

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



**Monday, January 18, 2021  
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for January 18, 2021, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the meeting to order at 6:00 p.m.; Councilmembers present:

Council 1 John Ford  
Council 2 Mark Stoll  
Council 3 Chad Degges  
Council 4 Derek Townsend, Sr  
Council 5 Lori Klein Quinn

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)  
HR Director – Lisa Coe  
Assistant Fire Chief – Taner Drake (via video)  
Marketing Director – Mike Baxter  
Finance Director – Glenn Windsor  
Director of Public Works – Beth Jones  
Director of Community Development – Craig Meyers  
Community Events Coordinator – Denise Fiore  
Marketing Assistant – Larrissa Roberts  
City Planner – Amelia Lindley  
TEDC Executive Director – Kelly Violette (via video)  
CSO Administrative Assistant - Johnita Robinson  
CSO Administrative Assistant – Sasha Luna  
Senior Accountant – Christine Brookshire  
Accountant – Luisa Taylor  
Police Officer-Investigations – Cleo Thomas

- B. Invocation - Led by Pastor Joseph Martinez – The Light of the World Church
- C. Pledges to U.S. and Texas Flags - Led by Scouts, Pack 12
- D. No Public Comments were received.
- E. Presentations:
  - 1. Dr. Lee Ann Nut, President, Lone Star College-Tomball, and Kyle Scott, Vice Chancellor of Strategic Priorities, Lone Star College presented an update regarding the 2020 Fall Semester and Plans for 2021 Spring Semester.
  - 2. Lisa Coe presented the *2020 Employee of the Year – Luisa Taylor*.
- F. Reports and Announcements
  - 1. Announcements
    - I. February 6, 2021 – **2nd Saturday at the Depot**
    - II. February 12, 2021– Last day to apply for Place on Ballot for the May 1, 2021 General City Election
  - 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
    - I. Mayor Fagan presented the “**5 Star Exemplary Award**” from Texas Department of Vital Statistics to the members of the City Secretary Office (10 years)
    - II. Mike Baxter provided a presentation regarding the numerous Texas Festivals & Events Association awards received by the City of Tomball – 9 Gold, 5 Silver, 6 Bronze, and several Certificates
- G. Approval of Minutes
  - 1. Motion was made by Council 2 Stoll, Seconded by Council 1 Ford to approve the Minutes of the January 4, 2021 Regular Tomball City Council Meeting  
  
Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn  
  
Motion carried unanimously.
- H. 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 Letter of Agreement for Acceptance of Real Property Transfer of the “Green Street” Property and grant Lot 33, Block 70 of the Revised Map of Tomball via Special Warranty Deed to the Tomball Economic Development Corporation
2. Authorize City Manager to execute contract between the City of Tomball and Texas Commission on Environmental Quality (TCEQ) for the award of a Texas Volkswagen Environmental Mitigation Program (TxVEMP) Grant, for an amount of \$72,284.00.
3. Award purchase of one (1) Peterbuilt Dump Truck in the amount of \$128,629.00 to Rush Truck Center, through State Buyboard Cooperative Purchasing Contract.
4. Authorize City Manager to execute contract between the City of Tomball and Texas Commission on Environmental Quality (TCEQ) for the award of a Texas Volkswagen Environmental Mitigation Program (TxVEMP) Grant, for an amount of \$67,168.00.
5. Award purchase of one (1) Street Sweeper made by Global Environmental in the amount of \$258,299.00 to Associated Supply Co., Inc., through a State Buyboard Cooperative Purchasing Contract.

Motion was made by Council 2 Stoll, Seconded by Council 5 Klein Quinn to approve all New Business Consent items in a single action.

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

Motion carried unanimously.

I. New Business:

1. Mayor Fagan opened the Public Hearing of the City of Tomball, Texas to consider the advisability of the Creation of a Public Improvement District to Make Certain Improvements over Certain Property located within the City (TPID 11, Wood Leaf Reserve) at 6:31 p.m.

Receiving no public comments, Mayor Fagan closed the public hearing at 6:32 p.m.

No action necessary.

2. Motion was made by Council 4 Townsend, Sr., Seconded by Council 3 Degges, to approve Resolution No. 2021-04, a Resolution of the City Council of the City of

Tomball, Texas, Authorizing and Creating the Wood Leaf Reserve Public Improvement District in the City of Tomball, Harris County, Texas, in Accordance with Chapter 372 of the Texas Local Government Code; Providing for Related Matters; and Providing an Effective Date.

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

Voting Nay: Council 2 Stoll

Motion carried, 4 votes Aye, 1 vote Nay.

3. Motion was made by Council 4 Townsend, Sr., Seconded by Council 3 Degges, to approve Resolution No. 2021-06, a Resolution of the City Council of the City of Tomball, Texas approving a Development Agreement relating to the Woodleaf Reserve Public Improvement District Project (TPID 11).

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

Motion carried unanimously.

5. Mayor Fagan opened the Public Hearing for the Purpose of Considering the Following Annexation: *(Being a 3.119-Acre (138,840 Square Feet) Tract or Parcel of Land Situated in the Elizabeth Smith Survey, A-70, Harris County, Texas, Being out of Unrestricted Reserve "C" of the Final Plat of Tomball Greens, as Recorded under Film Code No. 440128 of the Map Records of Harris County, Texas, also Being Out and Part of a 5.00 Acre Tract Described in Deed Recorded under Clerk's File No. Z331045 of the Real Property Records of Harris County, Texas) [11234 Spell Road, HCAD 1207880000010]* at 6:36 p.m.

Receiving no public comments, Mayor Fagan closed the public hearing at 6:37 p.m.

No action necessary.

5. Motion was made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2021-01 by caption only on First Reading.

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

Motion carried unanimously.

Motion was made by Council 4 Townsend, Sr., Seconded by Council 3 Stoll, to adopt, on First Reading, Ordinance No. 2021-01, an Ordinance of the City of

Tomball, Texas, Extending the City Limits of Said City to Include All of the Territory Within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory Within Such Limits And Boundaries; Approving a Service Plan for All of the Area Within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause (*Being a 3.119-Acre (138,840 Square Feet) Tract or Parcel of Land Situated in the Elizabeth Smith Survey, A-70, Harris County, Texas, Being out of Unrestricted Reserve "C" of the Final Plat of Tomball Greens, as Recorded under Film Code No. 440128 of the Map Records of Harris County, Texas, also Being Out and Part of a 5.00 Acre Tract Described in Deed Recorded under Clerk's File No. Z331045 of the Real Property Records of Harris County, Texas*) [11234 Spell Road, HCAD 1207880000010]

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

Motion carried unanimously.

6. Consideration to approve **Zoning Case P20-419**: Request by TN Associates Inc. to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by establishing the zoning district of approximately 3.119 acres of land legally described as Reserve C3 Tomball Greens, as Commercial District. The property is generally located at the northeast corner of Hufsmith-Kohrville Road and Spell Road at 11234 Spell Road, Harris County, Texas.

- Mayor Fagan opened the Public Hearing on **Zoning Case P20-419** at 6:42 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:42 p.m.

- Motion was made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to read Ordinance No. 2021-02 by caption only on First Reading.

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

Motion carried unanimously.

Motion was made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2021-02, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by establishing the zoning district of approximately 3.119 acres of land, legally described as Reserve C3 Tomball Greens,

within the City of Tomball, Harris County, Texas, to the Commercial District; said property being generally located at the northeast corner of Hufsmith-Kohrville Road and Spell Road at 11234 Spell Road; providing for the amendment of the Official Zoning Map of the City; 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.

Motion to AMEND was made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2021-02, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by establishing the zoning district of approximately 3.119 acres of land, legally described as Reserve C3 Tomball Greens, within the City of Tomball, Harris County, Texas, to the **General Retail** District; said property being generally located at the northeast corner of Hufsmith-Kohrville Road and Spell Road at 11234 Spell Road; providing for the amendment of the Official Zoning Map of the City; 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.

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

Motion, as AMENDED to **General Retail**, carried unanimously.

7. Motion was made by Council 4 Townsend, Sr., second by Council 3 Degges, to approve Resolution No. 2021-05, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Date, Time, and Place for Public Hearing at which all Interested Parties shall have an Opportunity to be heard; Providing for Publication of Notice of Such Public Hearing; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (*Being a Tract or Parcel Containing 6.5681 Acres of Land known as Tracts 1 & 2 out of that Certain Called 40.1148 Acre Tract of Land Situated in the John M. Hooper Survey, A-375 In Harris County, Texas, Said 40.1148 Acre Tract being that Same Tract of Land as Described in a Deed Filed for Record under Harris County Clerk's File No. F41707.2 (13810 Windy Meadow Rd, HCAD 04304100000055)*) and setting the Public Hearing date as February 15, 2021.

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

Motion carried unanimously.

8. Executive Session: The City Council recessed at 6:49 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. 551.072 - Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

Upon reconvening into regular session at 6:58 p.m., the following actions were taken:

9. Motion was made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to authorize the City Manager to negotiate and execute the required documents for the sale of City Property to Harris County for the purpose of widening Holderrieth Road, as Discussed in Executive Session

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

Motion carried unanimously.

- J. Motion was made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn to adjourn.

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

Motion carried unanimously.

Meeting adjourned at 6:59 p.m.

PASSED AND APPROVED this the 1st day of February 2021.

Doris Speer

Doris Speer  
City Secretary, TRMC, MMC

Gretchen Fagan

Gretchen Fagan  
Mayor