

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



**Monday, May 20, 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 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 Attorney – Tom Ramsey
City Secretary - Tracylynn Garcia
Assistant City Secretary - Sasha Luna
Director of Community Development - Craig Meyers
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
Police Chief – Jeff Bert

- B. Invocation - Led by Bruce Hillegeist – President of the Greater Tomball Area Chamber of Commerce
- C. Pledges to U.S. and Texas Flags and presentation of Colors by the Tomball Memorial High School MCJROTC
- 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. Presentations

1. Proclamation – “National Public Works Week” May 19 – May 25, 2024

Proclamation – “Tomball Memorial High School Marine Corps JROTC Day”

F. Reports and Announcements

1. Announcements

- I. Upcoming Events:

June 1, 2024 – Tomball Prays Together 10:00 am – 11:00 am @ Depot

June 13, 2024 – Mayors Kaffeeklatsch 8:30 am – 10:00 am @ Community Center

June 14, 2024 – Kids Club – HTX Soccer 10:00 am - 12:00 pm @ Broussard Park

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

- I. Katherine Tapscott- Finance Director presented the Quarterly Investment Report for Period Ending March 31, 2024. The Public Funds Investment Act requires that a report of the City’s cash and investments be presented to City Council on a quarterly basis.

G. Old Business

1. Adopt, on Second Reading, 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 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.

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 May 6, 2024 Special Joint City Council and Planning and Zoning Commission meeting, the Regular City Council meeting and the May 13, 2024 Special – Canvass of the Election City Council meeting.
2. Authorize the expenditure of greater than \$50,000 with CyberOne, LLC for a not-to-exceed amount of \$54,625 for services related to the implementation of Microsoft Intune and penetration testing. The purchase is included in the FY 2023-2024 Budget.
3. Approve the expenditure of greater than \$50,000 with Tanches Global Management for a not-to-exceed amount of \$65,300, for consulting and software services. The purchases are included in the FY 2023-2024 Budget.
4. Approve an amendment to a Services Agreement with Source Point Solutions, LLC for vector services and regular maintenance of sewer components for an amount of \$100,000 (contract total not-to-exceed) \$160,000), 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 Fiscal Year 2023-2024 Budget.

Motion made by Council 1 Ford, 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.

I. New Business

1. Eric Heppen- Project Manager with HC Pct 3 presented regarding additional potential partnership projects between Harris County Pct. 3 and City of Tomball at Broussard and Matthews Parks
2. Consideration, discussion, and provide staff direction on the policy and procedures for Boards and Commissions.

No action taken.

3. Consider appointments to the Tax Increment Reinvestment Zone Number 3 Board of Directors, including appointment of a Board Chair.

Motion made by Council 3 Dunagin, Seconded by Council 4 Covington to appoint Paul Garcia, Lisa Covington and appoint R. Parr as Chair.

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

Motion carried unanimously.

4. Consider approval of Resolution 2024-22 approving the FY 2022-2023 Tomball Tax Increment Reinvestment Zone No. 3 Annual Report.

Motion made by Council 3 Dunagin, 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.

5. Consideration to Approve Zoning Case Z24-07: Request by Theis Lane and South Cherry Street LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.905 acres of land legally described as Reserve "A", Block 3 of Pine Meadows from Single Family Residential – 6 (SF-6) to Neighborhood Retail (NR). The property is located at 12703 Lane, at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas.

Conduct Public Hearing on Zoning Case Z24-07

- Mayor Klein Quinn called the PH to order at 7:53 pm
- Hearing no comments the Mayor closed the PH at 7:54 pm

Adopt, on First Reading, Ordinance No. 2024-11, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.905 acres of land legally described as Reserve "A", Block 3 of Pine Meadows from Single Family Residential – 6 (SF-6) to Neighborhood Retail (NR). The property is located at 12703 Theis Lane, at the southwest corner of Theis Lane and South 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 1 Ford, Seconded by Council 5 Parr to read by caption only Ordinance No. 2024-11.

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

Motion carried unanimously.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to adopt only Ordinance No. 2024-11.

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

Voting Nay: Council 2 Garcia

Motion carried 4 votes yea, 1 vote nay.

6. Approve a reimbursement to CHTA Development, Inc. for water and sewer pipe oversizing for Public Improvement District No. 12 – Winfrey Estates in accordance with the approved Development Agreement for a not-to-exceed amount of \$96,539.50 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.

Motion made by Council 3 Dunagin, 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.

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. 551.074 – Personnel Matters; Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee- Members of the Planning and Zoning Commission

Sec. 551.087 - Deliberation regarding Economic Development negotiations.

Executive session started: 8:16 PM

Executive session ended: 9:31 PM

J. Adjournment

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.

PASSED AND APPROVED this 3rd day of June 2024.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Lori Klein Quinn

Lori Klein Quinn
Mayor