



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

**BE IT REMEMBERED THAT ON THIS THE** 23rd day of March, 2015 at 7:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at 2214 Waller St. with the following present:

Mayor Danny Marburger  
Mayor Pro-tem Dwayne Hajek  
Councilmember Nancy Arnold  
Councilmember Edna Eaton  
Councilmember Roger Frey  
Councilmember Sidney Johnson

Cynthia Ward, City Secretary  
Phil Rehak, Chief of Police  
Gene Schmidt, Supt. of Public Works  
John Isom, EDC Director  
Paula Alexander, City Attorney

Mayor Marburger called the meeting to order at 7:00 p.m.

Prayer and Pledge of Allegiance

Prayer was given by Councilmember Arnold. Pledge of Allegiance was led by Mayor Pro-tem Hajek.

**COMMUNICATIONS FROM THE PUBLIC**

Steve Lavin of 1911 Key Street addressed Council regarding the Ordinance on RV Parks.  
Betty Hart of 1909 Penick addressed Council regarding debris on properties and a possible city wide cleanup.  
Sam Arungwa addressed Council regarding the CTC Texas Organization and how it could benefit the City.

**CONSENT AGENDA ITEMS**

1. Approval of the Minutes of February 16, 2015 Regular Meeting.
2. Approval of Amendment to the Joint Election Agreement between the Waller ISD and the City of Waller.
3. Accept the Waller Economic Development Boards recommendation to support the Waller Freedom Fest 2015, with \$10,000 from the promotional budget.

***Councilmember Arnold motioned to approve Consent Agenda Items 1-3 with corrections. Councilmember Frey seconded the motion. Vote was unanimous.***

## **REGULAR ITEMS**

4. Swearing In Ceremony for Cynthia Ward, T.R.M.C., City Secretary, City of Waller, Texas.

***Mayor Marburger administered the Oath of Office to the new City Secretary, Cynthia Ward.***

5. Discussion and possible action to approve a Final Plat in the City of Waller for a 6.4145 Acre tract of land more or less out of the John Woodward Survey, Abstract 646, of Harris County, Texas.

Gene Schmidt presented a final plat which was approved by David Leyendecker for a 6.4145 Acre tract of land more or less out of the John Woodward Survey, Abstract 646, of Harris County, Texas.

***Councilmember Hajek motioned to approve the preliminary plat in the City of Waller for a 6.4145 Acre tract of land more or less out of the John Woodward Survey, Abstract 646, of Harris County, Texas. Councilmember Johnson seconded the motion. Councilmember Frey abstained, the remaining Council approved.***

6. Discussion and possible action authorizing the Mayor to execute an agreement with Texas First Group Inc., for an Interim Special Projects Coordinator.

Ann Smith presented the Council with an agreement from Texas First Group for an Interim Special Projects Coordinator. Due to the growth development boom and review of other governmental needs in Waller, a part time interim special projects coordinator will provide direction and development for the City during this time.

***Councilmember Arnold motioned to approve an agreement with Texas First Group, Inc., for the part time Special Projects Coordinator. Councilmember Johnson seconded the motion. Vote was unanimous.***

7. Discussion and possible action approving job description for Customer Service Specialist for Administrative Department.

Cynthia Ward presented the Council with a new job description for a Customer Service Specialist, this position will provide support for the front office and utility billing department. She asked for Council approval to hire for this position as soon as possible.

***Councilmember Hajek motioned to approve the job description for the Customer Service Specialist. Councilmember Frey seconded the motion. Vote was unanimous.***

8. Discussion and possible action on a proposed contract for a renewal of services with Larson and Weisinger; adopting **Resolution 15-03** authorizing an additional penalty on delinquent taxes.

*Councilmember Frey motioned to approve the proposed contract. Councilmember Arnold seconded the motion. Vote was unanimous.*

**THE CITY OF WALLER, TEXAS  
OF WALLER COUNTY, TEXAS**

**RESOLUTION 15-03  
AUTHORIZING AN ADDITIONAL  
PENALTY ON DELINQUENT TAXES**

WHEREAS, the City Council for the City of Waller, Texas (the "City"), is desirous of defraying the costs of collection of delinquent taxes; and

WHEREAS, the City has contracted with an attorney for the collection of delinquent taxes as set forth in Section 6.30 of the Texas Tax Code, as amended (the "Tax Code"); and

WHEREAS, Section 33.07 of the Tax Code provides that if the City has contracted with an attorney under Section 6.30 of the Tax Code for collection of the City's delinquent taxes (the "Delinquent Tax Attorney"), the City may impose an additional penalty (not to exceed the amount of compensation specified in the contract with the Delinquent Tax Attorney on taxes that become delinquent on or after February 1 of a year (but not later than May 1 of that year) and that remain delinquent on July 1 of the year in which they become delinquent; and

WHEREAS, Section 33.08 of the Tax Code provides that if the City imposes the additional penalty for collection costs under Section 33.07 of the Tax Code and contracts with a Delinquent Tax Attorney, the City may impose an additional penalty (not to exceed the amount of the compensation specified in the contract with the Delinquent Tax Attorney) on taxes that become delinquent on or after June 1 of a year; and

WHEREAS, Section 6.30 of the Tax Code provides that compensation to be paid to a Delinquent Tax Attorney shall not exceed twenty percent (20%) of the amount of the total delinquent tax, penalty and interests collected; and

WHEREAS, Section 33.11 of the Tax Code provides that the City may impose an additional penalty on tangible personal property taxes ("Personal Property Taxes") that become delinquent on or after February 1 of a year on a date that occurs before July 1 of the year in which the taxes become delinquent if (i) the City has contracted with a Delinquent Tax Attorney, and (ii) such Personal Property Taxes become subject to said contract before July 1 of the year in which the taxes become delinquent; and

WHEREAS, Section 33.11 of the Tax Code also provides that (a) a penalty imposed on delinquent Personal Property Taxes is incurred on the later of (i) the date those taxes become subject to the Delinquent Tax Attorney's contract, or (ii) sixty (60) days after the date the taxes become delinquent, and (b) the amount of the penalty may not exceed the amount of the compensation specified in the contract with the Delinquent Tax Attorney. Now therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WALLER OF WALLER COUNTY, TEXAS THAT:**

Section 1. The City has entered into a contract with a Delinquent Tax Attorney pursuant to Section 6.30 of the Tax Code for the collection of the City's delinquent taxes, penalty and interest.

Section 2. Other than Personal Property Taxes, the City taxes that become delinquent on or after February 1 of a year (but not later than May 1 of that year) and remain delinquent on July 1 of the year in which such taxes become delinquent shall incur an additional penalty of twenty percent (20%) of the amount of such taxes, penalty and interest to defray the cost of collection of said delinquent taxes, in accordance with Section 33.07 of the Tax Code.

Section 3. Other than Personal Property Taxes, the City taxes that become delinquent on or after June 1 of a year shall incur an additional penalty of twenty percent (20%) of the amount of such taxes, penalty and interest, in accordance with Section 33.08 of the Tax Code.

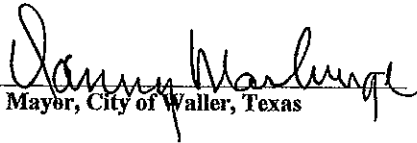
Section 4.The City's personal Property Taxes that become delinquent on or after February 1 of a year shall incur an additional twenty percent (20%) of the amount of such taxes, penalty and interest on April 2 of that year, in accordance with Section 33.11 of the Tax Code.

Section 5.The City's tax assessor-collector shall mail a notice of delinquency and of the penalty imposed pursuant to Section 2 of this Resolution to the property owner at least thirty (30), but not less than sixty (60) days before July 1 of a year that taxes are levied by the City, in accordance with Section 33.07 of the Tax Code.

Section 6.The City's tax assessor-collector shall mail a notice of delinquency and of the penalty imposed pursuant to Section 3 of this Resolution to the property owner. The penalty imposed pursuant to Section 3 above is incurred on the first day of the first month that begins at least twenty-one (21) days after the date such notice is sent pursuant to Section 33.08 of the Tax Code.

Section 7.Pursuant to Section 33.11 of the Tax Code, the City's tax assessor-collector shall mail a notice of delinquency and of the penalty imposed pursuant to Section 4 of this Resolution to the property owner which states the date on which the penalty is incurred. The City's tax assessor-collector shall deliver such notice at least thirty (30), but not more than sixty (60) days before the date said penalty is incurred. If the amount of the Personal Property Taxes, penalty and interest owed to all taxing units for which the City's tax assessor-collector collects exceeds \$10,000.00 on a single account identified by a unique property identification number, the notice regarding that account must be delivered by certified mail, return receipt requested, otherwise the notice referenced in this Section shall be sent by regular mail first-class mail.

PASSED and APPROVED this 23<sup>rd</sup> day of March, 2015.

By:   
Mayor, City of Waller, Texas

ATTEST:

  
City Secretary, City of Waller, Texas

9. Discussion regarding Tax Abatement Policy and Guidelines for the City.

John Isom addressed Council regarding the Tax Abatement Policy and Guidelines for the City. After much discussion Mayor Marburger suggested scheduling a workshop to discuss the details.

10. Discussion and possible action on request from Ravago Americas to have 180 acre tract, transferred from City of Houston extra-territorial jurisdiction (ETJ) to City of Waller (ETJ), and authorize the Mayor to send a letter to City of Houston, and take such other actions as may be necessary, to effectuate transfer of the tract into Waller's (ETJ) as soon as Houston releases it from their (ETJ).

Gene Schmidt is requesting approval for Mayor Marburger to submit a letter to the City of Houston requesting this property be put in the City of Waller's ETJ.

***Councilmember Hajek motioned to approve a request from Ravago Americas to have 180 acre tract, transferred from City of Houston extra-territorial jurisdiction (ETJ) to City of Waller (ETJ), and authorize the Mayor to send a letter to the City of Houston. Councilmember Eaton seconded the motion. Vote was unanimous.***

## **MAYOR-COUNCIL REPORTS**

Councilmember Arnold attended a three part "Bringing Back Main Street" workshop series specifically designed for small cities.

The first workshop was "Creating Your Vision" where speakers explained how communities can plan for revitalization based on community input.

The second workshop was "Realizing Your Vision" where speakers identified policies, programs, and funding tools.

The third workshop was "Selling Your Vision" in which speakers described ways that communities can market their downtown to residents, businesses and visitors.

## **STAFF REPORTS**

Gene Schmidt reported on:

- Utility extension to Alegacy Park
- Water Well No. 3
- Discussions with Investors & Developers for the Waller area

Phil Rehak reported on:

- Increase in burglary of motor vehicles

John Isom reported on:

- Hearing for House Bill 1418
- Oil Well Fire Fighters Museum
- Residential Developers interested in Waller
- Goodman Development

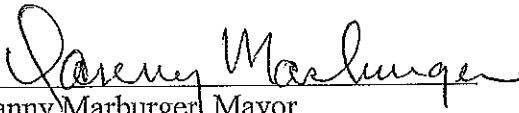
Cynthia Ward reported:

- Judges and Clerks were selected for Early Election and Election Day as follows:  
Judge Marion Gollmer  
Alternate Judge Emma Heath  
Clerk Jo Anne Leland  
Clerk Barbara Benoit  
Clerk Isabell Miskeska (will work on Saturday-Election Day)  
All will attend a workshop on April 14<sup>th</sup> at Waller I.S.D.

**ADJOURNMENT**

With no further business, Mayor Marburger adjourned the meeting at 8:15 p.m.

APPROVED BY:

  
\_\_\_\_\_  
Danny Marburger, Mayor

ATTEST:

  
\_\_\_\_\_  
Cynthia Ward, City Secretary