

HUMBLE CITY COUNCIL**MINUTES****REGULAR MEETING****MAY 31, 2017 – 10:00 A.M.****HELD AT CITY HALL, 114 WEST HIGGINS, HUMBLE, TEXAS**

STATE OF TEXAS §

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COUNTY OF HARRIS §

MEMBERS PRESENT:

Mayor Merle Aaron, Presiding
Mayor Pro Tem Norman Funderburk
Council Member Ray Calfee
Council Member Andy Curry
Council Member Allan Steagall
Council Member David Pierce
City Manager Darrell Boeske
City Secretary Jason Stuebe

STAFF PRESENT:

Assistant City Manager Aimee Phillips
Fire Chief Gary Outlaw
Police Chief Delbert Dawes
H.R. Manager Kathy Babineaux
Fire Marshall James Nykaza
Parks Director Jeremy Mittag
Assistant Fire Chief Mike Legoudes
Assistant Police Chief Ken Theis
Civic Center Manager Jennifer Wooden
Kathy Davidson
Jacob Schultz

VISITORS PRESENT:

Dianne Pierce
Donnie McMannes
Chris Shelton
Hayley Merrill
Dina Kesbah
Ross Adkins
Christ Lambright
Cody Holder
Members of Boy Scout Troop 234

Mayor Aaron called the regular meeting of the Humble City Council to order with a quorum present at 10:00 A.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE.

Mayor Pro Tem Funderburk offered the invocation and Boy Scout Troop 234 led the Pledge of Allegiance.

2. CONSENT AGENDA.

- A. MINUTES – REGULAR MEETING MINUTES MAY 11, 2017**
- B. CURRENT INVOICES**
- C. CORRESPONDENCE**

Upon a motion by Mayor Pro Tem Funderburk, the City Council voted six (6) for and none (0) opposed to approve the Consent Agenda.

3. NOMINATION AND ELECTION OF A MAYOR PRO TEMPORE FOR A TERM OF ONE (1) YEAR.

Mayor Aaron stated that he wished to withdraw item 3 from consideration until the next meeting.

4. ADOPTION OF ORDINANCE 17-803 AMENDING CHAPTER 12, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II "TECHNICAL CODES", DIVISION 2 "BUILDING AND MECHANICAL CODES", SECTION 56 "ADOPTED" BY ADDING TO IT A NEW SUBSECTION (2) CREATING AN EXCEPTION TO THE 2012 INTERNATIONAL BUILDING CODE; MAKING CERTAIN FINDINGS; AND PROVIDING FOR SEVERABILITY.

City Manager Boeske asked for approval.

Upon a motion by Council Member Steagall, the City Council voted six (6) for and none (0) opposed to adopt Ordinance 17-803 amending Chapter 12, Article II, Division 2, Section 56 of the Code of Ordinances.

5. ADOPTION OF RESOLUTION 17-781 AMENDING SECTION 6.08 "LEAVE OF ABSENCE – PERSONAL BUSINESS LEAVE OR EXTENDED LEAVES DUE TO PENDING INVESTIGATION" AND 6.20 "FAMILY AND MEDICAL LEAVE ACT" OF THE CITY OF HUMBLE PERSONNEL POLICIES.

City Manager Boeske asked for approval noting the minor change to the policies to make them more compliant.

Upon a motion by Council Member Curry, the City Council voted six (6) for and none (0) opposed to adopt Resolution 17-781 amending Sections 6.08 and 6.20 of the City of Humble Personnel Policies.

6. APPROVAL OF FINAL PLAT FOR NORTHEAST MEDICAL, A SUBDIVISION OF 8.7499 ACRES OF LAND OUT OF THE W.B. ADAMS SURVEY, ABSTRACT 95, CITY OF HUMBLE, HARRIS COUNTY, TEXAS.

City Manager Boeske asked for approval noting that the plat met all of the City's specifications.

Upon a motion by Council Member Funderburk, the City Council voted six (6) for and none (0) opposed to approve the Northeast Medical Final Plat.

- 7. APPROVAL OF A DEVELOPMENT PLAT FOR NORTHEAST MEDICAL, A SUBDIVISION OF 8.4799 ACRES OF LAND OUT OF THE W.B. ADAMS SURVEY, ABSTRACT 95, CITY OF HUMBLE, HARRIS COUNTY, TEXAS.**

City Manager Boeske asked for approval noting that the plat met all of the City's specifications.

Mayor Aaron noted that the difference between the previous item and this item was that this was for consideration and approval of the site plan and development of the Medical Office Building and stated that the City is excited for the continued growth of the Memorial Hermann Northeast Campus.

Upon a motion by Council Member Funderburk, the City Council voted six (6) for and none (0) opposed to approve the Northeast Medical Development Plat.

- 8. APPROVAL OF FINAL PLAT FOR RAMSHUR INVESTMENTS II, LLC, A SUBDIVISION OF 2.17 ACRES SITUATED IN THE JOHN BROWN JONES SURVEY, ABSTRACT 484 AND THE WHERRY ADAMS SURVEY, ABSTRACT 95, CITY OF HUMBLE, HARRIS COUNTY, TEXAS; 1 BLOCK, 1 RESERVE.**

City Manager Boeske asked for approval noting that the plat met all of the city's specifications.

Upon a motion by Council Member Steagall, the City Council voted six (6) for and none (0) opposed to approve the Ramshur Investments II, LLC Final Plat.

- 9. AUTHORIZATION FOR THE CITY MANAGER TO NEGOTIATE FOR PURCHASE OF LOTS 14, 15, & 16 IN THE BOWER SECTION 1 SUBDIVISION SITUATED IN THE JOHN B. JONES SURVEY, ABSTRACT 484 AND APPROXIMATELY 12,780 SQUARE FEET OF PROPERTY OUT OF LOT 9 AND TRACTS 10A, 11A, BLOCK 1 TRACT 8A BLOCK 2 AND TRACT A IN THE McASHAN BRASHEAR & SLAUGHTER SUBDIVISION SITUATED IN THE JOHN B. JONES SURVEY ABSTRACT 484 FROM HUMBLE MACHINE WORKS, INC. IN THE AMOUNT OF \$174,375.00.**

City Manager Boeske asked for authorization to negotiate the purchase noting that it would probably be closer to \$175,000.00.

Mayor Aaron stated that this will give the City access to its properties behind the Animal Shelter.

Council Member Pierce asked if there was anything located on these properties. Mr. Boeske stated that it was vacant property save for a small bridge over the gully.

Upon a motion by Council Member Funderburk, the City Council voted six (6) for and none (0) opposed to grant the City Manager authorization to negotiate and purchase the properties.

- 10. APPROVAL OF A CONTRACT BETWEEN THE CITY OF HUMBLE, TEXAS AND JOINER ARCHITECTS, INC. TO PROVIDE ARCHITECTURAL SERVICES FOR THE PARKS AND RECREATION DEPARTMENT FACILITY PROJECT.**

City Manager Boeske asked for approval.

Upon a motion by Council Member Curry, the City Council voted six (6) for and none (0) opposed to approve a contract the contract between the City and Joiner Architects, Inc.

11. APPROVAL OF A CONTRACT BETWEEN THE CITY OF HUMBLE, TEXAS AND JOINER ARCHITECTS, INC. TO PROVIDE ARCHITECTURAL SERVICES FOR THE SENIOR CITIZENS ACTIVITY CENTER PROJECT.

City Manager Boeske asked for approval.

Upon a motion by Council Member Funderburk, the City Council voted six (6) for and none (0) opposed to approve the contract between the City and Joiner Architects, Inc.

12. APPROVAL OF CHANGE ORDER #1 TO THE CONTRACT BETWEEN THE CITY OF HUMBLE, TEXAS AND RPS KLOTZ AND ASSOCIATES FOR THE PRELIMINARY ENGINEERING AND TCEQ PERMITTING FOR WASTEWATER TREATMENT PLANT AND ASSOCIATED WASTEWATER COLLECTION SYSTEM IMPROVEMENTS PROJECT REDUCING THE CONTRACT BY \$(109,640.00).

City Manager Boeske asked for approval.

Upon a motion by Council Member Steagall, the City Council voted six (6) for and none (0) opposed to approve Change Order #1 to the contract between the City of Humble, Texas and RPS Klotz and Associates.

13. PUBLIC HEARING TO SOLICIT CITIZEN INPUT REGARDING THE NEED AND POTENTIAL ACCEPTANCE AND USE OF 2016 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF FUNDING IN RESPONSE TO FEMA DISASTERS 4269 AND 4272, WHICH MAY BE MADE AVAILABLE TO THE CITY OF HUMBLE BY THE STATE OF TEXAS GENERAL LAND OFFICE AND THE HARRIS COUNTY COMMUNITY SERVICES DEPARTMENT.

Mayor Aaron opened the Public Hearing at 10:12 A.M.

City Manager Boeske stated that money has been offered through the CDBG-DR program and that the City has made some damage assessments from the floods in the Spring of 2016 and that the City would like to gather citizen input on the issue. Mr. Boeske noted that this was not for home structures as there was a separate amount of money allocated for that.

Fire Marshall Nykaza stated that the funds would only be available for documented damage related to the floods of April and May 2016.

Christy Lambright, representing the Harris County Community Services Department stated that the next steps for the City would be to prepare a needs assessment for presentation to the GLO. Ms. Lambright also stated that the City of Humble has been prepared to receive approximately \$1.5 to \$1.9 Million in funds and that those funds could be applied to infrastructure, drainage improvements, structure damage, or roads – essentially any damage to the city's network as well as mitigation efforts. Ms. Lambright also noted that Harris County is also offering up funding for housing repair. This will be a separate program and operated by the County. Harris County will be in contact about that program and how to distribute information to citizens.

Mayor Aaron asked for confirmation that the money could go towards detention and retention? Ms. Lambright stated that would be an applicable project.

Assistant City Manager Phillips asked if loss of Hotel Occupancy Tax revenue would be considered. Ms. Lambright stated that it could be applied for Economic Development considerations, however, the primary objective of the program was damage repair and mitigation and that it was "iffy" if the GLO would consider loss of revenue as a top tier request.

Mayor Aaron asked if personal property and buyouts were totally different. Ms. Lambright stated that the housing assistance and buyouts would be handled separately.

Mr. Ross Adkins stated that he had wondered if the money could be used for mitigation. Ms. Lambright again stated it was for both damage repair and mitigation.

Council Member Pierce asked that of the personal property that flooded, who would make that application? Ms. Lambright stated that the property owners would be responsible to apply for that with the County.

Ms. Arliss Bentley asked if the hotels, which lost so much business – if as a business they could apply for funds. Again, Ms. Lambright stated that while an application to the GLO could be made under the auspices of Economic Development, she had never seen the GLO open up an Economic Development project as usually the funds go to the highest needs which is infrastructure, repair, and mitigation.

Ms. Bentley then asked what the City is going to do to stop the flooding from happening.

Mr. Boeske stated that the issue is Lake Houston noting the primary cause of the flood was Spring Creek and other tributaries to the San Jacinto River. Mr. Boeske further noted that both Lake Houston and the San Jacinto River no longer have adequate capacity to deal with such events as they are 50% silted in – so unless the lake and/or river were dredged to the tune of \$5-8 Billion dollars, there is very little the City can do. Mr. Boeske did state that the City has spent upwards of \$6.5 Million dollars on drainage improvements and compared to the 1994 floods which saw over 80 homes flooded, the City experienced only 8 flooded homes during the 2016 events. Mr. Boeske stated that these same homes have flooded four to five times since 1994 and that the owners refuse to move or allow FEMA to buy the properties out despite the homes being at 55 feet above sea level while the flood stage of the river is 62 feet – there is no way around being flooded. Mr. Boeske continued that one of the few things that could be done is constructing a levee project, which would have to be coordinate through the Army Corps. of Engineers and would probably cost an additional \$5-6 Billion dollars, obviously, the City does not have the wherewithal to take on such an endeavor.

Mayor Aaron stated that the City is looking at and doing everything it can but when the river floods back into the storm sewers, there is very little that can be done at that point. The City is draining very well but the City cannot mitigate the river itself.

Ms. Bentley asked if there is a pond behind the hotels.

Mr. Boeske stated that there is a pond, however, there is not enough volume that would truly mitigate the problem as there simply is not enough space. Mr. Boeske did state that with the building up of land for development on the northwest side of town, in effect a de-facto levee system is being built due to the infill that is being brought in to raise the properties.

Mayor Aaron stated that the City knew the flood waters were coming and that was why all of the staff was out in the areas to make sure that we would be able to handle it the very best we could ensuring that people were evacuated. The City is aware that those seven to eight houses will flood and that we would love for them to take a buyout.

Mr. Adkins stated that the river and lake will continue to be silted in.

Mr. Boeske stated absolutely, as the Lake does not have a true flood gate system but instead relies upon a spillway, which drains water from the top and does not allow the silt to carry on downstream.

Mr. Donnie McMannes stated that after the 1994 and 1996 floods, the City met with officials from the Federal Government and their contractors and they stated there would never be any dredging done to the river or the lake due to the cost. There would only be buyouts offered for properties along the lake and river.

Mayor Aaron stated that the City is trying its best to minimize what happened. The City is maintaining its ditches, making sure that we are prepared with our first responders, putting extra patrols out in the areas, making sure dumpsters are made available for cleanup. The City feels for each person that gets flooded, but we are at the mercy of the amount of water that comes down the river.

Mayor Aaron stated that he appreciated everyone's questions and comments and said if anyone had a fix that could be put in to place, we'd do it tomorrow. He further stated that the City wishes to correct the situation and that it is not anything we aren't aware of or neglect; we do the best we can with what we have.

Mr. Adkins stated he believed the City does a great job – but that an extra \$1.9 million could be beneficial.

Ms. Lambright stated, that the City's actual damage was probably closer to \$5 million so there is more than enough justification to receive upwards of the \$1.9 million. However, it is unlikely that repair and work already completed or commenced will likely not be eligible for reimbursement as the focus is more on new projects and mitigation projects.

Mr. Cody Holder, representing Harris County Commissioner Jack Cagle's office stated that they are available to do anything they can to help.

With no further questions or comments the Public Hearing was closed at 10:41 A.M.

There being no further business, Mayor Aaron adjourned the regular meeting of the City Council at 10:41 A.M. on Wednesday, May 31, 2017.



Merle Aaron
Mayor

ATTEST:



Jason Stuebe
City Secretary

