

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



**Monday, August 19, 2024
6:00 PM**

- A. Mayor L. Klein-Quinn called the meeting of the City of Tomball Council to order at 6:01 p.m.

PRESENT

Mayor Lori Klein Quinn
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 - Tracy Garcia
Fire Chief - Joe Sykora
Human Resources Director - Kristi Lewis
Public Works Director - Drew Huffman
Director of Community Development - Craig Meyers
Police Chief - Jeff Bert
Director of Marketing & Tourism - Chrislord Templonuevo
IT Director - Tom Wilson
Assistant Fire Chief/Fire Marshal - Jeff Cook
Records Specialist - Fae Morris
Police Captain - Shon Davis
Police Lieutenant-Investigations - Albert Chambers
Police Sergeant - Courtney White
Project Manager - Meagan Mageo
Community Center Manager - Jessica Morris

- B. Invocation - Led by Executive Pastor Tommy Roberson with Real Life Ministries
- C. Pledges to U.S. and Texas Flags led by Sam Shannon
- 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.]*

Elaine Hogan 9402 Oakheath Canyon Tomball, Texas 77375	-	Be SMART organization
Tana Ross 30722 Country Meadows Dr. Tomball, TX 77375	-	expressed wishes to be reappointed to Planning & Zoning board
Deborah Williams 1018 Hickory Post Tomball, Texas	-	recognized GFL and the good job - they have done
Linda Reines 516 Clayton Tomball, TX 77375	-	general concerns
Jason Simms 518 Clayton St. Tomball, Texas 77375	-	issues on lack of code enforcement
Jerry Thomas 209 N. Sycamore Tomball, Texas 77375	-	issues and concerns with the Sycamore Project
Dale Nadou 205 N. Sycamore Tomball, Texas 77375	-	issues and concerns with the N Sycamore Project

E. Presentations

1. Proclamation – 2024 Smart Week
2. Tomball Farmer's Market presented a check in the amount of \$2,000.00 to Tomball Fire and Police Departments to support the Holiday Heroes program

F. Reports and Announcements

1. Announcements

I. Upcoming Events:

2024 Swim Season (Jerry Matheson Park Pool)

END OF SEASON HOURS (Weekends only)

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.

September 2 – 10:00 a.m. to 6:00 p.m.

September 11, 2024 – 9/11 Remembrance 8:30 a.m. – 9:30 a.m. @ Depot

September 12, 2024 – Mayor's Kaffeeklatsch 8:30 a.m. – 10 a.m. @
Community Center

September 14, 2024 – 2nd Saturday 5 p.m. – 9 p.m. @ Depot

G. Approval of Minutes

1. Approve Minutes of August 5, 2024, Special and Regular City Council meetings.

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.

H. New Business

1. Consideration and discussion regarding appointment/reappointment to the Tomball Regional Health Foundation

City Secretary, Tracylynn Garcia read aloud into record Christina Nash's statement to be considered for reappointment.

Maggie Yacoubian - expressed her wishes to be considered for reappointed to TRHF
14123 Spring Pines Dr.
Tomball, Texas 77375

Janna Hogland - expressed her wishes to serve on the TRHF

2. Appoint/Reappoint Board Member whose term expired on 5/31/2024 to the Tomball Economic Development Corporation Board of Directors.

Motion made by Council 5 Parr, Seconded by Council 1 Ford to reappoint Brock Hendrickson

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

Motion carried unanimously.

3. Appoint/Reappoint Board Member whose term expired on 5/31/2024 to the Tomball Economic Development Corporation Board of Directors.

Motion made by Council 1 Ford, Seconded by Council 3 Dunagin to reappoint Bill Sumner.

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

Motion carried unanimously.

4. Appoint/Reappoint Board Member whose term expired on 5/31/2024 to the Tomball Economic Development Corporation Board of Directors.

Motion made by Council 4 Covington, Seconded by Council 2 Garcia to appoint Latrell Shannon.

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

Motion carried unanimously.

5. Appoint/Reappoint Board Member whose term expired on 5/31/2024 to the Tomball Economic Development Corporation Board of Directors.

Motion made by Council 3 Dunagin, Seconded by Council 1 Ford to appoint Danny Hudson.

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

Motion carried unanimously.

6. Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2024-2025 Budget.

Motion made by Council 5 Parr, Seconded by Council 1 Ford to accept FY 2024-2025 TEDC budget

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

Motion carried unanimously.

7. Appoint/Reappoint member to Position Regular 1, whose term expired 6/1/2024, to the Planning and Zoning Commission.

Motion made by Council 3 Dunagin, Seconded by Council 1 Ford to appoint Colleen Pye.

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

Motion carried unanimously.

8. Appoint/Reappoint member to Position Regular 2, whose term expired 6/1/2023, to the Planning and Zoning Commission.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to reappoint Susan Harris.

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

Motion carried unanimously.

9. Appoint/Reappoint member to Position Regular 3, whose term expired 6/1/2024, to the Planning and Zoning Commission.

Motion made by Council 3 Dunagin, Seconded by Council 1 Ford to reappoint Scott Moore, Jr.

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

Motion carried unanimously.

10. Appoint/Reappoint member to Position Regular 5, whose term expired 6/1/2023, to the Planning and Zoning Commission.

Motion made by Council 4 Covington, Seconded by Council 2 Garcia to reappoint Tana Ross.

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

Motion carried unanimously.

11. Approve a Professional Services Agreement with Ardurra for the 16-inch water line along Tomball Parkway, Project Number 2024-10010, for a not-to-exceed amount of \$448,420.00, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is to be reimbursed by the developer of the Grand Parkway Town Center and will be included in the budget as a Capital Improvement Project for fiscal year 2023-2024.

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.

12. Approval to reject the bid received for Bid Number 2024-11, Baker Drive Water Plant (Project No. 2023-10019), and rebid the project. The project is included in the FY 2023-2024 Capital Improvement Project budget.

Motion made by Council 5 Parr, Seconded by Council 4 Covington.

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

Motion carried unanimously.

13. Approve a service agreement with Canon Financial Services for lease and support of the citywide copiers through a Department of Information Resources (DIR) Contract (Contract No. DIR-CPO-4437) for a total contract amount of \$275,000 for a total of five years beginning August 6, 2024 and expiring August 5, 2029, for an annual not-to-exceed amount of \$55,000.00, authorize the expenditure of funds therefor, 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 and will be included in annual budget request during the term of the contract.

Motion made by Council 2 Garcia, Seconded by Council 4 Covington.

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

Motion carried unanimously.

14. Conduct a public hearing and consideration to approve **Zoning Case Z24-010**: Request by TYKHE LLC, represented by JLS Real Estate, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 6.500 acres of land legally described as portions of Lot 187 & Tracts 188, 191A, and 192A of Tomball Outlots within the Jesse Pruitt Survey, Abstract 629 from Commercial (C) to Light Industrial (LI). The property is located at 1730 South Cherry Street, within the City of Tomball, Harris County, Texas.

Adopt, on First Reading, Ordinance No. 2024-23, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 6.500 acres of land legally described as portions of Lot 187 & Tracts 188, 191A, and

192A of Tomball Outlots within the Jesse Pruitt Survey, Abstract 629 from the Commercial (C) District to the Light Industrial (LI) District. The property is located at 1730 South Cherry Street, within the City of Tomball, Harris County, Texas; 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.

- Mayor opened the Public Hearing at 7:08 p.m.

Applicant Josh Lass-Sughrue with JLS Real Estate addressed Council on his development plans for the property as a potential buyer

- Hearing no further comments the Mayor closed the Public Hearing at 7:10 p.m.

Motion made by Council 3 Dunagin, Seconded by Council 1 Ford.

Voting Yea: Council 1 Ford, Council 5 Parr

Voting Nay: Council 2 Garcia, Council 3 Dunagin, Council 4 Covington

Motion failed 2 votes Yea, 3 votes Nay.

15. Approve amendments to Administrative Policy No. 7, Credit Cards Acceptance Policy

Motion made by Council 4 Covington, 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.

16. Approve Resolution No. 2024-28, a Resolution of the City of Tomball, Texas, approving the Master Fee Schedule for Fiscal Year 2024-2025.

Motion made by Council 5 Parr, 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.

17. 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 that 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-Director of Finance

Executive Session started: 7:45 p.m.

Executive Session ended: 8:10 p.m.

18. Confirm the appointment by the City Manager, of the Finance Director, effective August 19, 2024.

Motion made by Council 5 Parr, 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. Adjournment

Motion made by Council 1 Ford, Seconded by Council 4 Covington.

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 September 2024.

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Lori Klein Quinn
Mayor