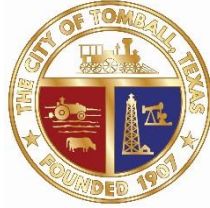


**MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, March 1, 2021
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for March 1, 2021, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Call to Order

PRESENT

Mayor Gretchen Fagan
Council 1 John Ford
Council 3 Chad Degges
Council 4 Derek Townsend, Sr.
Council 5 Lori Klein Quinn

ABSENT

Council 2 Mark Stoll - Excused

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Assistant City Secretary – Tracylynn Garcia
Police Chief – Jeff Bert
Fire Chief – Randy Parr (via video)
Fire Marshal – Joe Sykora (via video)
Marketing Director – Mike Baxter (via video)
Finance Director – Glenn Windsor
Finance Accountant - Luisa Taylor
Director of Public Works – Beth Jones (via video)
Director of Community Development – Craig Meyers
Director of TEDC – Kelly Violette
CSO Administrative Assistant – Sasha Luna
CSO Administrative Assistant- Johnita Robinson
TEDC Administrative Assistant – Tori Gleason
TPD Captain R. Doerre

Police Officer Foote

- B. Invocation - Led by Pastor Courtnay White – Fountain of Love Church of God in Christ
- C. Pledges to U.S. and Texas Flags – Led by David Esquivel
- D. No public comments were received.
- E. Reports and Announcements
 - 1. Announcements
 - I. TFD Chief R. Parr announced his retirement.
 - 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
 - I. Luisa Taylor – Quarterly Investment Report for Period Ending December 31, 2020. The Public Funds Investment Act requires that a report of the City's Investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values at the end of the quarter, yield information, and weighted average maturities. On December 31, 2020, the City had total cash and cash equivalents in the amount of \$57,727,800.
- F. Approval of Minutes
 - 1. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn to approve the Minutes of February 1, 2021 Regular Tomball City Council Meeting.

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn
Absent: Council 2 Mark Stoll

Motion carried unanimously.
- G. Old Business
 - 1. Motion made by Council 4 Townsend, Sr., Seconded by Council 3 Degges to Adopt on Second Reading, Ordinance No. 2021-11, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section Seven and Eight Properties within the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision); and Making Certain Findings Related Thereto. Vote was as follows:

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn
Absent: Council 2 Mark Stoll

Motion carried unanimously.

H. New Business

1. Motion made by Council 5 Klein Quinn, Seconded by Council 4 Townsend, Sr., to Approve Resolution No. 2021-10, a Resolution of the City Council of the City of Tomball, Texas supporting the proposed Tomball Senior Village Housing Community; approving an application for federal housing tax credits to finance such project; providing an in-kind contribution for such project and providing an effective date

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.
Voting Nay: Council 5 Klein Quinn
Absent: Council 2 Mark Stoll

Motion carried 3 votes Yea, 1 vote Nay.

2. Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford to Accept Donation of a Grant from the Tomball Health Foundation in the Amount of \$490,000 for the Proposed Improvements to Jerry Matheson Park.

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn
Absent: Council 2 Mark Stoll

Motion carried unanimously.

3. Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Kinsley Armelle to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation and development of its corporate headquarters to be located at 21255 Spell Circle, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$45,000.00.

Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford to approve, as a Project of the Tomball Economic Development Corporation an agreement with Kinsley Armelle.

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn

Absent: Council 2 Mark Stoll

Motion carried unanimously.

4. Motion made by Council 1 Ford, Seconded by Council 4 Townsend, Sr., to Approve, on First Reading, Resolution No. 2021-07-TEDC, 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 and The Hutson Group to make direct incentives to, or expenditures for, the construction of capital improvements, including pedestrian and parking improvements, along Houston Street and North Elm Street in Old Town Tomball. The estimated amount of expenditures for such Project is \$48,800.00.

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn

Absent: Council 2 Mark Stoll

Motion carried unanimously.

5. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn to reappoint current members to their respective Regular and Alternate Position Vacancies on the Board of Adjustments (BOA), for Terms Expiring March 2, 2023

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn

Absent: Council 2 Mark Stoll

Motion carried unanimously.

Regular Board Member Jarmon Wolfe (Position 1), Regular Board Member Billy Hemby (Position 3), Regular Board Member Susan Harris (Position 5) and Alternate Board Member Rocky Pilgrim (Alternate 1) reappointed.

6. Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford to Approve Resolution No. 2021-09, a Resolution of the City Council of the City of Tomball, Texas approving a Reimbursement Agreement relating to the Wood Leaf Reserve Public Improvement District.

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn

Absent: Council 2 Mark Stoll

Motion carried unanimously.

7. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn to Authorize City Manager to execute a Professional Services Agreement with Freese & Nichols for the development of the Risk and Resilience Assessment and Emergency Response Plan required by the American Water Infrastructure Act of 2018

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn
Absent: Council 2 Mark Stoll

Motion carried unanimously.

8. Motion was made by Council 1 Ford, Seconded by Council 3 Degges, to approve Resolution No. 2021-11, a Resolution of the City of Tomball, Texas, Canceling the Regular City Officer's Election Scheduled to be Held on the 1st Day of May, 2021, in Accordance with Section 2.053(A) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election

Fue presentada una moción por el Concejal 1 Ford, secundada por el Concejal 3 Degges, para aprobar la Resolución Nro. 2021-11 Cancelando la Elección Regular de Funcionarios Municipales programada para celebrarse el día 1 de mayo de 2021 de acuerdo con la Sección 2.053(a) del Código Electoral de Texas; instruyendo que se de aviso de tal cancelación de elección; y proveyendo detalles relativos a la cancelación de tal elección.

Cuộc Vận Động được tiến hành bởi Ủy Viên Hội Đồng Ford, tán thành bởi Ủy Viên Hội Đồng Degges, để chấp thuận Nghị Quyết số 2021-11, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Kỳ Dự Kiến sẽ được tổ chức vào ngày 1 tháng Năm, 2021, Chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Texas; Chỉ thị việc đưa ra Thông Báo về Hủy Bỏ Cuộc Bầu Cử đó; và Cung Cấp Thông Tin Chi Tiết Liên quan đến việc Hủy Bỏ Cuộc Bầu Cử đó.

提案是由市議員Ford, 第二由市議員Degges, 批准決議案編號2021-11 · 取消一般市府官員應於2021年5月1日的選舉計畫, 其是根據德克薩斯州選舉法2.053(a)節; 茲此通知該選舉取消; 以及提供關於取消該選舉的詳情。

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn
Absent: Council 2 Mark Stoll

Motion carried unanimously.

La moción fue aprobada por unanimidad.

Cuộc Vận Động được nhất trí tiến hành.
議案獲得一致通過。

10. Consideration and Possible Action regarding a Consent to the Transfer of Certain Portions of the Assessments Pursuant to the Development Agreement dated March 16, 2015 between the City of Tomball, Texas and Yaupon Trails LTD, LLC

Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford to approve the Transfer of Certain Portions of the Assessments Pursuant to the Development Agreement.

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn
Absent: Council 2 Mark Stoll

Motion carried unanimously

11. Motion made by Council 4 Townsend, Sr., Seconded by Council 3 Degges to Approve Resolution No. 2021-12, a Resolution of the City Council of the City of Tomball Approving the 2020-2021 Annual Updates to the Service and Assessment Plans for the City of Tomball Public Improvement District Nos. 5, 6, 7, and 8 in Accordance with Chapter 372, Texas Local Government Code, as Amended

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr.,
Council 5 Klein Quinn
Absent: Council 2 Mark Stoll

Motion carried unanimously.

9. Executive Session: The City Council recessed at 6:56 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(s):

- * Sec. 551.071 – Consultation with the City Attorney regarding a Matter that the Attorney’s Duty Requires to be Discussed in Closed Session.
- * Sec. 551.074 – Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee

Upon reconvening into regular session at 7:25 p.m., no action was taken.

I. Motion made by Council 3 Degges, Seconded by Council 5 Klein Quinn to adjourn.

Voting Yea: Council 1 Ford, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 2 Mark Stoll

Motion carried unanimously

PASSED AND APPROVED this the 15th day of March 2021.

Doris Speer

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan

Gretchen Fagan
Mayor