

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



**Monday, July 01, 2024
6:00 PM**

- A. Mayor Klein Quinn called the meeting of the City Tomball Council to order at 6 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 - Tracylynn Garcia
Assistant City Secretary - Sasha Luna
Director of Community Development - Craig Meyers
Director of Marketing & Tourism - Chrislord Templonuevo
Public Works Director – Drew Huffman
Police Chief – Jeff Bert
Project Manager - Meagan Mageo
IT Director - Tom Wilson
Fire Chief - Joe Sykora
Director of Human Resources – Kristie Lewis
Assistant Fire Chief – Jeff Cook
Records Specialist – Fae Morris
City Hall Intern - Ki Provencher

- B. Invocation - Led by Chaplin Earl Detwiler with Colonial Bible Chapel
- C. Pledges to U.S. and Texas Flags Cub Scouts Troop #2882
- 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.]

Edgar McNutt - Opposed to Stella Ln. Housing Development
31427 Stella Ln.,
Tomball, 77375 (Tomball Hills)

Colleen Pye - Tomball Christmas Tree Lighting
207 Florence St.,
Tomball, 77375
Ceremony

Earl Detwiler - Homelessness in city
626 Texas St.,
Tomball 77375

Danny Hudson - TEDC Board appointment consideration
1277 Zion Rd.,
Tomball 77375

E. Presentations

1. Presentation by Texas Municipal Clerks Association Board of Trustee Member-Roxanne Benitez of the Municipal Clerk's Office Achievement of Excellence Award to the office of the City Secretary

Presentation of time capsule – Tomball Museum Center Lynn McCoy.

F. Reports and Announcements

1. Announcements

I. Upcoming Events:

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

July 11, 2024 – Mayors Kaffeeklatsch 8:30 a.m. – 10 a.m. @ Community
Center

July 11, 2024 – Louie's Together Playground Groundbreaking Ceremony
10:30 a.m. @ Juergens Park

July 23, 2024 – Comprehensive Plan Focus Group Meeting #4 @ City
Hall

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.

- 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. 2024-13, an Ordinance of the City of Tomball, Texas, amending Chapter 50 – Article III (*District Regulations*) by adding Section 50-70.1 – Single-Family Residential District SF-7.5 (SF-7.5) zoning classification and subsequent district standards. Modifying Section 50-82 (*Use regulations (charts)*). Modifying Section 50-112 (*Off street parking and loading requirements*) adding parking regulations within the Single-Family Residential – 7.5 District; 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 1 Ford.

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.

2. Adopt, on Second Reading, Ordinance No. 2024-14, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by amending Sections 50-2 (*Definitions*) and Section 50-82 (*Use regulations (charts)*) of the Tomball Code of Ordinances by adding standards pertaining to “Boarding Home Facility”; providing for 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.
3. Adopt, on Second Reading, Ordinance No. 2024-16, 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 5.552 acres of land legally described as tracts 12b & 12c of the William Hurd Survey, Abstract 378 from the Agricultural (AG) district to Office (O) District. the property is located within the 1300 block (north side) of Medical Complex Drive, 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.
4. Adopt, on Second Reading, Ordinance Number 2024-18, an Ordinance of the City Council of Tomball, Texas, Approving a Service and Assessment Plan and Assessment Roll for Improvement Area #2 Projects for the Wood Leaf Reserve Public Improvement District (the “District”); Making a Finding of Special Benefit to Certain Property in the District; Levying Assessments against Certain Property within the District and Establishing a Lien on Such Property; Providing for Payment of the Assessment in Accordance with Chapter 372, Texas Local Government Code, as Amended; Providing for the Method of Assessment and the Payment of the Assessments; Providing Penalties and Interest on Delinquent Assessments; Providing for Severability and Providing an Effective Date.

Motion made by Council 1 Ford, Seconded by Council 4 Covington to approve Old Business Consent items 2-4.

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

Motion carried unanimously.

H. Old Business

1. Adopt, on Second Reading, Ordinance No. 2024-15, an Ordinance of the City of Tomball, Texas, amending Chapter 50 – Article III (*District Regulations*) by amending Chapter 50 (Zoning) of the Tomball Code of Ordinances, by amending Planned Development District – 15 which governs 33.386 acres of land legally described as being Winfrey Estates to reduce the required building setback in the rear yard from 14-feet to 9-feet. The property is generally located on the west side of FM 2978 at Winfrey Lane, 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.

Roland Ramirez
(Developer)

Motion made by Council 1 Ford, Seconded by Council 5 Parr.

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.

I. 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 Minutes of the June 13, 2024, Special City Council meeting, June 17, 2024, Regular City Council meeting, and the June 19 and 20, 2024, Special City Council Meetings.
2. Approve request from Tomball High School for City Support and In-Kind Services for the annual Tomball High School Homecoming Parade in downtown Tomball, on Wednesday, September 25, 2024, from 6:30 to 9:30 p.m.

3. Approve the expenditure with Tanches Global Management for a not-to-exceed amount of \$110,000.00, for consulting and software services. The purchases are included in the FY 2023-2024 Budget.
4. Adopt, on First and Only Reading, Ordinance Number 2024-19, an Ordinance of the City Council of Tomball, Texas, Approving and Authorizing the Issuance and Sale of the City of Tomball, Texas Special Assessment Revenue Bonds, Series 2024 (Wood Leaf Reserve Public Improvement District Improvement Area #2 Project); Approving and Authorizing an Indenture of Trest and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of Such Bonds; and Providing an Effective Date.
5. Adopt, on First Reading, Ordinance No. 2024-20, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2024 Annual Service and Assessment Plan (SAP) Update for Raburn Reserve Public Improvement District Number 10 (PID 10).
6. Adopt, on First Reading, Ordinance No. 2024-21, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2024 Annual Service and Assessment Plan (SAP) Update for Seven Oaks Public Improvement District Number 14 (PID 14).
7. Adopt, on First Reading, Ordinance No. 2024-22, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2024 Annual Service and Assessment Plan (SAP) Update for Winfrey Estates Public Improvement District Number 14 (PID 12).

Motion made by Council 5 Parr, Seconded by Council 3 Dunagin to approve New Business Consent items 1-7.

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

Motion carried unanimously.

J. New Business

1. Discussion and possible action to schedule City Council Orientation.
2. Consider an application for an Indoor Special Events Fireworks Display by Roar Over Texas to occur on July 14th 2024 at Boxwood Manor located at 945 E Hufsmith Road.

Motion made by Council 3 Dunagin, Seconded by Council 2 Garcia for denial.

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

Motion carried unanimously.

3. Approve a service agreement renewal with Cypress Holiday Decorating Concepts for holiday lighting services for Fiscal Year 2025, for a not-to-exceed amount of \$54,431.47 (RFP 2023-11), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. These expenditures will need to be included in the Fiscal Year 2024-2025 Budget.

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.

4. 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 – Finance Director

Executive Session Started: 7:07 PM

Executive Session Ended: 8:10 PM

K. Adjournment

Motion made by Council 3 Dunagin, Seconded by Council 4 Covington.

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

Motion carried unanimously.

PASSED AND APPROVED this 15th day of July 2024.

Tracylynn Garcia
City Secretary, TRMC,
CMC, CPM

Lori Klein Quinn
Mayor