

MINUTES OF THE REGULAR CITY COUNCIL MEETING, HELD ON MONDAY, MARCH 5, 2007 AT 7:00 P.M., CITY HALL, 401 MARKET STREET, TOMBALL, TEXAS, 77375

1.0 MEETING WAS CALLED TO ORDER BY MAYOR HARRINGTON. OTHER MEMBERS PRESENT:

COUNCILMAN QUINN
COUNCILMAN LAZENBY
COUNCILMAN FAGAN
COUNCILMAN HARVEY
COUNCILMAN DRIVER

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN
ASST. CITY MANAGER – MARY COKER
CITY ATTORNEY – BILL OLSON
CITY ATTORNEY – DAVID OLSON
CITY SECRETARY – DORIS SPEER
FIRE CHIEF – RANDY PARR
DIRECTOR OF PUBLIC WORKS – ROD HAINEY
FINANCE DIRECTOR – MONICA KOHLENBERG
CHIEF OF POLICE – MICHAEL BLAKE
EXECUTIVE DIRECTOR-TEDC-BETTY REINBECK

2.0 NO PUBLIC COMMENTS WERE RECEIVED.

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE GIVEN BY THE MAYOR AND COUNCILMEMBERS.

3.1 THE CITY MANAGER’S REPORT WAS PRESENTED BY BEN GRIFFIN.

A. UPDATE ON HOOKS AIRPORT. THE MASTER PLAN IS IN THE FINAL STAGES; THERE ARE NO MAJOR ENVIRONMENTAL PROBLEMS. THE CITY HAS VERBAL COMMITMENTS OF FUNDING ASSISTANCE. THE CITY OF HOUSTON SUPPORTS TOMBALL’S PURCHASE OF HOOKS AIRPORT. DRAFT LEGISLATION TO ANNEX HOOKS AIRPORT HAS BEEN PREPARED AND SENT TO SENATOR AND STATE REPRESENTATIVE. MEETINGS WITH GLENLOCH FARMS RESIDENTS HAVE BEEN POSITIVE, MORE MEETINGS ARE PLANNED WITH THE FAA, AND NEW APPRAISAL HAS BEEN

ORDERED. CITY NEEDS TO DEVELOP A COMMUNITY SUPPORT PLAN. THERE IS A GOOD POSSIBILITY OF COMPLETING THE PURCHASE IN 2007.

- B. CONTRACTS SIGNED BY CITY MANAGER
- C. PERFORMANCE INDICATORS
- D. PRESS RELEASE – WALK THE TALK
- E. BOARDS AND COMMISSIONS VOLUNTEER BANQUET

- 4.0 MOTION WAS MADE BY COUNCILMAN QUINN TO APPROVE THE MINUTES OF THE REGULAR AND SPECIAL COUNCIL MEETINGS OF FEBRUARY 19, 2007; SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION OF THE FOLLOWING ITEMS:

- 5.0 OLD BUSINESS:

- 6.0 NEW BUSINESS:

- 6.1 THE PUBLIC HEARING FOR THE ANNEXATION OF 1.8000-ACRE TRACT LOCATED AT 14615 FM 2920, ON THE SOUTH SIDE OF FM 2920 (GOSPEL ASSEMBLY CHURCH) WAS CALLED TO ORDER BY MAYOR HARRINGTON AT 7:11 P.M.

NO COMMENTS WERE RECEIVED; THE PUBLIC HEARING WAS CLOSED AT 7:12 P.M. BY MAYOR HARRINGTON.

- 6.2 MOTION WAS MADE BY COUNCILMAN DRIVER TO APPROVE ADMINISTRATIVE POLICY 18, ENTITLED “DEVELOPMENT POLICY FOR SPECIAL FINANCING DISTRICTS”; SECOND BY COUNCILMAN QUINN.

MOTION WAS MADE BY COUNCILMAN DRIVER TO AMEND HIS ORIGINAL MOTION TO INCLUDE CHANGING “LIMITATION ON SIZE OF DEVELOPMENT,” ITEM 1, OF THE ADMINISTRATIVE POLICY, TO ADJUST THE \$225,000 AVERAGE VALUE OF HOMES IN THE DEVELOPMENT ANNUALLY; SECOND BY COUNCILMAN QUINN.

MOTION TO AMEND CARRIED UNANIMOUSLY.

MOTION AS AMENDED CARRIED UNANIMOUSLY.

- 6.3 MOTION WAS MADE BY COUNCILMAN DRIVERTO ADOPT RESOLUTION NO. 2007-13, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, MAKING FINDINGS IN CONNECTION WITH THE PROPOSED PUBLIC IMPROVEMENT DISTRICT NUMBER ONE RELATED TO THE ADVISABILITY OF THE IMPROVEMENTS, THE NATURE OF THE IMPROVEMENTS, THE ESTIMATED COST OF THE IMPROVEMENTS, THE BOUNDARIES OF THE PROPOSED DISTRICT, THE METHOD OF ASSESSMENT AND THE APPORTIONMENT OF COST BETWEEN THE DISTRICT AND THE CITY AS A WHOLE; AND MAKING OTHER FINDINGS RELATED TO THE DISTRICT (PINE COUNTRY OF TOMBALL SECTION TWO); SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN LAZENBY TO ADOPT RESOLUTION NO. 2007-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING THE ESTABLISHMENT OF THE PUBLIC IMPROVEMENT DISTRICT NUMBER ONE IN THE CITY OF TOMBALL, TEXAS; AUTHORIZING PUBLICATION OF THIS RESOLUTION, PROVIDING FOR THE PREPARATION OF A SERVICE AND ASSESSMENT PLAN; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT (PINE COUNTRY OF TOMBALL SECTION TWO); SECOND BY COUNCILMAN FAGAN.

MOTION CARRIED UNANIMOUSLY.

- 6.5 MOTION WAS MADE BY COUNCILMAN HARVEY TO ADOPT RESOLUTION NO. 2007-15, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ADOPTING A FEE FOR DEBIT/CREDIT CARD PROCESSING SERVICES; SECOND BY COUNCILMAN FAGAN.

MOTION CARRIED UNANIMOUSLY.

- 6.6 MOTION WAS MADE BY COUNCILMAN FAGAN TO ADOPT THE FIRST READING OF RESOLUTION NO. 2007-16-EDC, 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, THE CITY OF TOMBALL, AND CCG VENTURE PARTNERS, LLC, TO PROMOTE A NEW MULTI-TENANT COMMERCIAL/RETAIL DEVELOPMENT, TO BE KNOWN AS "SPRING CREEK COMMONS"; CONTAINING OTHER

PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY; SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

- 6.7 MOTION WAS MADE BY COUNCILMAN QUINN TO APPROVE PROVIDING EARLY VOTING AND ELECTION DAY FACILITIES FOR HARRIS COUNTY STATE AMENDMENT ELECTION ON MAY 12, 2007, SEPARATE BUT IN CONJUNCTION WITH, CITY OF TOMBALL AND TOMBALL ISD ELECTIONS ON MAY 12, 2007 AND AUTHORIZING LETTER FROM CITY SECRETARY/ELECTIONS CLERK TO HARRIS COUNTY ESTABLISHING PARAMETERS FOR ELECTION ACTIVITIES; SECOND BY COUNCILMAN FAGAN.

MOTION CARRIED UNANIMOUSLY.

- 6.8 MOTION WAS MADE BY COUNCILMAN HARVEY TO AWARD CONTRACT FOR PROJECT 2007-06, REFURBISHING OF JUERGENS PARK PAVILION, TO LOW BIDDER, JORDAN GENERAL CONTRACTORS, INC., IN THE AMOUNT OF \$71,652.90; SECOND BY COUNCILMAN LAZENBY.

MOTION CARRIED UNANIMOUSLY.

- 6.9 MOTION WAS MADE BY COUNCILMAN DRIVER TO READ ORDINANCE NO. 2007-03 BY CAPTION ONLY; SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN LAZENBY TO ADOPT THE FIRST READING OF ORDINANCE NO. 2007-03, AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, ADOPTING AMENDMENT NUMBER 2 TO THE ORIGINAL BUDGET OF THE CITY OF TOMBALL, TEXAS, FOR THE FISCAL YEAR 2006-2007, AS ADOPTED BY ORDINANCE NO. 2006-06; PROVIDING FOR APPROPRIATION OF FUNDS FROM THE GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS; CREATING THE MUNICIPAL COURT BUILDING SECURITY FUND, THE MUNICIPAL COURT TECHNOLOGY FUND, THE WATER CAPITAL RECOVERY FEE FUND AND THE SEWER CAPITAL RECOVERY FEE FUND; DIRECTING PUBLICATION OF THE CAPTION OF THIS ORDINANCE; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED ARE OPEN TO THE PUBLIC; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING OTHER DETAILS RELATING TO THE

PASSAGE OF THIS ORDINANCE; SECOND BY COUNCILMAN HARVEY.
VOTE WAS AS FOLLOWS:

COUNCILMAN HARVEY	<u>AYE</u>
COUNCILMAN DRIVER	<u>AYE</u>
COUNCILMAN QUINN	<u>AYE</u>
COUNCILMAN LAZENBY	<u>AYE</u>
COUNCILMAN FAGAN	<u>AYE</u>

MOTION CARRIED UNANIMOUSLY.

- 6.10 MOTION WAS MADE BY COUNCILMAN HARVEY TO SET MARCH 19, 2007 AND APRIL 2, 2007 AS THE DATES FOR PUBLIC HEARINGS TO REVIEW THE CITY OF TOMBALL'S JUVENILE CURFEW ORDINANCE TO DETERMINE THE NEED TO RE-ADOPT, ABOLISH, CONTINUE OR MODIFY THE ORDINANCE; SECOND BY COUNCILMAN QUINN.

MOTION CARRIED UNANIMOUSLY.

- 6.11 MOTION WAS MADE BY COUNCILMAN QUINN TO APPROVE PLAT AS APPROVED BY PLANNING COMMISSION; SECOND BY COUNCILMAN HARVEY:

FIRESTONE AT FALCON SUBDIVISION (COMMERCIAL;
LOCATED ON SH 249, SOUTH OF MICHEL ROAD).

MOTION CARRIED UNANIMOUSLY.

- 6.12 EXECUTIVE SESSION: THE CITY COUNCIL RECESSED AT 7:28 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:

SECTION 551.074 - PERSONNEL MATTERS – CITY MANAGER'S
EMPLOYMENT CONTRACT

UPON RECONVENING IN REGULAR SESSION AT 8:32 P.M., NO ACTION WAS TAKEN.

- 7.0 MOTION WAS MADE BY COUNCILMAN FAGAN TO ADJOURN; SECOND BY COUNCILMAN HARVEY.

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MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris Speer
DORIS SPEER, TRMC
CITY SECRETARY

(signed) H. G. Harrington
H. G. HARRINGTON
MAYOR