

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



MONDAY AUGUST 2, 2010

7:00 P.M.

1.0 The meeting was called to order by Mayor Fagan. Other members present were:

Councilman Stoll
Councilman Brown
Councilman Townsend

Members absent:

Councilman Quinn - Excused

Others present:

City Manager – George Shackelford
City Secretary – Doris Speer
City Attorney – Scott Bounds
Fire Chief – Randy Parr
Police Captain – Rick Grassi
Finance Director – Glenn Windsor
Director of Public Works – David Kauffman
Director of Engineering & Planning – Mark McClure
Assistant to City Manager – Shawn Cox
Director of Human Resources – Lisa Coe
City Planner – Kelly Violette

2.0 Invocation

- Led by Pastor Bob Webb, Rosehill United Methodist Church

3.0 Pledges to U. S. and Texas Flags

- Led by Bruce Keller, Tomball United Methodist Church Boy Scout Troup #1493

4.0 The following public comments were received:

Mary Harvey - Spoke regarding "Tomball Night", August 6, 2010 and
405 South Walnut, 77375 thanked City for its support

5.0 Presentation:

- Mayor Fagan presented a Proclamation declaring Saturday, August 14, 2010 as "**THS Cougar Football Kickoff Day**" to THS Coach Kaiser.

6.0 Reports and Announcements:

- August 2-10, 2010 -- **Early Voting for Special Election** on August 14, 2010
 - August 2 - 7:45 a.m. – 5:00 p.m.
 - August 3 - 7:45 a.m. – 7:45 p.m.
 - August 4 - 7:45 a.m. – 5:00 p.m.
 - August 5 - 7:45 a.m. – 5:00 p.m.
 - August 6 - 7:45 a.m. – 4:00 p.m.
 - August 9 - 7:45 a.m. – 5:00 p.m.
 - August 10 - 7:45 a.m. – 7:45 p.m.
- August 2, 2010 – Public Hearing for Proposed FY2010-2011 Budget
- August 5, 2010 – **Mayor's Coffee**, Main Street Crossing – 5:30 p.m.-7:00 p.m.
- August 6, 2010 – **38th Annual Tomball Night**
- **August 14, 2010 - Special Election** – City Hall, **7:00 a.m.-7:00 p.m.**
- August 14, 2010 – **Farmers Market** – 8:00 a.m.
- August 14, 2010 - **2nd Saturday at the Depot**, 6:00 p.m.
- August 16, 2010 – Appointments to Tomball Hospital Authority for Terms Expiring 8/31/2010 and (1) unexpired term
- **Walk Tomball!** (Every Saturday at 8:00 a.m. at the Depot)
- Reports by City staff and members of Council about items of community interest on which no action will be taken
 - Mark McClure presented an overview of the Status of draft agreement with Klein Independent School District:
KISD contacted the City via written correspondence received May 13, 2010, copy attached. E&P contacted KISD and their consultant via email, recommending that KISD prepare a draft Interlocal Agreement (ILA), reference attached email dated 06-11-10. A meeting was held with KISD for further review of their letter previously mentioned June 22, 2010. Based on their correspondence, it was recommended during the meeting that a service agreement plan may be more appropriate versus an ILA. No further correspondence or draft agreements have been received by E&P; Mark McClure advised that KISD does not seek annexation, only City utilities.
 - Mark McClure presented an overview of the status of Installed pump capacities of Water Wells #5 and #6:

Well Pump No 5 is capable of producing 700 gpm and Well Pump No. 6 is capable of producing 550 gpm, based on the pump manufacture's literature. The project includes three 1000 gpm booster pumps and a 500K gallon ground storage tank. Tests will be conducted the week of August 9, 2010 to determine actual capacities of both wells; a copy of the report will be provided to Councilmembers.

- Councilman Townsend stated that City of Tomball is providing funds for Walk Tomball and a candidate is providing breakfast for the next Walk Tomball and his firm is sponsoring the Mayor's Coffee.

7.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve the Minutes of the following City Council meetings:

- Regular City Council Meeting of July 19, 2010
- Special City Council Meeting of July 26, 2010
- Special City Council Meeting of July 27, 2010
- Special City Council Meeting of July 29, 2010

Motion carried unanimously.

8.0 New Business:

8.1 George Shackelford introduced Joe Morrow, Senior Vice President-First Southwest, who presented an overview of the proposed bond issue. Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2010-13 by caption only on First and Only Reading.

Motion carried unanimously.

Motion was made by Councilman Brown, second by Councilman Townsend, to adopt, on First and Only Reading, Ordinance No. 2010-13, an Ordinance of the City Council of the City of Tomball, Texas, Authorizing the Issuance and Sale of City of Tomball, Texas, General Obligation Refunding Bonds, Series 2010; Levying a Tax in Payment Thereof; Authorizing the Execution and Delivery of a Paying Agent/Registrar Agreement; Approving the Official Statement; and Enacting Other Provisions Relating Thereto. Vote was as follows:

Councilman Stoll	<u>Aye</u>
Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Quinn	<u>Absent</u>

Motion carried unanimously.

8.2 George Shackelford and Glenn Windsor presented an overview of the proposed Budget for FY2010-2011. Motion was made by Councilman Stoll, second by Councilman Townsend

to accept submission of the proposed FY2010-2011 Budget as presented by the City Manager to Council.

Motion carried unanimously.

Mayor Fagan opened the public hearing on the proposed FY2010-2011 Budget at 7:35 p.m.; no public comments being received, Mayor Fagan closed the public hearing at 7:35 p.m.

- 8.3 Glenn Windsor presented an overview of the proposed Ordinance. Motion was made by Councilman Townsend, second by Councilman Brown, to read Ordinance No. 2010-14 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. 2010-17, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2010-2011; and Authorizing the City Manager to Approve Intra-departmental (within the same Department only) Transfers of Budgeted Funds; and Providing other Details Relating to the Passage of This Ordinance. Vote was as follows:

Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Quinn	<u>Absent</u>
Councilman Stoll	<u>Aye</u>

Motion carried unanimously.

- 8.4 Shawn Cox presented information regarding the proposed participation with Gulf Coast Coalition of Cities (GCCC) in a class action. Motion was made by Councilman Stoll, second by Councilman Brown, to authorize the City of Tomball's Participation with Gulf Coast Coalition of Cities in Class Action against CenterPoint regarding Proposed Rate Increase and Approve Resolution No. 2010-15, a Resolution of the City of Tomball, Texas, approving Cooperation with the Gulf Coast Coalition of Cities to Review CenterPoint Energy Houston Electric LLC's requested Rate Change, to Hire Legal and Consulting Services, and to Negotiate with the Company and Direct any Necessary Litigation and Appeals; 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.

Motion carried unanimously.

- 8.5 David Kauffman presented information regarding the request by WCA Waste Corporation. Motion was made by Councilman Brown, second by Councilman Stoll, to approve the request by WCA Waste Corporation for an Annual CPI Adjustment, to become effective October 1, 2010.

Motion carried unanimously.

- 8.6 Doris Speer presented information regarding the request by ABI Wreckers of Tomball to return to the City's Emergency Wrecker Rotation List. Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the request by ABI Wreckers of Tomball to participate in the City of Tomball Emergency Wrecker Rotation List.

Motion carried unanimously.

- 9.0 Motion was made by Councilman Townsend, second by Councilman Stoll, for adjournment.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 16th day of August 2010.

Doris Speer
Doris Speer, TRMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor