

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



**Monday, December 02, 2024
6:00 PM**

- A. Mayor L. Klein-Quinn called the meeting of the City of Tomball Council to order at 6:05 P.M.

PRESENT

Council 1 John Ford
Council 2 Paul Garcia
Council 3 Dane Dunagin
Council 4 Lisa A. 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
Police Chief - Jeff Bert
Finance Director - Bragg Farmer
Public Works Director - Drew Huffman
IT Director - Tom Wilson
Director of Marketing & Tourism - Chrislord Templonuevo
Director of Special Projects - Luisa Taylor
Assistant City Secretary – Sasha Luna
Project Manager - Meagan Mageo
Police Captain - Brandon Patin

- B. Invocation - Led by Pastor Tim Niekerk with Salem Lutheran Church
- C. Pledges to U.S. and Texas Flags led by Councilman Lisa A. Covington
- 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.]

Brandy Beyer - Thanks for 23rd Annual Chamber
20331 New Kentucky Village Parade support
Hockley, Texas

Amy Mason - Miss Tomball 2025 introductions
26003 Di-Jon Drive Ms. Tomball - Ashlyn Golson
Tomball, Texas

Christina Breaux - in support of item G-2
1155 E. Huffsmith
Tomball, Texas

E. Presentations

1. Proclamation – Celebrating Bruce Hillegeist’s 30 years as President and CEO of the Greater Tomball Area Chamber of Commerce

F. Reports and Announcements

1. Announcements

I. Upcoming Events:

- December 7, 2024 – Holiday Heroes 8:00 a.m. to noon @ St. Anne’s Catholic Church & Tomball Walmart
- December 7, 2024 –Tomball Farmers Market Polar Express Market 9 a.m. to 1 p.m. at Farmers Market Lot
- December 7, 2024 – Louie’s Together Playground Grand Opening 2 p.m. - 3 p.m. @ Juergens Park
- December 7, 2024 – Deck the Depot Tree Lighting 4 p.m. - 8 p.m. @ Depot
- December 13-14, 2024 – Tomball Museum Candlelight Tours 6 p.m. - 9 p.m. @ Depot

- December 13-15, 2024 – Tomball German Christmas Market (Fri: 6-10 p.m., Sat: 10 a.m. to 10 p.m., Sun: 10 a.m. to 6 p.m.) @ 100-400 block of Market St.

G. Old Business

1. Adopt, on Second Reading, Ordinance No. 2024-34, an Ordinance of the City of Tomball, Texas, amending Chapter 50 of the Tomball Code of Ordinances by rezoning approximately 36.408 acres of land legally described as being three tracts of land situated in the Jesse Pruett Survey, Abstract No. 629 from Single-Family Estate Residential (SF-20-E) to the Light Industrial (LI) zoning district. The property is located at 21725 Hufsmith-Kohrville Road, 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.

Motion made by Council 3 Dunagin, Seconded by Council 4 Covington.

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

Motion carried unanimously.

2. Adopt, on Second Reading, Ordinance No. 2024-39, an Ordinance of the City of Tomball, Texas amending its Code of Ordinances by amending Chapter 18, Environment, by adding a new section 18-169, Business hours of operation; 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 5 Parr, Seconded by Council 4 Covington.

Voting Yea: Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Voting Nay: Council 1 Ford, Council 2 Garcia

Motion carried 3 votes yea, 2 votes nay.

3. Approve Resolution No. 2024-43, a Resolution of the City Council of the City of Tomball, Texas, casting its vote to appoint directors to the Harris Central Appraisal District's board of directors.

Motion made by Council 3 Dunagin to cast all 5 votes for Mike Sullivan,
Seconded by Council 1 Ford.

Voting Yea: Council 3 Dunagin

Voting Nay: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5
Parr

Motion failed unanimously.

Motion made by Council 5 Parr, Seconded by Council 2 Garcia to cast all 5 votes
for Noriega.

Voting Yea: Council 1 Ford, Council 2 Garcia, 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 the November 18, 2024, Special and Regular City Council meetings.
2. Approve Resolution No. 2024-47, the 2024-25 Strategic Plan
3. Approve the expenditure of greater than \$50,000 with AT&T Corp. for communication services, including FirstNet services, for a not-to-exceed amount of \$75,000.00 through a Department of Information Resources (DIR) Cooperative contract (DIR-TELE-CTSA-002), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase.
4. Approve the expenditure exceeding \$50,000 with CyberOne, LLC for a total not-to-exceed amount of \$73,100.00 for consulting and software services which includes the annual renewal of CrowdStrike security services, and penetration testing (PEN testing). These services are in accordance with the organization's approved budget for fiscal years 2024-2025.

5. Authorize the City Manager to execute an amendment to the Interlocal Agreement between the City of Tomball and Harris County Emergency Services District No. 15 (ESD15) for Fire Protection, Fire Suppression, and Rescue Services.
6. Approve an expenditure of greater than \$50,000 with Axon Enterprise Inc. for video and surveillance services and licenses for a not-to-exceed amount of \$132,972.82. This expenditure is included in the FY 2024-2025 Budget.
7. Approve the purchase of a vehicle from Donalson CDJR, LLC through TIPS Cooperative Purchasing Network (Contract #210907) for a not-to-exceed amount of \$47,112.50, approve the expenditure of funds therefore, and authorize the City Manager to execute any and all documents related to the purchase. This item was not included in the FY 2024-2025 budget as it is related to an insurance claim.
8. Approve Resolution Number 2024-44, a Resolution of the City Council of the City of Tomball, Texas authorizing the submission of a Texas Community Development Block Grant (TxCDBG) Program Application to the Texas Department of Agriculture for the Community Development Fund.
9. Approve a services agreement renewal with PVS DX, Inc. (formally DXI Industries, Inc.) for the purchase of chlorine and sulfur dioxide gas for water treatment for Fiscal Year 2025, for a not-to-exceed amount of \$225,000 (Bid No. 2024-04), 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 2024-2025 budget.
10. Approve a two-year Service Agreement with InfoSend, Inc. for Utility Billing Printing and Mailing Services (RFP 2024-12) for a total contract amount of \$110,000 (\$55,000 per year), 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 2024-2025 adopted budget.

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

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

Motion carried unanimously.

I. New Business

1. Approve a two-year Service Agreement with RGS for consumer debt collection services for utility accounts (RFP 2024-09R), 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 2025-2025 adopted budget.

Motion made by Council 1 Ford, Seconded by Council 4 Covington.

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

Motion carried unanimously.

2. Presentation, discussion and possible action to regarding the establishment of a 4 way stop at the intersection of Stella Lane and Camille Drive

Council 5 Parr made a motion to install 4-way stop, Seconded by Council 3 Dunagin.

Motion made by Council 5 Parr, Seconded by Council 3 Dunagin.

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

Motion carried unanimously.

3. Adopt, on First Reading, Ordinance No. 2024-38, an Ordinance of the City of Tomball, Texas amending its Code of Ordinances by amending Chapter 18, Environment, by adding a new Article XI, Tree preservation; 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 5 Parr, Seconded by Council 3 Dunagin.

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

Voting Nay: Council 1 Ford

Motion carried 4 votes yea, 1 vote nay.

4. Approve, on First Reading, Resolution No. 2024-46-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 Performance Agreement by and between the Corporation and Niky's Mini Donuts, LLC to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 1417 Graham Drive, Suite 400, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$10,000.00.

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

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

Motion carried unanimously.

5. Approve, on First Reading, Resolution No. 2024-45-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 Performance Agreement by and between the Corporation and NIVIS SERIES, LLC to make direct incentives to, or expenditures for, assistance with infrastructure costs required or suitable for the promotion of new or expanded business enterprise related to the construction of a commercial office/retail development to be located at 424 Holderrieth Blvd, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$34,170.00.

Motion made by Council 1 Ford, Seconded by Council 4 Covington.

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

Motion carried unanimously.

6. Approve the City Manager and Fire Chief to execute the necessary documents for a Memorandum of Understanding with the Texas A&M Forest Service for Tomball Fire Rescue to assist with the conduction of prescribed fire and mechanical fuel mitigation.

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

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

Motion carried unanimously.

7. 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

Executive Session Started: 7:27 P.M.

Executive Session Ended: 8:15 P.M.

J. Meeting adjourned at 8:15 p.m.

PASSED AND APPROVED this 16th day of December 2024.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, MMC, CPM

Lori Klein Quinn

Lori Klein Quinn
Mayor