

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



**Monday, June 03, 2024
6:00 PM**

- A. Mayor Klein Quinn called the meeting of the City Tomball Council to order at 6 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 - Loren Smith
City Secretary - Tracylynn Garcia
Assistant City Secretary - Sasha Luna
Director of Community Development - Craig Meyers
Director of Marketing & Tourism - Chrislord Templonuevo
Project Manager - Meagan Mageo
IT Director - Tom Wilson
Finance Director - Katherine Tapscott
Fire Chief - Joe Sykora
Police Captain - Brandon Patin
Police Captain - Shon Davis
City Hall Intern - Ki Provencher

- B. Invocation - Led by Pastor Richard Jennings with River of Praise Church
- C. Pledges to U.S. and Texas Flags by TFD Chief J. Sykora
- 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.]*

Bill Sumner
12321 Zion Rd. - TEDC Board appointment
Tomball, Texas 77375

Mike Fagan
1314 Pine Brook - noise ordinance
Tomball, Texas 77375

Gretchen Fagan
1314 Pine Brook - noise ordinance
Tomball, Texas 77375

Colleen Pye
207 Florence St - noise ordinance
Tomball, Texas 77375

Laura Wilson
24161 Spring Dr. - TEDC Board and staff
Hockley, Texas 77447

Janet Toth
606 East Pecan Dr. - Fallen tree on property
Tomball, Texas 77375

E. Reports and Announcements

1. Announcements

I. Upcoming Events:

June 13, 2024 – Mayors Kaffeeklatsch 8:30 a.m. to 10 a.m. @ Community Center

June 14, 2024 – Kids Club – HTX Soccer 8 a.m. to 10 a.m. @ Broussard Park

July TBD – Focus Group Meeting #4 @ City Hall

July 4, 2024 – July 4th Celebration & Street Fest 4 p.m. to 9 p.m. @ Business 249

2024 Swim Season (Jerry Matheson Park Pool)

REGULAR SEASON HOURS (Tuesday, May 28 to Sunday, August 11)

Monday – Closed

Tuesday through Friday – 10 a.m. to 6 p.m.

Saturday and Sunday – Noon to 8 p.m.

END OF SEASON HOURS (Weekends only)

August 17 and 18 – Noon to 8 p.m.

August 24 and 25 – Noon to 8 p.m.

August 31 and September 1 – Noon to 8 p.m.

September 2 – 10 a.m. to 6 p.m.

F. Old Business

1. Adopt, on Second 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 3 Dunagin, Seconded by Council 5 Parr to adopt, on Second Reading, Ordinance No. 2024-11.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, 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.]*

Items 2 and 3 were pulled at the request of Council and were voted on separately.

1. Approve the Minutes of the May 20, 2024, Special Joint City Council and Planning and Zoning Commission meeting and the Regular City Council meeting.
2. Approve, on First Reading, Resolution No. 2024-24-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 Keep It Simple and Pink, LLC to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 103 W. Main Street, 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 4 Covington to approve, on First Reading, Resolution No. 2024-24-TEDC.

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.

3. Approve, on First Reading, Resolution No. 2024-25-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 TCG Capital, 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 expansion of a sports facility located at 19220 Theis Ln., Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$26,750.00.

Motion made by Council 4 Covington, Seconded by Council 5 Parr to approve, on First Reading, Resolution No. 2024-25-TEDC.

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

Motion carried unanimously.

4. Approve the purchase of information technology hardware, software, and consulting services from Waypoint Business Solutions through the Choice Partners Cooperative (Contract #22/041KN-02) for a not-to-exceed amount of \$152,896.67 approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. The purchases are included in the FY 2023-2024 Budget.
5. Approve a contract with B & C Constructors, LP through a 1GPA Contract (Contract No. 19-03DP) for a not-to-exceed amount of \$158,070.06, 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 2023-2024 Budget.
6. Approve a purchase from Aqua-Metric Company, for Sensus water meters and installation, as an exclusive authorized distributor of Sensus water meter products, for a not-to-exceed amount of \$400,000 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 2023-2024 Budget.
7. Approve a purchase from Equipment Controls Company, Inc. for gas meters and transmitters, as an exclusive authorized distributor of Sensus products, for a not-to-exceed amount of \$622,000.00, 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 2023-2024 Budget.

Motion made by Council 1 Ford, Seconded by Council 4 Covington to approve items 1 and 4 through 7.

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

Motion carried unanimously.

H. New Business

1. Discussion and possible action to schedule City Council Strategic Planning Workshop and Orientation.

As discussed, the following Strategic Planning Workshop dates were confirmed:

June 19, 2024, from 1 p.m. to 5 p.m.

June 20, 2024, from 8 a.m. to Noon

2. Discussion and possible action to approve the proposed changes to the Board, Commission, and Committee Appointment Process.

Motion made by Council 1 Ford, Seconded by Council 3 Dunagin to approve Option B – 60 days.

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

Motion carried unanimously.

3. Elect Officers for the 2024 Tomball Legacy Fund, Inc. Board of Directors as Required under Sec. 4.02, Bylaws

Motion made by Council 1 Ford, Seconded by Council 3 Dunagin to appoint Paul Garcia and Lisa A. Covington to the Board of Directors of the Tomball Legacy Fund.

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

Motion carried unanimously.

4. Presentation of the Tomball Economic Development Corporation (TEDC) 2023-2024 Annual Report.
5. Approve the Tomball Economic Development Corporation (TEDC) 2024-2025 Strategic Work Plan.

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.

6. Adopt, on First Reading, Ordinance 2024-17, an Ordinance of the City of Tomball, Texas amending its Code of Ordinances by amending Chapter 18-Environment, Article IV.-Noise, by deleting Section 18-192.-Maximum sound levels and modifying Section 18-195.-Defenses; 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 1 Ford, Seconded by Council 3 Dunagin to adopt, on First Reading, Ordinance No. 2024-17.

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 Tomball Economic Development Corporation (TEDC) Board of Directors

Executive Session started: 8:01 p.m.

Executive Session ended: 9 p.m.

I. 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 17th day of June 2024.

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Lori Klein Quinn
Mayor