

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

BE IT REMEMBERED THAT ON THIS THE 16th day of December 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 (Absent)
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 Hart.
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 SVAG Investments, LLC for a certain 20.0928 acre tract of land consisting of a certain tract being 19.07 acres of land located in the Jacob Hall survey, abstract number 351 and the Hamilton Stuart survey, abstract number 723, Harris County,

Texas, being a portion of that certain called 19.260 tract described in the deed to Patrick Carter Gay by an instrument of record under file number 1304163 of the official public records of Waller County, Texas; a certain tract of land being 0.23636 acres of land located in the John L. Boatright survey, abstract number 81, Waller County, Texas, being a portion of that certain called 19,260 acre tract described in the deed to Patrick Carter Gay by an instrument of record under file number 1304163 of the official public records of Waller County, Texas; a tract being 0.3016 acre of land located in the Jacob Hall survey, abstract number 351, Harris County, Texas, more particularly being all of that certain called 0.3082 acre tract described in the deed to Field Store Dev, LLC by an instrument of record under file number rp-2021-468171 of the official public records of real property of Harris County, Texas; and a tract being 0.5176 acre of land in the Hamilton Stuart survey, abstract number 723 and the Jacob Hall survey, abstract number 351, Harris County, Texas, more particularly being all of that certain called 0.5176 acre tract described in the order of commissioners court recorded under file number rp-2023-126927, of the official public records of real property of said Harris County, Texas; providing for a service plan; providing for severability.

A Petition for Annexation filed by Finishes Etc. for a certain 2.21 acre tract of land situated in the Harris County school land survey abstract no. 332, Harris County, Texas, same being a tract of land conveyed to Anita Joan Stoerner Crona and Linda Stoerner Satterwhite, by deed recorded in clerk's file no. W393226, official public records of Harris County, Texas; providing for a service plan; providing for severability.

A Public Hearing on the proposed adoption of the City of Waller guidelines and criteria governing Tax Abatement Agreements under Chapter 312 of the Texas tax code.

CLOSE PUBLIC HEARING

With no public comments, Mayor Marburger closed the hearing at 6:06 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 November 18, 2024, Regular Meeting.
2. Approval to move January’s Regular Meeting to Tuesday, January 21st due to Martin Luther King holiday.
3. Approval of updating the Assistant Director of Public Works job description to correct non-exempt to exempt status.
4. Approval of refund to Hamilton Crossing, LP #001768 for tax year 2021 due to value change per HCAD.
5. Approval of refund to Gagandeep, Grewal #002239 for tax year 2022 due to value change per HCAD.
6. Approval of refund to Gagandeep, Grewal #002239 for tax year 2023 due to value change per HCAD.

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

REGULAR AGENDA ITEMS

7. Discussion and possible action regarding **Ordinance # 647**, approving the petition for annexation on the following:

ORDINANCE NO. 647

AN ORDINANCE GRANTING THE REQUEST FOR ANNEXATION OF A CERTAIN 20.0928 ACRE TRACT OF LAND CONSISTING OF A CERTAIN TRACT BEING 19.07 ACRES OF LAND LOCATED IN THE JACOB HALL SURVEY, ABSTRACT NUMBER 351 AND THE HAMILTON STUART SURVEY, ABSTRACT NUMBER 723, HARRIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 19.260 TRACT DESCRIBED IN THE DEED TO PATRICK CARTER GAY BY AN INSTRUMENT OF RECORD UNDER FILE NUMBER 1304163 OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS; A CERTAIN TRACT OF LAND BEING 0.23636 ACRES OF LAND LOCATED IN THE JOHN L. BOATRIGHT SURVEY, ABSTRACT NUMBER 81, WALLER COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 19,260 ACRE TRACT DESCRIBED IN THE DEED TO PATRICK CARTER GAY BY AN INSTRUMENT OF RECORD UNDER FILE NUMBER 1304163 OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS; A TRACT BEING 0.3016 ACRE OF LAND LOCATED IN THE JACOB HALL SURVEY, ABSTRACT NUMBER 351, HARRIS COUNTY, TEXAS, MORE PARTICULARLY BEING ALL OF THAT CERTAIN CALLED 0.3082 ACRE TRACT DESCRIBED IN THE DEED TO FIELD STORE DEV, LLC BY AN INSTRUMENT OF RECORD UNDER FILE NUMBER RP-2021-468171 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS; AND A TRACT BEING 0.5176 ACRE OF LAND IN THE HAMILTON STUART SURVEY, ABSTRACT NUMBER 723 AND THE JACOB HALL SURVEY, ABSTRACT NUMBER 351, HARRIS COUNTY, TEXAS, MORE PARTICULARLY BEING ALL OF THAT CERTAIN CALLED 0.5176 ACRE TRACT DESCRIBED IN THE ORDER OF COMMISSIONERS COURT RECORDED UNDER FILE NUMBER RP-2023-126927, OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF SAID HARRIS COUNTY, TEXAS; PROVIDING FOR A SERVICE PLAN; PROVIDING FOR SEVERABILITY.

Mayor Marburger addressed the council regarding the location of the property stating it is situated off FM 362, halfway between Owens Rd and Knebel Rd, towards Oakwood. City Attorney Philip Boedeker then clarified a clerical error, which mistakenly listed FM 326 instead of FM 362.

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

8. Discussion and possible action regarding **Ordinance # 648**, approving the petition for annexation on the following:

ORDINANCE NO. 648

AN ORDINANCE GRANTING THE REQUEST FOR ANNEXATION OF A CERTAIN 2.21 ACRE TRACT OF LAND SITUATED IN THE HARRIS COUNTY SCHOOL LAND SURVEY ABSTRACT NO. 332, HARRIS COUNTY, TEXAS, SAME BEING A TRACT OF LAND CONVEYED TO ANITA JOAN STOERNER CRONA AND LINDA STOERNER SATTERWHITE, BY DEED RECORDED IN CLERK'S FILE NO. W393226, OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS; PROVIDING FOR A SERVICE PLAN; PROVIDING FOR SEVERABILITY.

Mayor Marburger addressed the council regarding the location of the property stating it is situated off 2920 on the east side and north of the freeway by Love's Truck stop.

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

9. Discussion and possible action to approve **Resolution # 2024-16**, authorizing the Mayor to execute settlement release documents with retail pharmacy Kroger, as an additional settling party within the national opioid settlement participation previously authorized by the City.

City Attorney Philip Boedeker addressed the council regarding Resolution # 2024-16, as it pertains to the 2021 National Opioid Settlement Agreement. This lawsuit includes developers, distributors, and other parties. As part of the settlement plan, cities and counties were encouraged to enter into the agreement, and the funds collected from this settlement will be distributed to those entities. Kroger is the most recent distributor to join the settlement.

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

10. Discussion and possible action to approve 2025 Pay Day and Holiday Schedule.

City Secretary Cynthia Ward addressed the council regarding the annual approval of the payday and holiday schedule.

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

Mayor Pro-Tem Tones addressed the council regarding next year's holiday dates, which fall on Wednesday and Thursday. He suggested moving the holidays to Thursday and Friday, as many people will likely request Friday off. City Secretary Cynthia Ward confirmed that this change is within the council's discretion. Councilmember Hajek requested that a survey be sent to the employees.

Councilmember Arnold amended her motion to approve the first quarter of the 2025 pay day and holiday schedule. Mayor Pro-Tem Tones seconded the motion. Motion passed. This item will be brought back after the survey for Councils final approval.

11. Discussion and possible action to approve migrating the bank accounts from regular accounts to an ACH account to help with fraudulent activity.

City Secretary Cynthia Ward addressed the council regarding the ongoing fraudulent activities, to include stolen and lost checks. She stated it is the recommendation of the bank the city gradually transition over to ACH payments.

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

12. Discussion and possible action to approve authorization for HDL Companies to receive information from Texas Comptroller of Public Accounts regarding sales and use tax and renew the agreement allowing them to audit Hotel Motel funds.

City Secretary Cynthia Ward addressed the council regarding granting HDL access to the city's comptroller accounts to audit the sales tax and the hotel-motel funds to ensure the city is receiving the correct sales tax revenue. Further requested approval to renew the agreement, allowing HDL to continue accessing the accounts.

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

13. Discussion and possible action to adopt **Resolution # 2024-17**, authorizing the entering into a Multiple Use Agreement with the Texas Department of Transportation to permit the installation and operation of automated license plate recognition cameras within the city limit of the City of Waller.

*Police Chief Michael Lopez addressed the council regarding the adoption of **Resolution 2024-17**, which would allow the city to enter into a multi-use agreement with TxDOT. This agreement allows for the placement and operation of Flock cameras on TxDOT right-of-way, as a one-time permit for the cameras.*

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

14. Discussion and possible action to approve authorization for Waller EDC payment of \$204,107 to Natura PCR as an incentive for local hiring and as partial reimbursement of utility extension expense.

WEDC Director John Isom addressed the council regarding a reimbursement to Natura PCR as an incentive for local hiring.

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

15. Discussion and possible action to approve the final 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.

WEDC Director John Isom addressed the council regarding the 380-rebate agreement with Alegacy Development to attract Peerless Pump Company to the city, which will result in increased hiring.

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

16. Discussion and possible action to adopt **Resolution # 2024-18**, adopting Tax Abatement Guidelines for the years 2025-2026.

WEDC Director John Isom addressed the council regarding implementing the tax abatement policy and guidelines which we needed in order for the county to issue a tax abatement. Moving forward, the city can utilize either the 312 or 380 agreements.

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

MAYOR-COUNCIL REPORTS

Councilmember Arnold reported that she has been re-elected to the board of directors of the Houston-Galveston Area Council.

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
John reported that he had the opportunity to speak at the Leadership North Houston group last week. John also reported that Adrian Collins from Natura PCR provided an update on the company's recent expansion of Natura.

Travis Sellers, City Engineer
No report.

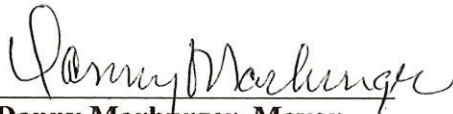
ELECTED OFFICIAL REPORTS

Not present, no report.


ADJOURNMENT

With no other business, Mayor Marburger adjourned at 6:40 PM.

APPROVED BY:


Danny Marburger, Mayor

ATTEST:


Cynthia Ward, City Secretary

