

**MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, JANUARY 18, 2016

6:00 P.M.

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Fagan. Other members present:

Councilman Hudgens
Councilman Stoll
Councilman Klein Quinn
Councilman Townsend

Members absent:

Councilman Degges - Excused

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Public Works Director – David Esquivel
Director of Community Development – Craig Meyers
Fire Marshal – Lance Wilson
Detective – Kenneth Yoho

2.0 The invocation was led by Pastor Jerrel Parten, Greater Purpose Worship Center.

3.0 The pledges to U. S. and Texas Flags were led by Chelsea Coronado and Gabrielle Garza, Members of the Tomball Memorial High School Student Council.

4.0 The following public comment was received:

Gabrielle Garza 17906 Plum Green Court Cypress, TX 77429	-	Requested Council consideration to name the Laura Bush petunia as the official City flower; suggested plans for both high schools to plant petunias in the City.
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5.0 Presentations:

- City Secretary Office – **2015 Exemplary Five-Star Designation** from the Texas Department of State Health Services, Vital Records Division

6.0 Reports and Announcements:

- January 20, 2016 – First day to apply for Place on Ballot for the May 7, 2016 City General Election
- February 13, 2016 – **2nd Saturday at the Depot**
- February 19, 2016 – Last day to apply for Place on Ballot for the May 7, 2016 City General Election – 5 p.m. deadline
- February 23, 2016 – **Trailride Reception** – 12 Noon at the Depot
- February 24-25, 2016 – **Shattered Lives** Event – Tomball High School
- March 12, 2016 – **2nd Saturday at the Depot**
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Randy Parr announced the appointment of Lance Wilson as Fire Marshal.

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the January 4, 2016 Regular City Council Meeting.

Motion carried unanimously.

8.0 New Business

8.1 Mayor Fagan opened the Public Hearing at 6L09 p.m. to Consider Proposed Assessments against Reserve at Spring Lake Section Two Properties in the City of Tomball Public Improvement District number Three, Established by City Council Resolution No. 2009-28.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:09 p.m.

8.2 Motion was made by Councilman Hudgens, second by Councilman Townsend, to read Ordinance No. 2016-01 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2016-01, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Reserve at Spring Lake Section Two Properties within the City of Tomball Public Improvement District Number Three; and Making Certain Findings Related Thereto. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Absent</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2016-02 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2016-02, an Ordinance of the City Council of Tomball, Texas, Correcting the Assessment of Two Parcels of Land within the Tomball Public Improvement District Number 1, Established by Resolution No. 2007-14. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Absent</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.4 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to award Contract for RFP No. 2016-08 for Banking Services and Merchant Services to Wells Fargo.

Motion carried unanimously.

- 8.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to award RFP No. 2016-09 to Aquascapes for the Construction of a Splash Pad adjacent to the Existing Splash Pad at the Depot Park, in the Amount of \$44,050.00.

Motion carried unanimously.

- 8.6 Motion was made by Councilman Townsend, second by Councilman Stoll, to award Contract for Project Number 2016-06, Sludge Hauling & Disposal – Belt Press & 30 Yard Roll-Off to K3 BMI.

Motion carried unanimously.

- 8.7 Motion was made by Councilman Townsend, second by Councilman Stoll, to authorize the City Manager to Execute an Engineering Services Agreement with Freese & Nichols to Conduct a Critical Needs Assessment of the Wastewater Treatment Plants and Prepare and Submit an Application for a Certificate of Convenience and Necessity (CCN) for the Establishment of the Water and Sewer Service Areas.

Motion carried unanimously.

- 8.8 Motion was made by Councilman Townsend, second by Councilman Stoll, to authorize City Manager to Execute Change Order #2 for the Tomball Business & Technology Park, Harris County Holderrieth Road & Hufsmith Kohrville Road Left Turn Lanes & Box Culverts Project, in the Amount of **\$78,588**, and Add an Additional 126 Days to the Contract Time. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Absent</u>
Councilman Townsend	<u>Nay</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried, 3 votes Aye, 1 vote Nay.

- 8.9 Council recessed at 6:27 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 - Private Consultation with Attorney in Closed Meeting Regarding a Matter of Potential Litigation that the Duty of the Attorney Requires be Held in Closed Session

Upon reconvening in regular session at 6:48 p.m., no action was taken.

- 9.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 1st day of February 2016.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor