

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



**MONDAY, DECEMBER 4, 2017
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 Ford
Councilman Stoll
Councilman Degges

Members absent:

Councilman Townsend - Excused
Councilman Klein Quinn - Excused

Others present:

City Manager – George Shackelford
Assistant City Manager – Rob Hauck
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
City Engineer – Beth Jones
Assistant City Secretary – Tracy Garcia
Community Center Director – Rosalie Dillon
TEDC-Executive Director – Kelly Violette
Police Officer-Investigations – David White

2.0 The invocation was led by Pastor James Roberson, Hufsmith Church of Christ, Tomball

3.0 Pledges to U. S. and Texas Flags we led by Dylan Morgan and Kiah Green, members of the Tomball High School Student Council.

4.0 The following public comments were received:

- Bruce Hillegeist
20339 Telgte, 77377
- Reported on his and George Shackelford's trip to Seminole, Texas to present proclamations of appreciation for Seminole's assistance following Hurricane Harvey; expressed his appreciation of the City's support in another successful Holiday Parade "Honoring Harvey's Heroes"; and introduced Kasey Vann, 2018 Miss Tomball.
- Kasey Vann
2018 Miss Tomball
- Thanked everyone for their support and expressed her desire to serve the Tomball community in 2018.

5.0 Reports and Announcements:

- December 8-10, 2017 – **Tomball German Christmas Market**
- December 9, 2017 – **"Christmas on Commerce"** – a **2nd Saturday at the Depot** Event
- December 14, 2017 – Special City Council Meeting, Public Hearing – 5:30 p.m.
- December 16, 2017 – **"Shop with a Cop"** Event
- December 25-26, 2017 – **Christmas Holidays** – City offices closed
- January 1, 2017 – **New Year's Day Holiday** – City offices closed
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Glenn Windsor presented the Quarterly Investment Report for Period Ending September 30, 2017. The Public Funds Investment Act requires that a report of the City's Investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values at the end of the quarter, yield information, and weighted average maturities. On September 30, 2017, the City had total cash and cash equivalents in the amount of \$67,538,505.

- 6.0 Motion was made by Councilman Degges, second by Councilman Stoll, to approve the Minutes of the November 20, 2017 Regular Tomball City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

- 7.1 Motion was made by Councilman Ford, second by Councilman Stoll, to approve, on Second Reading, Resolution No. 2017-21-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and Dancing Falls Development LLC, to make direct incentives to, or expenditures for, assistance with infrastructure costs to be required or suitable for the promotion of new or expanded business development related to the development and construction of a multibuilding office/warehouse park to be located at

27905 Commercial Park Road, Tomball, TX 77375. The estimated amount of expenditures for such Project \$50,925.00.

Motion carried unanimously.

8.0 New Business:

- 8.1 Mayor Fagan called the Public Hearing to order at 6:14 p.m. for the First Public Hearing to consider the annexation of the following tract of land: **TRACT ONE: FIELD NOTE DESCRIPTION** Being 0.5968 of one acre or 25,995 square feet of land situated in the Chauncey Goodrich Survey, Abstract Number 311, City of Tomball, Harris County, Texas, being a portion of that certain called 9.4852 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2016-317524 , said 0.5968 of one acre or 25,995 square feet of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with cap found at the intersection of the Southeasterly right- of-way line of F.M. 2920 (120 foot right-of-way) as described in deed and recorded under Volume 1256, Page 395 of the Deed Records of Harris County, Texas with the Westerly right-of-way line of Treichel Road (as monumented) recorded under Volume 24, Page 178 of the Harris County Commissioner's Court Minutes, for the Northeasterly corner of that certain called 0.1160 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20080147039;

THENCE, S 50°41'50" W, along the Southeasterly right-of-way line line of said F.M. 2920, a distance of 1.71 feet to a 5/8 inch iron rod found for the Northwesterly comer of said 0.1160 acre tract, the Northeasterly comer of said 9.4852 acre tract;

THENCE, S 03°34'31" E, along the Westerly line of said 0.1160 acre tract, a distance of 522.93 feet to a 5/8 inch iron rod found for an angle point;

THENCE, S 02°10'07" E, continuing along the Westerly line of said 0.1160 acre tract, a distance of 14.25 feet to a 5/8 inch iron rod found in the Northerly line of that certain called 5.00 acres of land conveyed by deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number S099288 and described in deed recorded under Volume 1149, Page 375 of the Deed Records of Harris County, Texas, for the most Northerly Southeast comer of said 9.4852 acre tract;

THENCE, S 87°02'11" W, along the Northerly line of said 5.00 acre tract, a distance of 400.22 feet to a Mag Nail in a wood post found for the Northwesterly comer of said 5.00 acre tract;

THENCE, S 02°55'23" E, along the Westerly line of said 5.00 acre tract, a distance of 299.60 feet to a 5/8 inch iron rod with cap found at the intersection of the Westerly line of said 5.00 acre tract with the Southeasterly City of Tomball City Limits line as established by deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number W304507, for the **POINT OF BEGINNING** of the herein described tract of land;

THENCE, S 02°55'23" E, continuing along the Westerly line of said 5.00 acre tract, a distance of 195.56 feet to a 5/8 inch iron rod with cap found in the Northerly line of that certain called 21.6877 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number G505834, for the Southwesterly corner of said 5.00 acre tract and the most Southerly Southeast corner of said 9.4852 acre tract;

THENCE, S 87°00'53" W, along the Northerly line of said 21.6877 acre tract, a distance of 265.85 feet to a 5/8 inch iron rod with cap set at the intersection of the Northerly line of said 21.6877 acre tract with the Southeasterly line of said City of Tomball City Limits line, from which a 5/8 inch iron rod found for the Southwesterly corner of said 9.4852 acre tract and the Northwesterly corner of said 21.6877 acre tract bears S 87°00'55" W, 175.62 feet;

THENCE, N 50°41'50" E, along the Southeasterly line of said City of Tomball City Limits Line, a distance of 330.20 feet to the **POINT OF BEGINNING** and containing 0.5968 of one acre or 25,995 square feet of land.

BEARING ORIENTATION BASED ON TEXAS STATE PLANE COORDINATE GRID SYSTEM OF 1983 (SOUTH CENTRAL ZONE NO. 4204).

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:14 p.m.

- 8.2 Motion was made by Councilman Stoll, second by Councilman Ford, to award the Land-Related Services Contract for E&P Project 2017-10005, Medical Complex Segment 4B, to Threshold Land Services, Inc., for an Amount Not to Exceed \$73,919.25.

Motion carried unanimously.

- 8.3 Motion was made by Councilman Stoll, second by Councilman Degges, to read Ordinance No. 2017-41 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Stoll, second by Councilman Ford, to adopt, on First Reading, Ordinance 2017-41, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity No Longer Require the Continued

Existence of a Part of Florence Street Between Elm Street and the Burlington Northern Railroad, All Situated in the William Hurd Survey, Abstract Number 371, Harris County, Texas, and as Recorded in Volume 004, Page 25 of the Map Records of Harris County, Texas; Vacating, Abandoning, and Closing Said Street Right-of-Way; Providing for Severability; and Containing Other Provisions Relating to the Subject. Vote was as follows:

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

Motion carried unanimously.

- 8.4 Motion was made by Councilman Ford, second by Councilman Stoll, to approve Professional Services Agreement with Halff Associates, Inc., in the Amount of \$125,290.00 for the City of Tomball's Comprehensive Plan Update.

Motion carried unanimously.

- 8.5 Executive Session: The City Council recessed at 6:18 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. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager

Upon reconvening into regular session at 6:34 p.m., no action was taken.

- 9.0 Motion was made by Councilman Ford, second by Councilman Degges, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 18th day of December 2017.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor