



**STATE OF TEXAS
COUNTIES OF WALLER AND HARRIS
CITY OF WALLER**

BE IT REMEMBERED THAT ON THIS THE 16th day of September 2024 at 6:00 PM the City Council of the City of Waller, Texas held a meeting in Regular Session at 1218 Farr St. with the following present:

Council:

Mayor Danny Marburger
Mayor Pro-Tem Jason Tones
Councilmember Nancy Arnold
Councilmember Don Hart
Councilmember Dwayne Hajek
Councilmember Sherri Swisher

Staff:

Cynthia Ward, City Secretary
Lucero Valdez, Deputy City Secretary
Ryan Short, Finance Officer
Daniel Wilson, Public Works Director
Michael Lopez, Police Chief
Philip Boedeker, City Attorney
Travis Sellers, City Engineer

Mayor Marburger called the meeting to order at 6:00 PM.

PRAYER AND PLEDGE OF ALLEGIANCE

*The prayer was led by Councilmember Arnold.
The pledge was led by Mayor Pro-Tem Tones.*

ROLL CALL

Mayor Marburger and Councilmembers present.

PUBLIC HEARING

TO RECEIVE PUBLIC COMMENTS REGARDING THE ANNEXATION OF THE FOLLOWING PROPERTIES:

A Petition for Annexation filed by Finishes for that certain tract of land being 0.93 acres situated in the James Hitchcock 640 acre survey, abstract no. 138, in Waller County, Texas, same being out of that certain tract of land conveyed to Bobby Ralston, as his sole and separate

property, and Joy Ralston Thomas, as her sole and separate property (tract 4), by deed recorded in instrument no. 2304719, official public records of Waller County, Texas.

A Petition for Annexation filed by Finishes for that certain tract of land being 5.800 acres of land situated in the James Hitchcock survey, abstract 135 of Waller County, Texas, being the same tract recorded in the name of James L. Langston in volume 1229, page 284 of the real property records of Waller County, Texas (r.p.r.w.c.t.).

A Petition for Annexation filed by Finishes for that certain tract of land being 1.119 acres situated in the James Hitchcock survey, abstract no. 138, in Waller County, Texas, same being out of that certain called 9.378-acre tract conveyed to Priya Capital, LLC by deed recorded under Waller County clerk's file no. (w.c.c.f. no.) 2401005 of the official public records.

CLOSE PUBLIC HEARING

With no public comments, Mayor Marburger closed the hearing at 6:04 PM.

COMMUNICATIONS FROM THE PUBLIC

Please fill out a "Citizen Registration Card" form in order to address the Council. Turn in the form prior to Communications from the Public to the City Secretary. Speakers are limited to three minutes. The purpose of this item is to allow the public an opportunity to address the Mayor and City Council on issues that are not on the agenda. The Council cannot take action but may refer this item to a department head or direct that this item be placed on a future regular Council agenda.

Any interested person may appear before the City Council to speak about an item on the agenda. Before the start of the meeting, the person must request such an appearance in writing and identify the agenda item on which he/she wishes to speak. The person will be called to speak when the agenda item comes before the City Council for discussion or action. Comments are limited to 3 minutes.

No communications from the public.

CONSENT AGENDA ITEMS

This agenda consists of non-controversial, or "housekeeping" items required by law. Items may be removed from the Consent Agenda by any Councilmember making such a request prior to a motion and vote on the Consent Agenda.

1. Approval of Minutes for July 11, 2024, Workshop Meeting.
2. Approval of Minutes for August 19, 2024, Regular Meeting.

Councilmember Arnold motioned to approve. Councilmember Hart seconded the motion. Motion passed.

REGULAR AGENDA ITEMS

3. a. Discussion and possible action to approve **Ordinance #638**, approving and adopting the budget for fiscal year 2024-2025 for the period beginning October 1, 2024, and ending September 30, 2025, for the General Fund, Water and Sewer Fund, Gas Fund, Debt Service, Capital Improvements Fund and Special Revenue Funds.

ORDINANCE NO. 638

AN ORDINANCE OF THE CITY OF WALLER, TEXAS APPROVING AND ADOPTING THE BUDGET FOR THE CITY FOR THE YEAR 2024-2025; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH YEAR AS REFLECTED IN SAID BUDGET; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$673,944, WHICH IS A 19.14% INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$458,042.

Finance Officer, Ryan Short presented the budget for the fiscal year 2024-2025.

Councilmember Hajek motioned to approve. Councilmember Hart seconded the motion. Motion passed.

- b. Discussion and possible action to ratify the property tax increase reflected in the proposed 2024-2025 Operating Budget.

Mayor Pro-Tem Tones motioned to approve. Councilmember Arnold seconded the motion. Motion passed.

4. Discussion and possible action to:
 - a. Set the 2024 Debt Service Ad Valorem Tax Rate at \$ 0.0955 per \$100 valuation.

Councilmember Hart motioned to approve. Councilmember Arnold seconded the motion. Motion passed.

- b. Set the 2024 Maintenance and Operations Ad Valorem Tax Rate at \$ 0.2709 per 100 valuations.

Councilmember Arnold motioned to approve. Mayor Pro-Tem Tones seconded the motion. Motion passed.

- c. Approve **Ordinance #639** , adopting an Ad Valorem Tax Rate of \$.3664 per \$100 assessed valuation; providing for the assessment, levy and collection of Ad Valorem Taxes of the City of Waller, Texas for the year 2024; providing for the date on which taxes shall be due and payable; providing for the penalty and interest on all taxes not timely paid; and repealing all ordinances and parts of ordinances in conflict herewith; and providing for severability.

ORDINANCE 639

AN ORDINANCE OF THE CITY OF WALLER, TEXAS PROVIDING FOR THE ASSESSMENT,

LEVY, AND COLLECTION OF AD VALOREM TAXES FOR THE YEAR 2024 AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Councilmember Arnold motioned to approve. Mayor Pro-Tem Tones seconded the motion. Motion passed.

5. Discussion and possible action to approve **Resolution # 2024-09**, adopting a new schedule of fees, rates, deposits, and other charges for the following in accordance with the rate study and a policy for accounts: repealing all resolutions in conflict herewith; and other related matters:
 - a. Gas rates
 - b. Water rates
 - c. Wastewater rates

RESOLUTION NO. 2024-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, AMENDING RESOLUTION # 2018-13; A SCHEDULE OF FEES, RATES FOR GAS, WATER, AND WASTEWATER COLLECTIONS AND A POLICY FOR THE COLLECTION OF OVERDUE ACCOUNTS; RATIFYING RATES CHARGED; AND OTHER RELATED MATTERS.

Councilmember Hart motioned to approve. Councilmember Arnold seconded the motion. Motion passed.

City Secretary Cynthia Ward addressed the Council stating the new rates go into effect on October 1st, 2024, and rates will be posted on the website. Finance Officer Ryan Short stated the information comes from our water rate gas survey study that was done.

6. Discussion and possible action to approve **Resolution # 2024-10**, adopting a new schedule of fees, and rates for garbage collection and disposal, and a policy for the garbage collection accounts; ratifying rates charged; and other related matters.

RESOLUTION NO. 2024-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, AMENDING RESOLUTION # 2018-05; A SCHEDULE OF FEES, RATES FOR GARBAGE COLLECTION AND DISPOSAL, AND A POLICY FOR THE COLLECTION OF OVERDUE GARBAGE COLLECTION ACCOUNTS; RATIFYING RATES CHARGED; AND OTHER RELATED MATTERS.

Finance Officer, Ryan Short presented the information to Council stating Republic informed us about their 5 percent increase in pricing.

Mayor Pro-Tem Tones motioned to approve. Councilmember Hajek seconded the motion. Motion passed.

7. Discussion and possible action to approve **Resolution # 2024-11**, authorizing the issuance of four million one hundred fifty thousand dollars (4,150,000) Harris Waller Counties Municipal Utility District No. 12 Unlimited Tax Road Bonds, Series 2024.

RESOLUTION NO. 2024-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, AUTHORIZING THE ISSUANCE OF FOUR MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS (\$4,150,000)

HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 12 UNLIMITED TAX ROAD
BONDS, SERIES 2024

City Attorney Philip Boedecker addressed the Council stating the bonds will be allocated for the paving of Oakwood Estates Section 1 and Section 2, as well as for any other drainage projects in that area.

Councilmember Hart motioned to approve. Mayor Pro-Tem Tones seconded the motion. Motion passed.

8. Discussion and possible action to approve \$6,000.00 from Hotel/ Motel fund for the 2024 Waller County Fair and Rodeo.

City Secretary Cynthia Ward addressed the Council regarding the donation letter from Waller County Fair and Rodeo.

Councilmember Arnold motioned to approve. Councilmember Hajek seconded the motion. Motion passed.

9. Discussion and possible action regarding **Ordinance #640**, approving the petition for annexation on the following:

ORDINANCE No. 640

AN ORDINANCE GRANTING THE REQUEST FOR ANNEXATION OF A CERTAIN TRACT OF LAND BEING 0.93 ACRES SITUATED IN THE JAMES HITCHCOCK 640 ACRE SURVEY, ABSTRACT NO. 138, IN WALLER COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN TRACT OF LAND CONVEYED TO BOBBY RALSTON, AS HIS SOLE AND SEPARATE PROPERTY, AND JOY RALSTON THOMAS, AS HER SOLE AND SEPARATE PROPERTY (TRACT 4), BY DEED RECORDED IN INSTRUMENT NO. 2304719, OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS.

*Mayor Pro-Tem Tones motioned to approve. Councilmember Hart seconded the motion. Discussion:
Councilmember Hajek asked about this property being on a flood plain.
Motion passed.*

10. Discussion and possible action regarding **Ordinance #641**, approving the petition for annexation on the following:

ORDINANCE No. 641

AN ORDINANCE GRANTING THE REQUEST FOR ANNEXATION OF A CERTAIN TRACT OF LAND CONTAINING 5.800 ACRES SITUATED IN THE JAMES HITCHCOCK SURVEY, ABSTRACT 135 OF WALLER COUNTY, TEXAS, BEING THE SAME TRACT RECORDED IN THE NAME OF JAMES L. LANGSTON IN VOLUME 1229, PAGE 284 OF THE REAL PROPERTY RECORDS OF WALLER COUNTY, TEXAS (R.P.R.W.C.T.).

Councilmember Hart motioned to approve. Councilmember Arnold seconded the motion. Motion passed.

11. Discussion and possible action regarding **Ordinance #642**, approving the petition for annexation on the following:

ORDINANCE No. 642

AN ORDINANCE GRANTING THE REQUEST FOR ANNEXATION OF A CERTAIN TRACT OF LAND BEING 1.119 ACRES SITUATED IN THE JAMES HITCHCOCK SURVEY, ABSTRACT NO. 138, IN WALLER COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN CALLED 9.378-ACRE TRACT CONVEYED TO PRIYA CAPITAL, LLC BY DEED RECORDED UNDER WALLER COUNTY CLERK'S FILE NO. (W.C.C.F. NO.) 2401005 OF THE OFFICIAL PUBLIC RECORDS.

Councilmember Hart motioned to approve. Councilmember Arnold seconded the motion. Motion passed.

12. Discussion and possible action to approve Finishes Development No. 1 Final Plat.

City Engineer Travis Sellers addressed the Council regarding the Finishes Development No. 1 Final Plat.

Councilmember Hajek motioned to approve. Mayor Pro-Tem Tones seconded the motion. Motion passed.

Councilmember Arnold asked the City Engineer about the notation in his letter that prior to the city signing the plat to review the Milars that were accepted. He stated it is to prevent any administrative errors from happening.

13. Discussion and possible action to approve Finishes Development No. 2 Final Plat.

City Engineer Travis Sellers addressed the council regarding this property and stated this is around the old Kopper Kettle building on BUS 290.

Councilmember Hart motioned to approve. Mayor Pro-Tem Tones seconded the motion. Motion passed.

14. Discussion and possible action to approve consent to encroachment over city easement at Attwater main monument entrance located at Attwater Blvd.

City Engineer Travis Sellers addressed the council regarding the monument located on FM 362 encroaching upon the right of way. Any damage to the monument resulting from repairs to water or gas lines by the City of Waller will be the responsibility of Attwater for all associated repair costs.

Councilmember Arnold motioned to approve. Councilmember Hajek seconded the motion. Motion passed.

15. Discussion and possible action to approve Oakwood Estates Section 1 final inspection.

City Engineer Travis Sellers addressed the council regarding this construction project which was completed a little over a year ago and is now concluding its one-year maintenance period. He also confirmed everything in Section 1 meets the required standards.

Mayor Pro-Tem Tones motioned to approve. Councilmember Hart seconded the motion. Motion passed.

16. Discussion and possible action to approve final inspection for public utilities at Fuel Maxx #90 located at 30010 FM 2920.

City Engineer Travis Sellers addressed the council, stating this is to accept Fuel Maxx #90, which will enter a one-year warranty period.

Councilmember Hart motioned to approve. Mayor Pro-Tem Tones seconded the motion. Motion passed.

17. Discussion and possible action regarding the acceptance of Beacon Hill Section 8 final plat.

City Engineer Travis Sellers addressed to council regarding Beacon Hill Section, stating they have met all final criteria set by the City.

Councilmember Arnold motioned to approve. Councilmember Hart seconded the motion. Motion passed.

18. Discussion and possible action regarding the acceptance of Attwater Section 1 final plat.

City Engineer Travis Sellers addressed to council regarding Attwater Section 1, stating it is nearing completion of the first section and allow the builders to come in shortly.

Councilmember Hart motioned to approve. Councilmember Arnold seconded the motion. Motion passed.

19. Discussion and possible action to approve Change Order No. 1 on Bettis Elevated Storage Tank Rehabilitation.

Public Works Director Daniel Wilson addressed to council, stating the change order is to remove an unnecessary item for one of the ladders, resulting in a \$400 decrease in pricing.

Mayor Pro-Tem Tones motioned to approve. Councilmember Hajek seconded the motion. Motion passed.

20. Discussion and possible action of deeming Police Unit 316, Unit 317, and Unit 318 as surplus and to have the units put up for auction.

Chief Michael Lopez addressed the council regarding the vehicles, stating all have been stripped of all police equipment and are ready to be designated as surplus for auction.

Mayor Pro-Tem Tones motioned to approve. Councilmember Swisher seconded the motion. Motion passed.

21. Discussion to consider and approve authorization to issue requests for proposal for administrative services (RFP) and requests for qualifications for engineering services (RFQ) for grant pre-application (Phase I), application (Phase II), and implementation services for Texas Community Development Grant Program for 2025/2026 Community Development

Fund (and all eligible activities per the application guidance) as administered by the Texas Department of Agriculture.

Finance Officer Ryan Short addressed the council regarding this grant, stating if this grant is awarded, it would allow for street improvements and cover \$750,000. He is now requesting permission to go out for bids.

Councilmember Arnold motioned to approve. Councilmember Hart seconded the motion. Motion passed.

22. Discussion and possible action to approve reallocating funds from reserves for Hurricane Beryl.

Finance Officer Ryan Short addressed the council regarding the funds, stating the funds will be transferred until reimbursement is received from FEMA.

Mayor Pro-Tem Tones motioned to approve. Councilmember Hart seconded the motion. Motion passed.

23. Discussion and possible action to enter into a municipal services contract between the City of Waller and K-3BMI.

City Engineer Travis Sellers addressed the council regarding a service contract, stating the contract should be established with K-3BMI for disposal hauling services.

Councilmember Hajek motioned to approve. Mayor Pro-Tem Tones seconded the motion. Motion passed.

24. Discussion and possible action requesting authorization from City Council to advertise and solicit bids for a pavement repair at Alegacy Place. The project will consist of the removal and replacement of 250 liner feet of damaged pavement, estimated cost of approximately \$1.1 million.

City Engineer Travis Sellers addressed the council regarding the need to solicit bids for the replacement and upgrade of damaged pavement on Alegacy Place. Mayor Pro-Tem Tones inquired about confirming ownership of the road and whether there is an existing agreement in place.

Councilmember Arnold motioned to approve. Mayor Pro-Tem Tones requested to table this motion. Councilmember Arnold amended her motion to table for further discussion. Councilmember Hart seconded the motion to table. Motion tabled.

MAYOR-COUNCIL REPORTS

Nancy Arnold will be spending the rest of the week in Austin sharing the Texas Association of Regional Councils of Government Annual Meeting.

Mayor Marburger shared about the upcoming Waller County Fair & Rodeo.

STAFF REPORTS

Cynthia Ward, City Secretary

No report.

Michael Lopez, Police Chief

No report.

Daniel Wilson, Public Works Director

No report.

John Isom, WEDC Director

No report.

Travis Sellers, City Engineer

No report.


ELECTED OFFICIAL REPORTS

Not present, no report.

ADJOURNMENT

With no other business, Mayor Marburger adjourned at 7:08 PM.

APPROVED BY:


Danny Marburger, Mayor

ATTEST:


Cynthia Ward, City Secretary

