

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



**Tuesday, September 05, 2023
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for September 05, 2023, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

Mayor L. Klein-Quinn called the meeting of the City of Tomball Council to order at 6:00 p.m.

PRESENT

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

OTHERS PRESENT:

City Manager – David Esquivel
Assistant City Manager – Jessica Rogers
City Secretary – Tracy Garcia
Assistant City Secretary – Sasha Luna
Finance Director – Katherine Tapscott
Director of Community Development – Craig Meyers
Public Works Director – Drew Huffman
Police Chief – Jeff Bert
Marketing Director – Chrislord Templonuevo
Project Manager – Meagan Mageo
IT Support Technician – Ben Lato
Community Center Manager – Rosalie Dillon

- B. Invocation - Led by Reverend Dr. Dave Mason - Frist Presbyterian Church
- C. Pledges to U.S. and Texas Flags was led by John Ford
- 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.]

Becky Clepper
713 Clayton Street
Tomball, TX

-

Charter Review Commission

Angie Johnson
30614 Quinn Rd.
Tomball, TX

-

Charter Review Commission

Dick Ramsey
14578 Spring Mtn. Dr.
Tomball, TX

-

Water restrictions

Diana Browning
22835 Hufsmith-Kohrville Rd.
Tomball, TX

-

Charter Review Commission

E. Reports and Announcements

1. Announcements:

- **Upcoming Events:**

- September 9 - Second Saturday 5:00 - 9:00 p.m. @ Depot

- September 11 - 9/11 Remembrance 8:30 – 9:30 a.m.

- September 14 - Mayor's Kaffeeklatsch 8:30 -10:00 a.m. @
Administrative Services Training Room

- September 16 - Freedom 5k Ruck March 8:00 a.m. – 12:00 p.m.

- September 18 – Special Joint City Council and TEDC meeting

- September 23 - GroovFest 11:00 a.m. – 6:00 p.m. @ Depot

- September 27- Tomball HS Homecoming Parade 6:00 – 8:00 p.m.
@ Depot & Main St.

- September 30 - Tomball Museum Classic Car Day 10:00 a.m. –
2:00 p.m. @ Tomball Museum

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. 2023-23, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 10 acres of land legally described as being part of Lots 372 & 373 of Tomball Outlots from Single-Family 20 Estate (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.
2. Adopt, on Second Reading, Ordinance No. 2023-28, an Ordinance of the City of Tomball, Texas amending its Code of Ordinances by amending Chapter 4, Alcoholic Beverages, by adding a new Section 4-3, Variance procedures; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof; providing for severability, making findings of fact; and providing for other related matters.

Motion made by Council 2 Stoll, Seconded by Council 3 Dunagin.

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

Motion carries 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 August 21, 2023, Special and Regular Tomball City Council Meetings.
2. Approve Resolution No. 2023-39, a Resolution of the City of Tomball, Texas, Adopting and Ratifying the City of Tomball's Investment Policy, as set forth in the City's Administrative Policy No. 13, entitled "Investment Policy".

3. Consideration to approve an amendment to a Professional Services Agreement with Freese & Nichols, Inc. for on-call GIS, planning, and engineering services for an amount of \$100,000 (contract total not to exceed amount of \$250,000).
4. Approve an agreement with Hayden Paving, Inc. for the restriping of Medical Complex Drive (BuyBoard Contact No. 700-23), for a not-to-exceed amount of \$49,798, authorize the expenditure of funds therefor, and authorize the City Manager any and all documents related to the expenditure. This amount is included in the FY 2022-2023 budget.
5. Approve an agreement with Hancock Pool Services, Inc. for repairs to the swimming pool at Jerry Matheson Park (BuyBoard Contract No. 701-23), for a not-to-exceed amount of \$94,050, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is included in the FY 2022-2023 budget as a Capital Improvement Project.
6. Approve an agreement with All Play, Inc. for the purchase and installation of a new playground structure at MLK Jr., Park (BuyBoard Contract No. 679-22), for a not-to-exceed amount of \$78,611, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is included in the FY 2022-2023 budget as a Capital Improvement Project.

Motion made by Council 3 Dunagin, Seconded by Council 4 Townsend, Sr..

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

Motion carries unanimously.

H. New Business

1. Conduct Public Hearing and Adopt, on First Reading, Ordinance No. 2023-29, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2023-2024; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2022-2023 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance
 - Mayor Klein Quinn called the PH to order at 6:15 PM
 - Hearing no comments Mayor Klein Quinn closed PH at 6:16 PM

Motion made by Council 5 Parr, Seconded by Council 4 Townsend, Sr. to read by caption only on First Reading.

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

Motion carries unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr to adopt on First Reading.

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

Motion carries unanimously.

2. Approve Resolution No. 2023-40 A Resolution of The City Council of The City of Tomball, Texas, Appointing Members to The Charter Review Commission And Designating The Chairman Of The Commission.

Motion made by Council 3 Dunagin to appoint the commission and designate Latrell Shannon as Chairman, Seconded by Council 2 Stoll.

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

Voting Nay: Council 1 Ford

Motion carried 4 votes yea, 1 vote nay.

I. Adjournment

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll to adjourn the meeting.

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

Motion carries unanimously.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 1 day of September 2023 by 6:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

PASSED AND APPROVED this 18th day of September 2023.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Lori Klein Quinn

Lori Klein Quinn
Mayor