

**MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, March 04, 2024
6:00 PM**

- A. Mayor Pro Tem Townsend, Sr. called the meeting of the City of Tomball Council to order at 6:01 p.m.

PRESENT

Council 1 John Ford
Council 2 Mark Stoll
Council 3 Dane Dunagin
Council 4 Derek Townsend, Sr.
Council 5 Randy Parr

ABSENT

Mayor Lori Klein Quinn

OTHERS PRESENT:

City Manager - David Esquivel
Assistant City Manager - Jessica Rogers
City Attorney - Loren Smith
City Secretary - Tracylynn Garcia
Assistant City Secretary - Sasha Luna
Part-Time Admin. Assistant – Tabitha Trejo
Project Manager - Meagan Mageo
Director of Community Development - Craig Meyers
Director of Information Technology - Tom Wilson
Police Chief - Jeff Bert
Court Administrator – Maria Morris
Fire Chief - Joe Sykora
Public Works Director - Drew Huffman
Director of Marketing & Tourism - Chrislord Templonuevo

- B. Invocation - Led by Pastor Gamaliel Trejo – Magnolia First Baptist Church
C. Pledges to U.S. and Texas Flags led by Chief Joe Sykora

- D. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*

Elaine Hancock
603 Mason St.
Tomball, Texas

- Thanks to City Staff regarding 600 Mason St.

- E. Reports and Announcements

1. Announcements

I. Upcoming Events:

- March 9, 2024 – Second Saturday 5:00 pm – 9:00 pm @ Depot
- March 14, 2024 – Mayors Kaffeeklatsch (parks update) 8:30 am – 10:00 pm @ Community Center
- March 16, 2024 – Disco @ the Depot 5:00 pm – 9:00 pm
- March 22-24 – Tomball German Heritage Festival

- F. Old Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

1. Adopt, on Second Reading, Ordinance No. 2024-03, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6.87 acres of land legally described as being a portion of the W Hurd Survey, Abstract 378 from Agricultural (AG) to Office (O) zoning. The property is located within the 100 block (west side) of School Street, within the City of Tomball, Harris County, Texas; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.
2. Adopt, on Second Reading, Ordinance 2024-05, an Ordinance of the City of Tomball, Texas, Amending its Code of Ordinances, Section 44-164, Parking Restricted on Certain Streets, Division 2, prohibited. Restricted on certain streets, of Article V, stopping, standing and parking, of Chapter 44, Traffic and Vehicles, establishing a “No Parking, Stopping or Standing” zone along either side of Rudel Drive beginning at the intersection of SH 249 and Rudel Drive, extending east approximately 1725 feet to the intersection of Rudel Drive and Quinn Road;

providing a penalty in the amount not to exceed \$200 for each violation hereof; making finding of fact; and providing for other related matters.

Motion made by Council 3 Dunagin, Seconded by Council 5 Parr to approve consent agenda.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

- G. *New Business Consent Agenda: [All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*
1. Approve the Minutes of the February 19, 2024, Regular City Council meeting.
 2. Approve renewal agreement with Texas Department of Public Safety for "Failure to Appear Program" through the Interlocal Cooperation Contract (ICC) for Failure to Appear (FTA) Program to be in line with the 88th Legislative Session changes.
 3. Approve an agreement with Lake Country Chevrolet, LLC, for two Chevrolet Colorado pickup trucks through the TIPS Purchasing (Contract TIPS USA #210907 AUTOMOBILES) for a not-to-exceed amount of \$66,226.50 authorize the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the expenditure. This amount is included in the FY 2023-2024 budget.
 4. Approve an agreement with Silsbee Ford for one Ford F-150 utility vehicle through the TIPS Cooperative Purchasing (Contract TIPS USA #200206 Transportation Vehicles) for a not-to-exceed amount of \$41,320.50 authorize the expenditure of funds therefor and authorize the City Manager to execute any and all documents related to the expenditure. This amount is included in the FY 2023-2024 budget.
 5. Approve request from Tomball Rotary Club for City Support and In-Kind Services for the 2024 Tomball Rotary Annual Big Show at the Depot in downtown Tomball on Saturday, October 5, 2024 from 3:00 a.m. to 9:30 p.m. The estimated In-Kind Services is \$1,140.
 6. Approve request from Tidy Up Tomball for City Support and In-Kind Services for the 2024 Spring Tidy up Tomball Event starting at Tomball Baptist Church

and then into the surrounding areas, on Saturday, May 4, 2024 from 8:00 – 11:00 a.m. The estimated In-Kind Services is \$1,140.

7. Approve a contract with Weisinger Incorporated to complete repairs and maintenance on Pine Street Water Well No. 1 through a BuyBoard Contract (Contract No. 672-22) for a not-to-exceed amount of \$151,125, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the FY 2023-2024 Budget.
8. Approve an agreement with Tracker Energy Services, Inc. for the construction of the Grand Parkway natural gas gate, for a not-to-exceed amount of \$449,776.40 (Bid No. 2024-07), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. These expenditures are included in the fiscal year 2023-2024 capital improvement budget.
9. Approve Resolution 2024-11, a Resolution of the City Council of the City of Tomball, Texas, approving the Parks, Recreation, and Trails System Master Plan; and Providing an Effective Date.
10. Authorize the City Manager to execute a Permanent Easement Agreement for the required easement necessary for the construction of the Grand Parkway Natural Gas Gate.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to approve consent agenda.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

H. New Business

1. Adopt, on Second Reading, Ordinance No. 2024-06, an Ordinance of the City of Tomball, Texas, finding and determining that public convenience and necessity no longer require the continued existence of an unimproved right-of-way between Main Street and Alma Street, all situated in the Main Street Addition Plat as recorded in File 189453 of the Map Records of Harris County, Texas; vacating, abandoning, and closing said portion of such unimproved right-of-way; authorizing the City Manager to execute and the City Secretary to attest a quitclaim deed quitclaiming the City's interest in said unimproved right-of-way; and containing other provisions relating to the subject.

Motion made by Council 2 Stoll, Seconded by Council 3 Dunagin to read by caption only, Ordinance No. 2024-06.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

Motion made by Council 5 Parr, Seconded by Council 2 Stoll to approve, on First Reading, Ordinance No. 2024-06.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

2. Approve Resolution Number 2024-12, a Resolution of the City Council of the City of Tomball, Texas approving the Amended and Restated Reimbursement Agreement for the Winfrey Estates Public Improvement District Number 12.

Motion made by Council 1 Ford, Seconded by Council 2 Stoll.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

3. Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session.

Executive Session Started: 6:18 PM

Executive Session Ended: 6:41 PM

I. Adjournment

Motion made by Council 2 Stoll, Seconded by Council 5 Parr.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4
Townsend, Sr., Council 5 Parr

Motion carried unanimously.

PASSED AND APPROVED this 18TH day of MARCH 2024.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Lori Klein Quinn

Lori Klein Quinn
Mayor