

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 17, 2009 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

The meeting was called to order by Mayor Hamley at 7:05 p.m. with the following present:

Mayor, Russell Hamley
 Council Member, Joyce Berube
 Council Member, Rod Erskine
 Council Member, Curtis Haverty
 Council Member, Ernie English
 Council Member, Jill Klein

City Manager, Mike Castro
 City Secretary, Lorri Coody
 City Attorney, Martha Williams

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

Fire Chief, Mark Bitz was not present at the meeting.

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

INVOCATION AND PLEDGE OF ALLEGIANCE – Mark Maloy

PRESENTATION

1. Recognize members of the Golf Course Advisory Committee for their service to the City of Jersey Village.

Council Member Erskine and Mayor Hamley recognized the members of the Golf Course Advisory Committee, a seven member committee. Council Member Erskine outlined some of the responsibilities of this committee which are as follows:

- A. To provide oversight to the ongoing operation of the municipal golf course, including fiscal management, long-term facilities, and grounds maintenance programs, capital improvement programs and management effectiveness.
- B. The Committee shall make a written report to the City Council quarterly on the results of its oversight activities together with recommendations for enhancement/improvement.
- C. The Committee shall have no power or responsibility to perform day-to-day management of the golf course nor shall the Committee make any suggestions for change directly to the golf course management. The Committee’s role is advisory only and shall make recommendations and reports only to the City Council.

The following citizens from Jersey Village serving on this Committee were recognized:

	<u>POSITION</u>	<u>FIRST APPOINTED</u>	<u>TERM ENDS</u>
Vance Burnham – Vice Chair	1	11/04	09/09

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Greg Fair	2	05/09	09/09
Robert Gonzales	3	10/05	09/09
Bill Schuster	4	09/03	09/09
Bill Smith - Chairman	5	09/02	09/09
Harold Smith, Jr.	6	10/08	09/09
John Terrell	7	09/02	09/09

CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT

- 1. Receive 2009-2010 adopted fiscal year budget from the Jersey Village Crime Control and Prevention District (CCPD).**

Council received submission of the 2009-2010 fiscal year budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through a presentation of a certified copy of the JVCCPD’s Resolution No. 2009-05.

- 2. Conduct a public hearing on the Jersey Village Crime Control and Prevention District budget for the fiscal year 2009-2010.**

Mayor Hamley opened the public hearing at 7:10 p.m. in order to give all interested parties the right to appear and be heard on the proposed fiscal year 2009-2010 Crime Control and Prevention District budget.

With no one signing up to speak on the JVCCPD budget, Mayor Hamley closed the public hearing at 7:10 p.m. and called the next item on the agenda.

- 3. Consider Resolution No. 2009-47, adopting the Jersey Village Crime Control and Prevention District Budget for the 2009-2010 fiscal year.**

Chief of Police, Charles Wedemeyer briefly explained the budget elements and the supplemental requests outlined in the 2009-2010 fiscal year budget and with limited discussion, Council Member English moved to approve Resolution No. 2009-47. Council Member Berube seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2009-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2009-2010 CRIME CONTROL AND PREVENTION DISTRICT BUDGET

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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.

Wallace Mitchell, 15301 Mauna Loa, Jersey Village, Texas 77040 713-849-0801 – Mr. Mitchell addressed Council about the Recreational Vehicle Ordinance. He stated that he has registered his vehicle and understands that he has 10 years to keep his vehicle in the City as long as he abides by the terms and conditions of the program. Nonetheless, he would like for Council to consider changing the fence/screening ordinance to accommodate the screening of his recreational vehicle (RV) from public view. He currently parks his RV in his rear yard and he would like to see the ordinance changed so that he could build at least a 12 foot fence to screen same from public view. The current ordinance only permits an 8 foot fence. Additionally, Mr. Mitchell told council about the trees that overhang into the streets. He stated that these trees are only to be trimmed to meet Ordinance standards and are not meeting the requirements. He believes that in some cases, the City is in violation as well. He would like to see everyone brought into compliance.

Lisa Warner, 15321 Ashburton, Jersey Village, Texas 77040 713-856-8115 – Ms. Warner spoke to Council concerning the safety of the City's children when walking to and from school. She stated her concerns regarding the recent 2 mile no bus ruling by Cy-Fair ISD and their prescribed walking routes. Ms. Warner believes the prescribed walking routes are not safe and would like the City to help residents communicate with the school district on this matter.

Patrice Krus, 152110 Jersey Drive, Jersey Village, Texas 77040 713-466-0850 – Ms. Krus spoke to Council regarding the busing issue. She would like to see more policing of the roads because she believes that people are not obeying the traffic laws. She would like to see better patrolling at least between the hours of 2:30 p.m. and 4:30 p.m.

Kristine Gill, 16117 Congo, Jersey Village, Texas 77040 713-983-7892 – Ms. Gill spoke to Council about the busing issue. She is concerned about the busing issue and would like help from the City. She is concerned about her daughter having to cross Senate Avenue.

Karen Pohle, 16305 Delozier Street, Jersey Village, Texas 77040 713-204-2183 – Ms. Pohle stated that she too is concerned about the busing issue and the traffic issues related to same. She has a 3rd grader. She would like help from the City, perhaps more of a police presence around the schools would help.

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Karl Pohle, 16305 Delozier Street, Jersey Village, Texas 77040 713-376-4136 – Mr. Pohle spoke to Council regarding his concerns over the busing issue with children walking through the neighborhoods and speeding traffic.

Chris Boelsterli, 12 Epernav Place, Jersey Village, Texas 77040 713-856-8062 – Mr. Boelsterli spoke to Council about the busing issue. He is concerned about children having to walk to school where there are no sidewalks and having to cross bridges that are not safe for crossing. He is particularly concerned about the safety of the children on Senate Avenue. He would like Council's help in communicating with the school board.

CITY MANAGER'S REPORT

City Manager, Mike Castro called Council's attention to the last item on his manager's report which is the up-coming Board and Committee appointments. Mr. Castro told council that every year Council reviews these appointments in order to fill vacancies and expired terms. He reminded them if they knew of anyone desiring appointment to a Board/Commission/Committee to have them complete and application form.

1. Monthly Fund Balance Report, Enterprise Funds Report, Red Light Camera Fund 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
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. Discussion regarding upcoming Boards and Committee appointments.

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 City Council Regular Meeting held on July 20, 2009, Minutes of the August 3, 2009 City Council Work Session Meeting, and Minutes of the August 4, 2009 City Council Work Session Meeting.**

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- 2. Consider Resolution No. 2009-48, re-appointing members to the City of Jersey Village Crime Control and Prevention District.**

RESOLUTION NO. 2009-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RE-APPOINTING MEMBERS TO THE CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT.

- 3. Consider Resolution No. 2009-49, canceling the Monday, September 21, 2009 Regular City Council Meeting and calling a Special City Council Meeting on Monday, September 14, 2009.**

RESOLUTION NO. 2009-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, CANCELING THE REGULAR COUNCIL MEETING TO BE HELD ON SEPTEMBER 21, 2009 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS; CALLING A SPECIAL COUNCIL MEETING TO BE HELD ON SEPTEMBER 14, 2009 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

- 4. Consider Resolution No. 2009-50, nominating a candidate for a position on the Board of Directors of the Harris County Appraisal District.**

RESOLUTION NO. 2009-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, NOMINATING A CANDIDATE FOR A POSITION ON THE BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT.

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

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

Nays: None

The motion carried.

REGULAR AGENDA

- 1. Consider Resolution No. 2009-51, appointing Eric A. Mong as Reserve Police Officer with the City of Jersey Village Police Department.**

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Charles Wedemeyer, Chief of Police told Council that the police department has successfully completed the application process for Reserve Police Officer Eric A. Mong and respectfully requests that Council appoint him as a reserve officer for the department.

Council Member English moved to approve Resolution No. 2009-51, appointing Eric A. Mong as Reserve Police Officer with the City of Jersey Village Police Department. 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. 2009-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING ERIC A. MONG AS RESERVE POLICE OFFICER WITH THE CITY OF JERSEY VILLAGE POLICE DEPARTMENT.

2. Administer Oath to Reserve Police Officer, Eric A. Mong and presentation of the officer's badge.

Chief of Police, Charles Wedemeyer administered the oath of office to newly appointed Reserve Officer Eric A. Mong and Officer Mong's sister, an officer with the Richmond Police Department, pinned him with the City of Jersey Village Police Department's officer badge.

3. Discuss with possible action the Cy-Fair School District's decision to discontinue bus service within a two-mile radius of Post Elementary and Jersey Village High School.

Council Member Joyce Berube presented the item to Council. She stated that she has been receiving phone calls about the Cy-Fair School's decision to discontinue bus service unless the student lives 2 miles away. Council Member Berube stated that this new ruling affects several residents within the City and as a result she has been receiving the calls.

Residents are complaining about safety, particularly with the crossing of Senate Avenue. She had included in the packet a memo asking Council Members to consider the following:

- Should the County be contacted and asked to place stop signs at every intersection along Senate; or
- Should the County be contacted and asked to place yellow flashing school zone signs at each intersection along Senate; or
- Should we try to organize, through messages in the Star, stay-at-home parents or seniors to volunteer as crossing guards at each intersection along Senate; or
- Should we do nothing; or
- Are there any other suggestions.

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Council Member Berube asked City Manager, Mike Castro for input. Mr. Castro explained that this matter will require both short and long-term solutions.

Long-Term

City Manger Castro explained that staff has talked with the County and State about traffic signal solutions along Senate Avenue. However, there is confusion about whose responsibility it is to designate school zones. A meeting has been set with the school district on Wednesday, August 19, 2009. This and other matters will be discussed at this meeting.

Short-Term

Chief of Police, Charles Wedemeyer explained that officer presence will be doubled on the first day of school. These officers will monitor traffic at all intersections that traditionally have school traffic for Post Elementary and at the High School, including Senate Avenue. After observing the situation on the first day, a determination will be made concerning “hot spots” in order to know what issues need to be addressed at the meeting that is set for Wednesday, August 19, 2009.

City Manager Castro explained that staff is working with the County and the School regarding traffic signals. He voiced his concerns about the need for a traffic study before the placement of these signals and a need for direction from Council in order to know the City’s level of involvement on this project. Council engaged in discussion about the safety of the children, the length of time that the police department would be able to sustain a double force in order to monitor and patrol school traffic, and the need to issue tickets to violators during this time and that the police department should not be hesitant in this function of law enforcement.

Council wants to insure it has maximized its school zone setting authority. They would like to have this item back on the next Council agenda.

Council continued to discuss the possible solutions, suggesting crossing guards and signs in addition to increased police presence for the first day and possible week of school. They directed staff to prepare a report to be emailed to Council for review.

- 4. Consider Resolution No. 2009-52, suspending the September 4, 2009 effective date of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas' (CenterPoint) requested rate change; and approving cooperation with other cities to hire Lloyd Gosselink as legal counsel to negotiate with CenterPoint and direct any necessary litigation and appeals and making other findings and provisions related to the subject.**

City Attorney Martha Williams explained the item. She told Council that on July 31, 2009 CenterPoint Energy Resources Corporation d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas filed with the City of Jersey Village their Statement of Intent to Increase Gas Utility Rates within the Incorporated Areas Served by the Houston

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Division. Ms. Williams recommends that Council vote to suspend the September 4, 2009 effective date for a 90 day period and that Jersey Village join the coalition with the other cities served by the Houston Division of CenterPoint to address concerns and protect their interests.

City Manager Castro explained the summary letter that accompanied the Statement of Intent. He told Council that basically the overall average increase for a residential customer using 35 Ccf will be \$4.09 per month exclusive of revenue related taxes. The proposed effective date of the rate change is September 4, 2009 and the same rate filing is being made with each regulatory authority having original jurisdiction over the gas utility rates charged to customers served by the Houston Division, including the unincorporated areas. Mr. Castro told Council that representatives from CenterPoint and from the Coalition were in attendance to present their material to Council regarding this issue.

Geneva L. Roton, Michael Joseph, and Denise Clark-Zopfi appeared for CenterPoint Energy to answer questions pertaining to the Notice of Intent to Increase Gas Utility Rates filed by CenterPoint.

Discussion was had about the purchased gas adjustment (PGA) portion of a customer's natural gas bill. CenterPoint Representatives explained that beginning in August, this portion of CenterPoint customers' bill will decrease by a total of approximately \$96.7 million because wholesale natural gas prices have decreased nationwide and CenterPoint Energy is passing along these lower prices to its customers. These gas supply charges typically account for 60-70 percent of a customer's total bill. Much discussion was had about the PGA and how it affects the customer's bill versus the affects of the increase in the base rate which is 8%.

The coalition is represented by the law firm Lloyd Gosselink. Attorney and representative of the firm, Thomas Brocato, appeared to present the coalition's recommendations to Council on this issue. Basically, the coalition recommends that Council suspend the effective date of the Company's rate increase for the 90 days in order to allow the City time to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Thomas Brocato explained the rate increase and why this request is significant. He explained how he is paid and that there is a difference in rate class customers. He told Council that the only rate class being increase by CenterPoint is residential. Small Commercial and Large Industrial customers will not receive an increase under this request. Mr. Brocato calls this a disparity. There was discussion about the geographic area for the rate increase, which is composed of 28 cities.

Council Member Haverty moved to approve Resolution No. 2009-52, suspending the September 4, 2009 effective date of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas' (CenterPoint) requested rate change; and approving cooperation with other cities to hire Lloyd Gosselink as legal

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counsel to negotiate with CenterPoint and direct any necessary litigation and appeals and making other findings and provisions related to the subject. Council Member Erskine seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2009-52

RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, SUSPENDING THE SEPTEMBER 4, 2009 EFFECTIVE DATE OF CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS' (CENTERPOINT) REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER CITIES IN THE CENTERPOINT AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; RATIFYING THE SELECTION OF LLOYD GOSSELINK AS LEGAL COUNSEL; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

5. Discuss with possible action Ordinance No. 2009-43, amending the City of Jersey Village fiscal year 2008-09 annual budget (Utility Fund Budget for Additional Repairs to the City Water Towers). *Michael Brown, Director of Parks and Recreation*

Director of Parks and Recreation, Michael Brown explained that during hurricane Ike both city water towers received hail and wind damage. A claim has been made with TML for the damages. Our policy covers full replacement for damages and in order to receive this payment we must first complete the work and submit the invoice to TML.

This item is for additional repairs found on the top of the water towers once this project was started. The wind has blown off the top hatch and the lights. In addition with the top missing water has gotten to the inside and rusted the platform and the ladder in the man way.

With limited discussion on this item, Council Member Berube moved to approve Ordinance No. 2009-43, amending the City of Jersey Village fiscal year 2008-2009 annual budget for the additional repairs of damage caused by Hurricane Ike to the City Water Towers. Council Member English seconded the motion. The vote follows:

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

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Nays: None

The motion carried.

ORDINANCE NO. 2009-43

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

- 6. Consider Resolution No. 2009-53, authorizing the City Manager to enter into a contract with KBR for additional repairs to the City's water towers due to damage caused by Hurricane Ike.**

Michael Brown, Director of Parks and Recreation explained the item. He told Council that this item is to provide for a contract to cover the additional repairs to the city water towers. The additional work is necessary. Mr. Brown explained that once the initial repairs were started on the repainting work that was approved by Council, some additional repair items were discovered i.e. broken lights, the top hatch was missing, and the man way was rusted.

Council Member Berube moved to approve Resolution No. 2009-53, authorizing the City Manager to enter into a contract with KBR for additional repairs to the City's water towers due to damage caused by Hurricane Ike. Council Member English seconded the motion. The vote follows:

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

Nays: None

The motion carried.

RESOLUTION NO. 2009-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KBR TO MAKE ADDITIONAL REPAIRS TO THE CITY WATER TOWERS DUE TO THE DAMAGE CAUSED BY HURRICANE IKE.

- 7. Discuss with possible action Ordinance No. 2009-44, amending the City of Jersey Village fiscal year 2008-09 annual budget (2007-08 Street Bond Fund Amendment for Honolulu Street Bond Project Engineering Services).**

Danny Segundo, Public Works Director told Council that a budget amendment is needed to allow for the allocation of the \$78,000 from the 0708 Street Bond Fund Balance to fund 13-95-7114 for the Honolulu Paving and Drainage engineering costs. Mr. Segundo explained that Council previously approved the engineering cost for Honolulu Street to be included in the 07-08 Street Bond Project, and Brooks and Sparks has recently submitted their proposal

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for the engineering services associated with the paving and drainage improvements related to Honolulu Street from Lakeview to Hawaii. This item is to appropriate the funds, which will come from the fund balance of the current 07-08 Street Bond Project.

Council Member English moved to approve Ordinance No. 2009-44, amending the City of Jersey Village fiscal year 2008-09 annual budget for Honolulu Street Bond Project Engineering Services. 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. 2009-44

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

8. Discuss with possible action Ordinance No. 2009-45, amending the City of Jersey Village fiscal year 2008-09 annual budget (for the Purchase of Jones Road Mitigation Credits).

Danny Segundo, Public Works Director introduced Paul Wallick who explained the item, stating that these funds are necessary in order to purchase mitigation credits within the Greens Bayou Wetlands Mitigation Bank in connection with the Jones Road Extension Project. By purchasing these credits the city will obtain predictable mitigation costs per acre; the assurance of successful mitigation, with no monitoring or maintenance required; and no conservation easement will be required.

The purchase of mitigation credits for the Jones Rd. project is necessary based on the determination by the United States Army Corps of Engineers (USACE) that 1.429 acres of wetlands would be impacted by the installation of Jones Rd. The purchase of the mitigation credits will allow for the continued process of the USACE permit application.

The goal of the Greens Bayou Wetlands Mitigation Bank project is to create a large, contiguous area of protected wetland habitats by enhancing selected existing wetlands, while also creating new wetlands from upland areas. This goal is accomplished by carefully planning wetland construction and development to make use of natural topography, soils, vegetation, and availability of resources in the years to come.

In order to have funding for this project it will be necessary to transfer \$20,000 from the City's General Fund into the Jones Rd. Water and Sewer Engineering Fund #3-92-7107.

Mr. Wallick also gave a project summary with projected completion dates for specific items within the project.

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Council Member Berube moved to approve Ordinance No. 2009-45, amending the City of Jersey Village fiscal year 2008-09 annual budget for the Purchase of Jones Road Mitigation Credits. Council Member English seconded the motion. The vote follows:

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

Nays: None

The motion carried.

ORDINANCE NO. 2009-45

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

9. Discuss with possible action Ordinance No. 2009-46, amending the City of Jersey Village fiscal year 2008-09 annual budget to establish a Traffic Safety Fund.

Isabel Kato, Finance Director explained that Ordinance No. 2009-46 is needed to establish a Traffic Safety Fund. She stated that the red light camera program was approved at selected intersections throughout the city in an effort to reduce red light running and enhance traffic safety.

After the end of each fiscal year, the City is required to send 50% of the net revenue derived from Civil or Administrative penalties from the Red Light Camera Program to the State Comptroller Office, and deposit the remainder into a Red Light Camera Fund special account for use only on traffic safety programs.

Therefore, in order to keep the Traffic Safety Program funds separate, Mrs. Kato is recommending that a new fund be established for the red light camera revenues which originated from the 50% allowed to the City by the Transportation Code under Section 707.008.

Council engaged in discussion about the necessity of creating this separate fund. There was also discussion about how the change in understanding how the split works affects budgeting 2 to 3 years out as well as how it affects the 2009-2010 budget. There was also discussion about the number of officers that were being funded by the red light camera fund and of those officers how many were new positions.

Council Member English moved to approve Ordinance No. 2009-46, amending the City of Jersey Village fiscal year 2008-09 annual budget to establish a Traffic Safety Fund. Council Member Klein seconded the motion. The vote follows:

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

Nays: None

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The motion carried.

ORDINANCE NO. 2009-46

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

10. Consider Resolution No. 2009-54, authorizing the Mayor to pursue obtaining a unique postal zip code for the City of Jersey Village.

Mike Castro, City Manager explained that the City of Jersey Village currently has four postal codes with the City of Houston and portions of unincorporated Harris County. A concern the city has relates to the distribution of local Sales and Use tax collection. It is believed that a substantial portion of sales and use tax that should be directed to Jersey Village that are going to the City of Houston by default. Primarily, services that are provided to residents at their homes are being credited to the City of Houston or Harris County for sales tax purposes. A unique zip code for Jersey Village would remedy the problem directly.

Mr. Castro explained that the present agenda item would authorize the Mayor to pursue obtaining a zip code. The city is not requesting a postal office, per se, only that the postal service designate a unique zip code for Jersey Village.

With limited discussion on this item, Council Member Erskine moved to approve Resolution No. 2009-54, authorizing the Mayor to pursue obtaining a unique postal zip code for 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.

RESOLUTION NO. 2009-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, SUPPORTING THE CREATION OF A UNIQUE POSTAL ZIP CODE FOR THE CITY OF JERSEY VILLAGE.

11. Discuss with possible action the potential changes in Jersey Village’s building codes in anticipation of the future increase in “tear downs” in the City.

Council Member, Rod Erskine explained that the purpose of this item is to discuss the process and timing of necessary changes in our building code for new homes built on lots where the current structure will be removed, with particular emphasis on ensuring that the requirement for significantly elevated slabs associated with the new structure does not result in landscaping that creates water runoff problems on adjacent property.

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Discussion was had about the required action and to have the City Manager look into what changes would need to be proposed for landscaping. Council also engaged in discussion about the existing permits and if it is necessary to stop the issuance of all permitting until this issue is resolved. Council was more of the mindset to gather information about what can be done to change the existing code to address the problem.

Council Member Erskine moved that staff be directed to investigate the necessary changes needed in the City's building code to address new homes built on lots where the current structure will be removed, with particular emphasis on ensuring that the requirement for significantly elevated slabs associated with the new structure does not result in landscaping that creates drainage problems on adjacent property. The motion was seconded by Council Member Haverty. The vote follows:

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

Nays: None

The motion carried.

ADJOURN

There being no further business on the Agenda the meeting was adjourned at 9:23 p.m.

Lorri Coody, City Secretary