

HUMBLE CITY COUNCIL

MINUTES

REGULAR MEETING SEPTEMBER 14, 2006 - 6:30 P.M.

HELD AT CITY HALL, 114 WEST HIGGINS, HUMBLE, TEXAS

MEMBERS PRESENT: Mayor Donnie McMannes, Presiding  
Mayor Pro Tempore Andy Curry  
Councilman Merle Aaron  
Councilman Bill Conner  
Councilman Allen Lee  
Councilman Allan Steagall  
City Manager Darrell Boeske  
City Secretary Sue Daniel

EMPLOYEES PRESENT:  
Mark Martin  
Mike Legoudes  
Gary Warman  
Johnnie Scroggins  
Clint Johnson  
Gary Outlaw  
Betty Hogan  
Officer Martin

VISITORS PRESENT:  
Luisa Hart  
Eddie Dansby  
Ray Purser  
Howard Mittag  
Suzanne West

Mayor Donnie McMannes called the meeting to order at 6:30 p.m. with all members present.

1. INVOCATION/PLEDGE OF ALLEGIANCE

Assistant City Manager Mark Martin gave the invocation and led the Pledge of Allegiance.

2. MINUTES - WORKSHOP MEETING AUGUST 23, 2006 AND REGULAR MEETING AUGUST 24, 2006

Minutes of the workshop meeting held August 23 and the regular meeting of August 24, 2006 were presented to the mayor and councilmembers for approval. Councilman Allen Lee moved the minutes be approved as printed and circulated.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

3. FINANCIAL STATEMENT

The financial statement for the month of August was presented to the mayor and councilmembers for approval. Councilman Andy Curry moved the financial statement be approved for information only.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

4. CURRENT INVOICES

Invoices were presented to the mayor and councilmembers for approval of payment.

Accounts Payable:

General Fund	\$ 322,784.31
W/S Operating Fund	18,549.88
C. O., Series 2006	27,930.59
C. O., Series 2005A	<u>555,772.15</u>
Total	\$ 925,036.93

Manual Checks:

General Fund	\$ 4,086.12
W/S Operating Fund	<u>102,756.09</u>
Total	\$ 106,842.21

Councilman Lee moved the invoices be paid.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

5. ORDINANCE NO. 06-627 REPEALING CITY OF HUMBLE ORDINANCE NO. 06-619

City Manager Darrell Boeske presented Ordinance No. 06-627 for approval.

ORDINANCE NO. 06-627

AN ORDINANCE OF THE CITY OF HUMBLE REPEALING  
ORDINANCE NO. 06-619

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS  
THAT:

City of Humble Ordinance No. 06-619 shall hereby be repealed effective this 14<sup>th</sup>  
day of September, 2006.

PASSED, APPROVED AND ADOPTED this 14<sup>th</sup> day of September, 2006.

City Manager Boeske stated this ordinance had incorrect metes and bounds for the  
portion of Charles Street to be abandoned. The affected right-of-way should only  
be for the property owned by Big Stalls. Councilman Allan Steagall moved  
Ordinance No. 06-627 be approved.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

6. ORDINANCE NO. 06-628 ABANDONING A PORTION OF CHARLES STREET ON  
THE PLAT OF THE BENDER NORTH SUBDIVISION AS RECORDED IN VOLUME  
5, PAGE 62, HARRIS COUNTY MAP RECORDS

City Manager Boeske presented Ordinance No. 06-628 for approval.

ORDINANCE NO. 06-628

AN ORDINANCE ABANDONING A PORTION OF CHARLES  
STREET ON THE PLAT OF THE BENDER NORTH  
SUBDIVISION AS RECORDED IN VOLUME 5, PAGE 62,  
HARRIS COUNTY MAP RECORDS

WHEREAS, in the plat of the Bender North Subdivision recorded in Volume 5, Page  
62, Harris County Map Records, the subdivider did dedicate certain streets, there  
being one street, Charles Street, which is adjacent on the east to Block 55 and on  
the west to Block 52; and

WHEREAS, said Bender North Subdivision lies within the boundaries of the City of  
Humble, Texas; and

WHEREAS, the abutting owner on both sides of said portion of said street has  
requested said street to be closed and abandoned and said street is not needed for  
the public use and benefit in any way whatsoever;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
HUMBLE, TEXAS THAT:

The CITY OF HUMBLE hereby abandons, releases and relinquishes any and all rights, title and interest it may have acquired in the dedication of said street described as being all that certain tract or parcel of land containing 0.089 acres of land situated in the Wherey B. Adams Survey, Abstract No. 95, Harris County, Texas, and being a portion of the platted right-of-way of Charles Street, (Not Constructed), directly adjoining Blocks Fifty-Five (55) and Fifty-Six (56) of the Bender North Addition to the town of Humble according to the map or plat recorded in Volume 5, Page 62, Harris County Map Records and declares said partial street now and forever closed and abandoned; said described street being more particularly described by metes and bounds as found in Exhibit A attached hereto and for all things made a part of.

PASSED, APPROVED AND ADOPTED this 14<sup>th</sup> day of September, 2006.

City Manager Boeske informed the mayor and councilmembers that this ordinance has the correct metes and bounds for the portion of Charles Street to be abandoned for the property owned by Big Stalls. Councilman Lee moved that Ordinance No. 06-628 be adopted.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

7. RESOLUTION NO. 06-657 CONSENTING TO THE CHANGE OF CABLE FRANCHISE CONTROL FROM TIME WARNER INC. TO COMCAST CORPORATION

City Manager Boeske presented Resolution No. 06-657 to the mayor and councilmembers for approval.

RESOLUTION NO. 06-657

A RESOLUTION OF THE CITY OF HUMBLE, TEXAS  
CONSENTING TO THE CHANGE OF CABLE FRANCHISE  
CONTROL FROM TIME WARNER INC. TO COMCAST  
CORPORATION

WHEREAS, Texas and Kansas City Cable Partners, L.P. ("Franchisee") owns a cable television system (the "System") in the City of Humble, Texas (the "Franchise Authority"); and

WHEREAS, through indirect subsidiaries, Comcast Corporation ("Comcast") and Time Warner Inc. ("Time Warner") each hold a 50% ownership interest in the Franchisee; and

WHEREAS, pursuant to the terms of a Limited Partnership Agreement entered into by subsidiaries of Comcast and Time Warner, Comcast will acquire the 50%

ownership interest in the System currently held by Time Warner; and

WHEREAS, to effectuate Comcast's acquisition of the 50% ownership interest in the System currently held indirectly by Time Warner (1) the Franchisee cable system and franchise will be assigned to a wholly-owned subsidiary of Franchisee, Houston TKCCP Holdings, LLC, and (2) immediately thereafter, Comcast TCP Holdings, Inc., will obtain the 100% ownership interest in Houston TKCCP Holdings, LLC (the "Transaction"); and

WHEREAS, Franchise Authority has concluded its approval is necessary for the above described Transaction and has been provided and FCC Form 394 and related information for such Transaction; and

WHEREAS, the Franchise Authority has considered and approves of the Transaction described above.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS:

Section 1. The foregoing recitals are approved and incorporated herein by reference.

Section 2. The Franchise Authority consents to the Transaction described herein.

Section 3. This Resolution shall be deemed effective upon adoption.

Section 4. This Resolution shall have the force of an continuing agreement and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of the Franchisee.

PASSED, ADOPTED AND APPROVED this 14<sup>th</sup> day of September, 2006.

City Manager Boeske informed the mayor and councilmembers that this Resolution would transfer ownership of the franchise to Comcast Corporation and recommended approval of the resolution. Councilman Allan Steagall moved that Resolution No. 06-657 be approved.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

8. GRANT CENTERPOINT ENERGY A TEN (10) FOOT WIDE UTILITY EASEMENT

City Manager Boeske asked the mayor and councilmembers to grant a ten foot wide utility easement to CenterPoint Energy for the purpose of relocating a distribution pole and having an easement for access and future modifications. The easement would be located adjacent to the Main Street Park and the easement is essential to

the street and drainage improvements the city is currently making and recommended approval of the easement. Councilman Bill Conner moved to grant CenterPoint Energy a utility easement.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

9. COMPETITIVE BIDS: MUNICIPAL COURTHOUSE

City Manager Boeske stated that bids had been received on September 12, 2006 for the construction of the municipal court building.

CONTRACTOR	BASE BID	ALTERNATE #1	TOTAL BID
Comex Construction	\$ 1,842,000.00	\$ 126,000.00	\$ 1,968,000.00
DT Construction	\$ 1,720,000.00	\$ 75,000.00	\$ 1,795,000.00
Hull & Hull, Inc.	\$ 1,628,793.00	\$ 55,920.00	\$ 1,684,713.00
Stonewall Constructors	\$ 1,600,000.00	\$ 36,000.00	\$ 1,636,000.00

Mr. Boeske recommended that the bid be awarded to Stonewall Constructors who had the low bid and the low alternate add-on for a total of \$ 1,636,000.00. Mayor McMannes moved the bid be awarded to the low bidder, Stonewall Constructors.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

Mayor McMannes thanked Eddie Dansby, the architect, for his service on this project.

10. AUTHORIZATION TO ADVERTISE FOR SEALED BIDS FOR SALE OF SURPLUS VEHICLES/EQUIPMENT - ASSISTANT CITY MANAGER MARK MARTIN

City Manager Boeske presented a request from Assistant City Manager Mark Martin to advertise for sealed bids for the sale of surplus vehicles and equipment. The vehicles/equipment include: a 1985 Chevrolet One Ton Pick Up Truck with Bucket Lift; a 1991 Ford F-150 Pick Up Truck; 2 - 1999 Ford Crown Victorias; a 1998 Ford Crown Victoria and a camper shell for a 1999 Full Size Chevrolet Pick Up Truck. Councilman Curry moved that authorization be given to advertise for sealed bids for the sale of the requested vehicles/equipment.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

11. CORRESPONDENCE: NORTHEAST HOSPITAL BOARD OF AUTHORITY

Mayor McMannes stated the correspondence was for information only.

12. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved that the meeting be adjourned. Meeting Adjourned. 6:39 p.m.

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D. G. McMannes  
Mayor

ATTEST:

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Sue Daniel, City Secretary