or by-specific-position to an "open election" or the election of Council Members at-large without the distinction of having to run candidate against candidate for a specific place. In the no-place system, all candidates for election are placed on the ballot and candidates receiving the most votes are elected to the offices up for election.

In these discussions the following pros and cons for the no-place system were acknowledged:

Pros	Cons
Better and easier candidate participation because candidates do not have to engage the incumbent.	Experienced incumbents always draw opponents.
Candidates run on the issues as opposed to candidate against candidate which may present a better opportunity for representation of all residents.	There may be a lack commitment due to ease of entry into the election.
With less contention between candidates, this opens the door for better focus on the issues and building better relationships in the community.	Candidates could be less diversified and winning could be based upon one issue.
Gives residents in a specific area of the city a better chance of representation.	Removes the distinction of skill, character, knowledge, and dependability between candidates making it more difficult for the voter.
Reduces the need for runoff elections.	

Suggested amendments to City Charter to reflect the at-large system of electing the City Council are as follows:

ARTICLE II

Sec. 2.01. Number, selection and term of office.

The council shall be composed of a mayor and five (5) other councilmembers, each of whom, unless sooner removed under the provisions of this Charter or the laws of the State of Texas, shall serve for a term of two (2) years or until his successor has been elected and installed.

At the regular election held in odd numbered years a mayor shall be elected, and two (2) councilmembers shall be elected to serve in the positions for which the term of office expires in that year. At the regular election in even numbered years, three councilmembers shall be elected to serve in the three council positions for which the term of office expires in that year. The candidate for mayor that receives the highest number of votes cast for that position shall be elected. In odd numbered years the two candidates for councilmember that individually receive the highest number of votes cast and in even numbered years the three candidates for councilmember that individually receive the highest number of votes cast shall be elected.

No person shall serve more than three (3) consecutive two-year terms as mayor, nor more than four (4) consecutive two-year terms as councilmember or a combination of mayor/councilmember. Any portion of a term served shall count as one (1) term in calculating the total number of consecutive terms served. No person who has served four (4)

consecutive terms as councilmember or mayor/councilmember shall hold office as mayor within the one-year period following the said four (4) terms of service.

ARTICLE III

Sec. 3.01. Regular elections.

The regular election of members of the council to the positions to be filled on the council shall be held on the first election date authorized by state law on or after the first day of April of each year at a place or places designated by the council by ordinance. Such election shall be ordered by the mayor, and in the event of his failure to order the same, the council shall make such order. In the event of the failure of the mayor and the council to so act, such election may be called by the city secretary; and in the event of his failure to act, by the County Judge of Harris County, Texas; and in the event of his failure to act, by the Governor of the State of Texas. The city secretary shall give such notice of the election as may be prescribed by law.

Sec. 3.03. Filing for office.

Any person qualified to serve under the provisions of Article II hereof may be a candidate for election to a position on the council. A candidate who desires to have his name appear on the ballot shall file an application with the city secretary within the time prescribed by law. Such application shall clearly designate the office which the candidate seeks and shall contain a sworn statement by the candidate that he is fully qualified under the Constitution and laws of the State of Texas and the provisions of this Charter to hold the office he seeks. The names of all candidates who have filed for office shall be printed on the official ballot without party designations, in an order as provided by law.

Sec. 3.04. Elections by plurality.

At every election to fill one or more positions on the council, election to each position shall be by a plurality of all the votes cast for such position. In the event no candidate receives a plurality of all the votes cast for any position, the tie shall be broken in a manner authorized by the Texas Election Code.

The Commission considered a motion of Commissioner Daniels to amend the current Charter to provide for election of council members at-large by plurality vote. The vote on the motion was as follows:

Ayes: Commissioners Daniels and Faircloth
Chairman Messec

Nays: Commissioners Lozano, Freeman, and Paul

The motion failed.

CONCLUSION

Having met with council members and staff to review the operations of the city government under the provisions of the Charter the Charter of the City of Jersey Village and conducted a public meeting to receive citizen input, the Charter Review Commission recommends that no Charter Amendments be made at this time.

Respectfully submitted,



Charter Review Commission 2008

Fannie Messec, Chairman

David Paul, Vice Chairman

Rick Faircloth

John Hanley

Barbara Freeman

Charles Daniels

Rene Lozano

Patti Melancon, Alternate

Council Member Joyce Berube, Alternate

Council Member Jill Klein, Alternate