



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

BE IT REMEMBERED THAT ON THIS THE 18th day of November 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 (Absent)
Councilmember Don Hart
Councilmember Dwayne Hajek
Councilmember Sherri Swisher (Absent)

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 6:13 PM.

PRAYER AND PLEDGE OF ALLEGIANCE

The prayer was led by Councilmember Hart.

The pledge was led by Mayor Pro-Tem Tones.

ROLL CALL

Mayor Marburger and Councilmembers Tones, Hart and Hajek were all present. Councilmember Arnold and Swisher absent.

PUBLIC HEARING

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

A Petition for Annexation filed by DFL Business Park, LLC for a certain 4.902-acre tract of land situated in the Harris County school land survey, section 16, a-332, Harris County, Texas. Said 4.902-acre tract of land being a portion of a called 76.8550-acre tract of land described in a deed from Ruby L. Gracter to Walter L. Raines, trustee dated September 4, 1981, and recorded at film code no. 196-89-2217 of the official public records of real property of Harris County, Texas. Said 4.902-acre tract being designated tract 1 in a division of 63.851 acres out of said called 76.8550-acre tract.

CLOSE PUBLIC HEARING

With no public comments, Mayor Marburger closed the hearing at 6:17 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.

Elizabeth Dominguez addressed the council regarding the Christmas Festival on Saturday December 7, 2024.

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 October 21, 2024, Regular Meeting.

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

REGULAR AGENDA ITEMS

2. Discussion and possible action regarding **Ordinance # 645**, approving the petition for annexation on the following:

ORDINANCE NO. 645

AN ORDINANCE GRANTING THE REQUEST FOR ANNEXATION OF A CERTAIN TRACT OF LAND BEING 4.902 ACRES SITUATED IN THE HARRIS COUNTY SCHOOL LAND SURVEY, SECTION 16, A-332, HARRIS COUNTY, TEXAS. SAID 4.902 ACRE TRACT OF LAND BEING A PORTION OF A CALLED 76.8550 ACRE TRACT OF LAND DESCRIBED IN A DEED FROM RUBY L. GRACER TO WALTER L. RAINES, TRUSTEE DATED SEPTEMBER 4, 1981 AND RECORDED AT FILM CODE NO. 196-89-2217 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS. SAID 4.902 ACRE TRACT BEING DESIGNATED TRACT 1 IN A DIVISION OF 63.851 ACRES OUT OF SAID CALLED 76.8550 ACRE TRACT.

Mayor Marburger addressed the council regarding the annexation of DFL Business Park LLC.

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

3. Discussion and possible action to adopt **Resolution # 2024-13**, authorizing the issuance of \$1,965,000 Waller County Municipal Utility District No. 33 Unlimited Tax Road Bonds, Series 2024.

RESOLUTION# 2024-13
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, AUTHORIZING THE ISSUANCE OF ONE MILLION NINE HUNDRED SIXTY FIVE THOUSAND DOLLARS (\$1,965,000) WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 33 UNLIMITED TAX ROAD BONDS, SERIES 2024.

City Attorney Philip Boedeker addressed the council regarding the MUD No. 33 Unlimited Tax Road Bond for Beacon Hill Section 1 and 2 paving.

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

4. Discussion and possible action to adopt **Resolution # 2024-14**, adopting a covered applications and prohibited technology policy as required by Texas Senate Bill 1893 of the 88th Legislature.

RESOLUTION# 2024-14
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, ADOPTING A COVERED APPLICATIONS AND PROHIBITED TECHNOLOGY POLICY AS REQUIRED BY TEXAS SENATE BILL 1893 OF THE 88th LEGISLATURE.

City Attorney Philip Boedeker addressed the council regarding Resolution # 2024-14 to ban TikTok on government devices.

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

5. Discussion and possible action to approve the First Amendment to Development Agreement with Municipal Utility District No. 12.

City Attorney Philip Boedeker addressed the council regarding the First Amendment to Development Agreement with MUD No. 12.

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

6. Discussion and possible action to approve the Third Amended and Restated Utility Agreement with Municipal Utility District No. 12.

City Attorney Philip Boedeker addressed the council regarding the Third Amended and Restated Utility Agreement with MUD No. 12.

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

Mayor Marburger asked if we would need to repay them for the water well, City Attorney Philip stated we would not.

7. Discussion and possible action to adopt **Resolution # 2024-15**, authorizing submitting a Texas Community Development Block Grant program application to the Texas Department of Agriculture for the 2025-2026 Community Development Fund.

RESOLUTION# 2024-15

A RESOLUTION OF THE CITY COUNCIL OF WALLER, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND.

Finance Officer Ryan Short addressed the council regarding submitting a Texas Community Development Block Grant program application to the Texas Department of Agriculture.

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

8. Discussion and possible action to approve a contract for electric energy costs with Constellation for City of Waller.

Finance Officer Ryan Short addressed the information to the council regarding going out for bids for electric energy costs.

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

9. Discussion and possible action to award a contract to Wier Commercial Construction in the amount of \$499,739.60 for the roadway improvements at Alegacy Place.

City Engineer Travis Sellers addressed the council regarding recommendation to award the contract to Weir Commercial Construction for the roadway improvement at Alegacy Place.

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

10. Discussion and possible action to approve an agreement between the City and Alegacy Place for which the city would pay for the original engineered roadway design and Alegacy Place would reimburse the city for the new additional pavement structure that was installed.

Public Works Director Daniel Wilson addressed the council with the agreement between the City of Waller and Alegacy place for the roadway improvements.

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

11. Discussion and possible action to approve a change order request for the Field Store Drainage Rehabilitation Project in the amount of \$5,155.00 to be paid to Scope Twenty-Eight, LLC.

City Engineer Travis Sellers addressed the council regarding the change order for the Field Store Drainage Rehabilitation Project as it was affected by the weather.

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

12. Discussion and possible action to approve the renewal contract with Kologik Software Inc for the use of CopSync.

Chief Michael Lopez addressed the council with the CopSync system information renewal. Councilmember Hajek inquired if there was an increase in the renewal, Chief Michael Lopez answered yes, a 20 percent increase.

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

13. Discussion and possible action to advertise and solicit bids for Gas Repair and Maintenance Services.

Public Works Director Daniel Wilson addressed the council in regard to going out for bids for Gas Repair Maintenance.

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

Mayor Pro-Tem Tones inquired whether the contract would cover specific repairs or all services. Public Works Director Daniel Wilson stated that it would assist with the permitting process. City Attorney Philip Boedeker clarified that the rates would be pre-negotiated, eliminating the need for bidding each time a new job arises, while also addressing emergency service requirements for the city.

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

14. Discussion and possible action to advertise and solicit bids for Landscaping and Maintenance Services.

Public Works Director Daniel Wilson addressed the council for approval to go out for bids for landscaping and maintenance services for the city's facilities and right of way.

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

15. Discussion and possible action to approve a 380-rebate agreement with Alegacy Development granting a property tax reduction for a new facility in the Alegacy Business Park to be occupied by Peerless Pump.

EDC Director John Isom addressed the council in regard to the different abatements for Peerless Pump. Councilmember Hart inquired whether fifty percent or seventy five percent would benefit the city. EDC Director John Isom answered no, this would not benefit the city.

Mayor Pro-Tem Tones motioned to approve the three years at fifty percent abatement. Councilmember Hajek seconded the motion. Motion passed.

16. Discussion and possible action regarding **Ordinance # 646**, approving 212 development agreement between the City of Waller and Blinn College.

ORDINANCE No. 646

AN ORDINANCE OF THE CITY OF WALLER, TEXAS, ENTERING INTO A CHAPTER 212 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF WALLER, TEXAS AND BLINN COLLEGE DISTRICT, THE OWNER OF A 100.86 ACRE TRACT OF LAND OF (1) ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING 75.87 ACRES SITUATED IN THE HARRIS COUNTY SCHOOL LAND SURVEY, ABSTRACT 332, BEING ALL OF THAT CERTAIN RESIDUE OF A CALLED 164.3702 ACRE TRACT DESCRIBED IN DEED FROM R.K. MCGAUGHY, TRUSTEE TO PETER S. TERPSTRA IN COUNTY CLERK'S FILE NUMBER RP-2023-403340, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS (O.P.R.R.P.H.C.T.), SAME BEING PART OF THAT CERTAIN CALLED TRACT 11, 12, 13, AND 14, SECTION 7, HARRIS COUNTY SCHOOL LAND FOUR LEAGUES AS DESCRIBED IN VOLUME 17, PAGE 222, DEED RECORDS OF HARRIS COUNTY, TEXAS; AND (2) ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING 24.99 ACRES SITUATED IN THE HARRIS COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 332, BEING ALL OF THAT CERTAIN CALLED 25.00 ACRE TRACT AS DESCRIBED IN DEED FROM R. K. MCGAUGHY, TRUSTEE FOR PETER S. TERPSTRA TO RAMSEY LEASING, INC. IN COUNTY CLERK'S FILE NUMBER RP-2016-301409, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS (O.P.R.R.P.H.C.T.), SAME BEING A PART OF THAT CERTAIN CALLED TRACT 11 AND TRACT 14, SECTION 7, HARRIS COUNTY SCHOOL LAND FOUR LEAGUES AS DESCRIBED IN VOLUME 17, PAGE 222, DEED RECORDS OF HARRIS COUNTY, TEXAS; ANNEXING THAT SAME TRACT UNDER THE TERMS OF THE AGREEMENT; AND PROVIDING FOR SEVERABILITY.

City Attorney Philip Boedeker addressed the council with the information regarding the 212-development agreement to annex into the city with utilities for Blinn College as they are now the property owners. The terms of the utility agreement have been further negotiated specifically with Blinn College because of the facilities they are building on the property. City Engineer Travis Sellers and Director of Public Works Daniel Wilson have been working with Blinn to get the specifics and costs of the utility lines and Blinn is okay with the costs.

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

MAYOR-COUNCIL REPORTS

Mayor Pro-Tem Tones addressed Elizabeth's hard work for the Christmas Festival.

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.

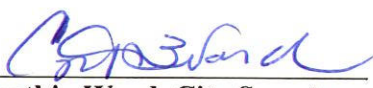
ADJOURNMENT

With no other business, Mayor Marburger adjourned at 7:00 PM.

APPROVED BY:


Danny Marburger, Mayor

ATTEST:


Cynthia Ward, City Secretary

