

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



**Monday, February 17, 2025
6:00 PM**

- A. Mayor L. Klein Quinn called the meeting of the City of Tomball Council to order at 6:00 P.M.

PRESENT

Council 1 John Ford
Council 2 Paul Garcia
Council 3 Dane Dunagin
Council 4 Lisa Covington
Council 5 Randy Parr

OTHERS PRESENT

City Manager - David Esquivel
Assistant City Manager - Jessica Rogers
City Secretary - Tracylynn Garcia
City Attorney – Loren Smith
Director of Community Development - Craig Meyers
Human Resources Director - Kristie Lewis
Fire Chief - Joe Sykora
Assistant Fire Chief – James Cook
Police Chief - Jeff Bert
Finance Director - Bragg Farmer
Public Works Director - Drew Huffman
Utility Billings Serviceperson II – Uwe Herrman
IT Director - Tom Wilson
Director of Marketing & Tourism - Chrislord Templonuevo
Director of Special Projects - Luisa Taylor
Project Manager - Meagan Mageo

- B. Invocation - Led by Pastor Greg Jenkins, Equip Church.
- C. Pledges to U.S. and Texas Flags – Lieutenant Albert Chambers
- 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.]

No public comments were received.

E. Reports and Announcements

1. Announcements

I. Upcoming Events:

- February 24, 2025 – Drawing for place on ballot at 2 p.m. at Council Chambers - Cancelled
- February 24, 2025 - Comprehensive Plan Town Hall Meeting from 6-8 p.m. at Administrative Services Building Training Room
- February 25, 2025 – Sam Houston Trail Riders Annual Reception from noon to 2 p.m. at Tomball Depot Plaza
- March 8, 2025 – 2nd Saturday at the Depot from 5-9 p.m. at Tomball Depot Plaza

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. 2025-02, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 1.2618 acres of land legally described as being all of the 1.2035 and 0.0740 acre tracts (2L and 2Y) out of a called 160 acre tract, located in the C.N. Pillot Survey, Abstract No. 632 from Agricultural (AG) to the Commercial (C) zoning district. The property is located at 27223 SH 249, within the City of Tomball, Harris County, Texas; 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 No. 2025-03, 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 containing 0.1032 acres out of Cody Drive recorded in Clerk's File No. B394990, Film Code

No. 058-15-0196 and in Volume 8002, Page 199 in the Deed Records of Harris County in the Joseph House Survey, Abstract 34 in 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 1 Ford, Seconded by Council 4 Covington to approve Old Business Consent Agenda.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

G. Old Business

1. Adopt, on First Reading, Ordinance No. 2025-01, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by granting a Conditional Use Permit (CUP) to allow the land use of "Child day care center (business)" within the City of Tomball's Office (O) zoning district. This request affects approximately 1.0402 acres of land legally described as being Lot 72, Block 1 of Acquest Tomball Replat No. 1. The property is located at 1211 Rudel Drive, within the City of Tomball, Harris County, Texas; providing for 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 made by Council 4 Ford, Seconded by Council 5 Parr to approve Old Business.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to accept the amendment to Old Business.

Voting Yea: Council 1 Ford, Council 2 Garica, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

Motion carried by Council 1 Ford, Seconded by Council 2 Garcia on the amended motion.

Voting Yea: Council 1 Ford, Council 2 Garica, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

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 Minutes of February 3, 2025, Special and Regular City Council meetings.
2. Approve Resolution 2025-05, a Resolution of the City Council of the City of Tomball, Texas, Appointing the City Manager as the Chief Executive Officer and Authorized Representative to Act in All Matters in Connection with the FEMA Hazard Mitigation Grant Program and Committing the City to Provide Matching Funds to Secure and Complete the FEMA Hazard Mitigation Grant.
3. Approve Resolution 2025-06, a Resolution of the City Council of the City of Tomball, Texas, authorizing the submission of a Community Development Block Grant – Disaster Recovery Reallocation Program (DRRP) application to the General Land Office; and authorizing the City Manager to act as the Chief Executive Officer and Authorized Representative in all manners pertaining to the City’s participation in the Community Development Block Grant – DRRP.
4. Approve a contract with Texas Wall Systems, LLC (DBA TWL, LLC) for the construction of the alley amenities for E&P Project 2017-10033 (RFP 2024-14) for a not-to-exceed amount of \$405,814, authorize the expenditure of funds therefor, and authorize the City Manager to execute contract. The amount is included in the Fiscal Year 2024-2025 Tomball Economic Development Budget.
5. Adopt, on First Reading, Ordinance No. 2025-07, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2025 Annual Service and Assessment Plan (SAP) Update for the Raburn Reserve Public Improvement District Number 10 (PID 10).
6. Approve a Pipeline License Agreement with BNSF Railway Company for the installation of a water line along E. Hufsmith crossing under the BNSF railroad crossing, Project Number 2024-10002, for a not-to-exceed amount of \$5,000, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project was included in the FY 2023-2024 capital budget.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to approve New Business Consent Agenda.

Voting Yea: Council 1 Ford, Council 2 Garica, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

I. New Business

1. Consider appeal of Section 18-347-Buffer Zones of Article XI, Tree Preservation.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to discuss.

No action taken.

2. Approve a lease extension for one (1) year with Frank and Russell DeNina, for 3.547-acre tract, described as TR R10, Abstract 371 W. Hurd Survey, 0 Mechanic Street, for the daily worker's site.

Motion made by Council 1 Ford, Seconded by Council 4 Covington to deny the extension.

Voting Nay: Council 1 Ford, Council 2 Garica, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion failed 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

Sec 551. 072 – Deliberations regarding Real Property

Sec. 551.074 – Personnel Matters; Deliberation of the Appointment, Employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee- City Attorney, City Secretary

- Executive Session Started: 7:17 P.M.
- Executive Session Ended: 8:45 P.M.

Council 3 Dunagin left the meeting at 8:15 P.M.

Council 1 Ford Left the meeting at 8:30 P.M.

4. Approve the expenditure of greater than \$50,000 with Olson & Olson L.L.P, for legal services, the total not-to-exceed amount to \$150,000.00 approve the expenditure of funds thereof and authorize the City Manager to execute any and all

documents related to the expenditure. This expenditure is included in the FY 2024-2025 budget.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to take no action.

Voting Yea: Mayor Klein-Quinn, Council 2 Garica, Council 4 Covington,
Council 5 Parr

Motion carried unanimously.

J. Meeting adjourned at 8:46 P.M.

PASSED AND APPROVED this 3rd day of March 3, 2025.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, MMC, CPM

Lori Klein Quinn

Lori Klein Quinn
Mayor