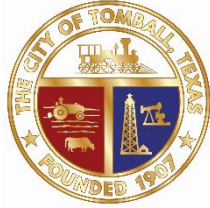


**MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, February 1, 2021
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for February 1, 2021, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the meeting to order at 6:00 p.m.; Councilmembers present:

Council 1 John Ford
Council 2 Mark Stoll
Council 3 Chad Degges
Council 4 Derek Townsend, Sr.
Council 5 Lori Klein Quinn

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Assistant City Secretary – Tracylynn Garcia
Police Chief – Jeff Bert
Fire Chief – Randy Parr (via video)
Marketing Director – Mike Baxter (via video)
Finance Director – Glenn Windsor
Director of Public Works – Beth Jones (via video)
Director of Community Development – Craig Meyers
CSO Administrative Assistant – Sasha Luna
Fire Marshal – Joe Sykora
Community Center Manager – Rosalie Dillon
PID Contract Administrator – Scott Bean

B. Invocation - Led by Pastor Tim Niekerk – Salem Lutheran Church

C. Pledges to U.S. and Texas Flags – Led by Jeff Bert

D. No public comments were received.

E. Reports and Announcements

1. Announcements

- I. Saturday, January 30, 2021 – **Harris County Sheriff’s Jr. Posse “Pony Express” Annual Stop** in Tomball, at the Depot – 9:00 a.m.
- II. February 12, 2021– Last day to apply for Place on Ballot for the May 1, 2021 General City Election – 5:00 p.m.
- III. Tomball Police Department Annual Data Capture Report – 2020 (SB 1074)

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

F. Approval of Minutes

1. Approve the Minutes of the January 18, 2021 Regular Tomball City Council Meeting

Motion was made by Council 4 Townsend, Sr., seconded by Council 2 Stoll to approve the Minutes of the January 18, 2021 Regular Tomball City Council Meeting.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

- G. 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. 2021-01, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include All of the Territory Within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory Within Such Limits And Boundaries; Approving a Service Plan for All of the Area Within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause (*Being a 3.119-Acre (138,840 Square Feet) Tract or Parcel of Land Situated in the Elizabeth Smith Survey, A-70, Harris County, Texas, Being out of Unrestricted Reserve “C” of the Final Plat of Tomball Greens, as*

Recorded under Film Code No. 440128 of the Map Records of Harris County, Texas, also Being Out and Part of a 5.00 Acre Tract Described in Deed Recorded under Clerk's File No. Z331045 of the Real Property Records of Harris County, Texas) [11234 Spell Road, HCAD 1207880000010]

2. Adopt, on Second Reading, Ordinance No. 2021-02, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by establishing the zoning district of approximately 3.119 acres of land, legally described as Reserve C3 Tomball Greens, within the City of Tomball, Harris County, Texas, to the **General Retail** District; said property being generally located at the northeast corner of Hufsmith-Kohrville Road and Spell Road at 11234 Spell Road; providing for the amendment of the Official Zoning Map of the City; 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 was made by Council 2 Stoll, seconded by Council 1 Ford to approve all Old Business Consent items in a single action.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

H. New Business

New Business items 1, 2 and 3 will not be considered during the February 1, 2021 meeting, at the request of the City Manager. Consensus of Council was unanimous to remove items 1, 2 and 3 from consideration.

1. Conduct Public Hearing of the City Council of the City of Tomball to Consider Proposed Assessments against Tomball Heights Properties in the City of Tomball Public Improvement District Number Nine, Established by City Council Resolution No. 2019-12 (*Sydney's Park*)

No Action Taken

2. Adopt on First Reading, Ordinance No. 2021-05, An Ordinance Of The City Council Of Tomball, Texas, Approving The Service And Assessment Plan For The City Of Tomball Public Improvement District Number Nine (*Tomball Heights, aka Sydney's Park*)

No Action Taken

3. Adopt on First Reading, Ordinance No. 2021-06, An Ordinance Of The City Council Of Tomball, Texas, Levying an Assessment Against Section One Properties Within The City Of Tomball Public Improvement District Number Nine (Tomball Heights Subdivision); And Making Certain Findings Related Thereto (*Sydney's Park*)

No Action Taken

4. Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to Consider Proposed Assessments against Section Seven and Eight in the City of Tomball Public Improvement District Number Two, Established by City Council Resolution No. 2007-22 (*Raleigh Creek*) at 6:08 p.m.

Receiving no public comments, Mayor Fagan closed the public hearing at 6:08 p.m.

No action necessary.

5. Motion was made by Council 4 Townsend, Sr., seconded by Council 2 Stoll to ready Ordinance No. 2021-11 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

Motion was made by Council 4 Townsend, Sr., seconded by Council 2 Stoll to adopt on First Reading, Ordinance No. 2021-11, An Ordinance Of The City Council Of Tomball, Texas, Levying an Assessment Against Section Seven And Eight Properties Within The City Of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision); And Making Certain Findings Related Thereto.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

6. Motion was made by Council 4 Townsend, Sr., seconded by Council 2 Klein Quinn to approve Resolution No. 2021-08, a Resolution and Order of the City Council of the City of Tomball, Texas, in Support of Greater Harris County 9-1-1 Legislation

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

7. Motion was made by Council 4 Townsend, Sr., seconded by Council 5 Klein Quinn to approve Supplemental No. 1 to Professional Services Agreement for Engineering Services Related to Engineering & Planning Project No. 2017-10033 City of Tomball Livable Centers Implementation Alley Improvements, in the amount of \$137,105.00

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

8. Motion was made by Council 2 Stoll, seconded by Council 4 Townsend, Sr. to approve Change Order 4 for E&P Project Number 2017-10005, Medical Complex Segment 4B, to Durwood Greene Construction Co. for a total amount of \$80,000.00

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

- I. Motion was made by Council 4 Townsend, Sr., seconded by Council 2 Stoll to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

PASSED AND APPROVED this the 1st day of March 2021.

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan
Mayor