

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



**Monday, May 06, 2024
6:00 PM**

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

PRESENT

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 Attorney – Tom Ramsey
City Secretary - Tracylynn Garcia
Assistant City Secretary - Sasha Luna
Director of Community Development - Craig Meyers
Police Chief – Jeff Bert
Director of Marketing & Tourism - Chrislord Templonuevo
IT Director - Tom Wilson
Public Works Director - Drew Huffman
HR Director – Kristie Lewis
Finance Director – Katherine Tapscott
Fire Chief – Joe Sykora
Assistant Fire Chief – Jeff Cook
Project Manager - Meagan Mageo
Part-time Administrative Assistant – Tabitha Trejo

- B. Invocation - Led by Deacon Randy Davis with First Baptist Church Tomball
- C. Pledges to U.S. and Texas Flags by TPD Chief J. Bert

- 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.]*

Eric Hymowitz - General comment regarding Winfrey Estates

Samuel Shannon - drainage on Lizzie Lane
823 Lizzie Lane
Tomball, Texas

Catherine Carrington - drainage on Lizzie Lane
810 Lizzie Lane
Tomball, Texas

E. Presentations

1. Presentation - Council Members Mark Stoll & Derek Townsend Sr.

Proclamation – “55th Annual Professional Municipal Clerks Week” May 5 – May 11, 2024

Proclamation – “National Hurricane Preparedness Week” May 5 – May 11, 2024

Proclamation – “Mel’s Country Diner” May 6, 2024

Proclamation – “National Economic Development Week” May 6-10, 2024

Proclamation – “Tomball ISD Color guard”

F. Reports and Announcements

1. Announcements

I. Upcoming Events:

May 9, 2024 – Mayor’s Kaffeeklatsch 8:30 am – 10:00 am @ Community Center

May 11, 2024 – Second Saturday 5:00 pm – 9:00 pm @ the Depot

May 13, 2024 – Canvass of the Election 5:00 pm @ City Hall

May 15, 2024 – Law Enforcement Torch Run 11:30 am – 12:30 pm @
Market & Main St.

May 16, 2024 – Police Memorial 11:00 am – 12:00 pm @ Community
Center

2. Reports by City staff and members of council about items of community interest on which no action will be taken:

- I. Katherine Tapscott gave the Quarterly Financial Update for Period Ending March 31, 2024

G. Old Business

1. Adopt, on Second Reading, Ordinance No. 2024-07, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 31.12 acres of land legally described as being portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311 from the Agricultural (AG) to Single Family Residential – 6 (SF-6) zoning. The property is generally located within 22100 block (west side) of Tomball Cemetery 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 1 Ford, 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.

2. Adopt, on Second Reading, Ordinance No. 2024-08, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.87 acres of land legally described as being a portion of Tomball Outlot 286 from Single Family Residential – 20 (SF-20) to Commercial (C) zoning. The property is generally located in the 900 block (North Side) of Agg 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 2 Stoll, Seconded by Council 1 Ford.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council Townsend, Sr., 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 the Minutes of the April 15, 2024, Regular City Council meeting.
 2. Approve a contract with B&C Constructors, LP for the replacement of HVAC systems at the Police Department through a 1GPA Contract (Contract No. 19-03DP) for a not-to-exceed amount of \$115,227.26, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the FY 2023-2024 Budget.
 3. Approve the expenditure of and amount not to exceed \$75,000 for Computer Aided Dispatch Maintenance and False Alarm Monitoring Services from Centralsquare Technologies, LLC and authorize the City Manager to execute any and all documents related to the expenditure. This amount is included in the FY 2023-2024 budget.
 4. Consideration to approve Resolution 2024-20, a Resolution of the City Council of the City of Tomball, Texas, accepting the Preliminary Service and Assessment Plan for Authorized Improvements within the Wood Leaf Reserve Public Improvement District Improvement Area Two (IA#2); 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.
 5. Approve an increase to purchase order number 24-0055 with Siddons-Martin Emergency Group, LLC for preventative maintenance and repairs to Pierce Fire Apparatus, within the fleet of the Fire Department, increasing the not to exceed amount to \$160,000, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents relating to the purchase. Funds for vehicle repairs are included in the FY 2023-2024 budget.

6. Approve request from Tomball Museum Center for City Support and In-Kind Services for the 3rd Annual Antique Car Social in downtown Tomball, on Saturday, October 5, 2024, from 10:00 a.m. to 1:00 p.m.
8. Approve the issuance of Tax-exempt bonds for the acquisition and rehabilitation of Bay Terrace Apartments-Baytown and Village of Baytown-Baytown from S.E.T.H.

Motion made by Council 4 Townsend Sr., Seconded by Council 2 Parr to approve New Business Consent Agenda items 1-6 and 8.

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

Motion carried unanimously.

7. Discussion and possible action regarding the budgeted position of Director of Special Projects.

Motion made by Council 4 Townsend, Sr, 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.

I. New Business

1. Accept the Annual Comprehensive Financial Report and Compliance Report for fiscal year ending September 30, 2023.

Motion made by Council 4 Townsend, Sr, 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. Approve an agreement authorizing the sale of six vehicles to Montgomery Independent School District for use for their Police Department and authorize the City Manager to execute any and all documents.

Motion made by Council 4 Townsend, Sr, 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.

3. Conduct Public Hearing of the City Council of the City of Tomball to consider the adoption of the Water Conservation and Drought Contingency Plan.
 - Mayor Klein Quinn called the PH to order at 7:30 pm
 - Hearing no comments the Mayor closed the PH at 7:31 pm
4. Adopt Ordinance No. 2024-12, an Ordinance of the City of Tomball, Texas Repealing and Replacing Chapter 46, Article VII, Water Conservation, of the City of Tomball Code of Ordinances; Providing for the Repeal of Conflicting Provisions; Providing a Savings Clause; Establishing Penalties for the Violation of and Provisions for Enforcement of These Restrictions; Providing Severability; Adopting a Water Conservation and Drought Contingency Plan; and Providing an Effective Date.

Motion made by Council 5 Parr, Seconded by Council 3 Dunagin to read by caption only Ordinance No. 2024-12.

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

Motion carried unanimously.

Motion made by Council 3 Dunagin, Seconded by Council 2 Stoll to adopt Ordinance No. 2024-12.

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

Motion carried unanimously.

5. Approve a Municipal Solid Waste Collection, Transportation, and Disposal Contract with Frontier Waste K2, LLC (RFP 2024-01) to provide solid waste and recycling collection for the City of Tomball, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is to be included in the proposed fiscal year 2024-2025 budget.

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 carried unanimously.

6. Approve Resolution 2024-21, a Resolution of the City Council of the City of Tomball, Texas, approving and establishing the 2024 to 2029 Solid Waste and Recycling Rate Plan; and Providing an Effective Date.

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.

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.

Section 551.087 - Deliberation regarding Economic Development negotiations.

Executive session started: 7:40 PM

Executive session ended: 8:35 PM

J. Adjournment

Motion made by Council 3 Dunagin, 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.

PASSED AND APPROVED this 20th day of May 2024.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Lori Klein Quinn

Lori Klein Quinn
Mayor