

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



**Monday, June 05, 2023
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for June 5, 2023, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

A. Call to Order

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

David Esquivel- City Manager
Jessica Rogers- Asst. City Manager
Tracylynn Garcia- City Secretary
Joe Sykora- Fire Chief
Megan Mageo-PW
Katherine Tapscott- Finance Director
Kristie Lewis- HR Director
Drew Huffman- Public Works Director
Nathan Dietrich- Community Development
Jeff Bert- Police Chief
Chrislord Templonuevo- Marketing Manager
Johnita Robinson- Records Specialist
Fae Morris- Records Specialist
Ki Provencher- Intern

B. Invocation - Led by Pastor Courtney White - Fountain of Love Church

C. Pledges to U.S. and Texas Flags led by Council 1 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.]*

Amanda Kelly - Upcoming event with the
19710 Rippling Brook Lane Dunk tank
Tomball 77375

Steve Sams - Symphony North Houston
12911 Plummwood Dr program collaborating with
Cypress 77329 Tomball

Kathryn Meyer - Open House for battery
900 Pitchford Rd storage
Tomball 77375

E. Reports and Announcements

1. Announcements

Kids Club Dates:

June 9: Soccer Clinic with HTX Soccer (formerly Dynamo/Dash Youth Soccer) at Broussard Park (1414 E. Huffsmith Rd) from 9-11 a.m.

July 14: Reptile show-n-tell and Reading games (Texas Snakes & More and LSC-Tomball Community Library) at Juergens Park (1331 Ulrich Rd) from 10 a.m. to 12 p.m.

August 11: Learn about emergency vehicles and Splash Day at Tomball Depot Plaza (201 S. Elm St). from 10 a.m. to 12 p.m.

2023 Swim Season (Jerry Matheson Park Pool):

Monday-Closed

Tuesday thru Friday - 10am - 6pm

Saturday & Sunday – 12pm - 8pm

REGULAR SEASON HOURS 2023

May 30th (Start Date) thru August 13th (Sunday) End Date

END OF SEASON HOURS 2023

August 19th (Saturday) Noon – 8pm

August 20th (Sunday) Noon – 8pm

August 26th (Saturday) Noon – 8pm

August 27th (Sunday) Noon – 8pm

September 2nd (Saturday) Noon – 8pm

September 3rd (Sunday) Noon – 8pm

September 4th (Monday) 10am – 6p

The Pool will be open to the public on weekends until Labor Day

Depot Splash Pad:

Opens May 26, 2023

2. Reports by City staff and members of council about items of community interest on which no action will be taken:
 - I. Katherine Tapscott presented the Quarterly Financial Update for Period Ending March 31, 2023.
 - II. Mayor informed applications available for Boards & Commissions and that Assistant City Manager J. Rogers-Walker got married.
- F. Old Business
 1. Adopt, on Second Reading, Ordinance No. 2023-10, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5.11 acres of land legally described as being Lot 2, Block 1 of Swinghammer/Hauck Subdivision from Single Family Residential Estate – 20 (SF-20-E) to Commercial (C). The property is located at 1820 S. Cherry Street, 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 2 Stoll, Seconded by Council 5 Parr

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

Motion carried unanimously.

2. Adopt, on Second Reading, Ordinance No. 2023-12, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.04 acres of land legally described as being Lot 72, Block 1 of Acquest Tomball Replat No.1 from Commercial (C) to Office (O) zoning. The property is generally located within the 1200-1300 blocks (south side) of Rudel Drive, 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 2 Stoll, 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 carried 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.]*

Item #1 was pulled at the request of Council 2 Stoll and was voted on separately.

2. 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 \$50,000 (contract total not to exceed amount of \$150,000), approve the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project was included in the FY 2022-2023 budget.
3. Approve a master services agreement with Water Utility Services, Inc. for water sampling and laboratory services, and water and wastewater chemicals for a total not-to-exceed amount of \$170,000, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This service is included in the FY 2022-2023 Budget.

4. Authorize annual purchases exceeding \$50,000 from Morton Morrow Survival Air Systems Inc., in accordance with the Purchasing and Bidding Policy for Fiscal Year 2022-2023. These purchases are within the Fiscal Year 2022-2023 budget.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr to approve New Business Consent Agenda 2, 3, and 4.

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

Motion carried unanimously.

1. Approve the Minutes of the May 15, 2023, Tomball Legacy Fund Annual Meeting, and the Regular City Council Meeting.

Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr.,

Council 2 Stoll wish to amend his motion to only vote on the City Council Minutes for May 15, 2023.

Voting Yea to accept the amended motion: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

Voting on the Amended motion.

Voting Yea to accept the amended motion: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

H. New Business

1. Accept the Annual Comprehensive Financial Report for fiscal year ending September 30, 2022.

Matt Rogers Auditor Weaver (Conroe); made a presentation.

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 carried unanimously.

2. Approve Resolution No. 2023-30, A Resolution of The City Council of The City of Tomball, Texas, Authorizing the Consolidation of Vital Records from The City of Tomball, Texas, To Harris County, Texas.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll.

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

Motion carried unanimously.

3. Adopt on First Reading Ordinance No. 2023-18, An Ordinance of The City Of Tomball, Texas Amending Section 2-326 Of Its Code Of Ordinances, Designated, Of Division II, Records Management Officer, Of Article V, Records Management, Of Chapter II, Administration; Providing For Severability, Making Findings Of Fact; And Providing For Other Related Matters

Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford to read Ordinance No. 2023-18 by caption only.

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

Motion approved unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr to adopt on First Reading Ordinance No. 2023-18.

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

Motion carried unanimously.

4. Consideration to approve Resolution 2023-31, a Resolution of the City Council of the City of Tomball, Texas, accepting the Preliminary Service and Assessment Plan for Authorized Improvements within the Winfrey Estates Public Improvement District; Setting a Date for a Public Hearing on the Proposed Levy of Assessments; Authorizing the Publication and Mailing of Notice; and Enacting Other Provisions Relating thereto.

Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford.

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

Motion carried unanimously.

5. Approve the Tomball Economic Development Corporation (TEDC) 2023-2024 Strategic Work Plan.

Motion made by Council 2 Stoll, 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 carried unanimously.

6. Kelly Violette Presented the Tomball Economic Development Corporation (TEDC) 2022-2023 Annual Report.

I. Adjournment

Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr..

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

Voting Abstaining: Mayor Klein Quinn

PASSED AND APPROVED this 19th day of June 2023.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Lori Klein Quinn

Lori Klein Quinn
Mayor