

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



**Monday, December 04, 2023
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for December 04, 2023, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

- A. Mayor L. Klein-Quinn called the meeting of the City of Tomball Council to order at 6:00 p.m.

PRESENT

Mayor Lori Klein Quinn
Council 1 John Ford
Council 2 Mark Stoll
Council 3 Dane Dunagin
Council 4 Derek Townsend, Sr.
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 Marketing & Tourism – Chrislord Templonuevo
Police Chief – Jeff Bert
Public Works Director – Drew Huffman
Director of Community Development – Craig Meyers
Finance Director – Katherine Tapscott
Fire Chief – Joe Sykora
Project Coordinator – Meagan Mageo
IT Sr. Specialist – Ben Lato
Community Center Manager – Rosalie Dillon

- B. Invocation - Led by Pastor Adam McIntosh – St. David’s Church
C. Pledges to U.S. and Texas Flags by Tomball Police Chief Jeff Bert.

- 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.]*

Blake Roberts
11114 Old M House Ln.
Tomball, Texas

- Representing Development Company S.
Cherry St. (water/sewer fees)

- E. Reports and Announcements

1. Announcements

- I. Presentation received by Amanda Trickey on Tidy Up Tomball.
- II. TPD Chief Bert & TFD Chief Sykora spoke on the Holiday Heroes event.
- III. Marketing Director Templonuevo spoke briefly on the Deck the Depot event.

IV. **Upcoming Events:**

December 8-9 – Tomball Museum Candlelight Tour 6:00 p.m. – 9:00 p.m.
@ Tomball Museum

December 8-10 – Tomball German Christmas Market @ Depot and
Market St.

December 16 – TFM Christmas Market 9:00 a.m. – 1:00 p.m. @
Information Center Parking Lot

December 20 – Polar Express Sunset Market 4:00 p.m. – 7:00 p.m. @
Information Center Parking Lot

- F. New Business

1. Approve the Minutes of the November 20, 2023, Special and Regular City Council meetings.

Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr..

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

2. Approve the rollover of outstanding Fiscal Year 2022-2023 purchase orders to Fiscal Year 2023-2024.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

3. Adopt On First and Final Reading, Ordinance No. 2023-53, An Ordinance Authorizing The Issuance And Sale Of The City Of Tomball, Texas, Combination Tax And Revenue Certificates Of Obligation, Series 2023; Levying A Tax And Providing For The Security And Payment Thereof; And Enacting Other Provisions Relating Thereto

Motion made by Council 5 Parr, Seconded by Council 4 Townsend, Sr., by caption only on First and Final Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

Motion made by Council 5 Parr, Seconded by Council 4 Townsend, Sr. to adopt on First and Final Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

4. Conduct Public Hearing for the Purpose of Considering the Following Proposed Annexation: *(Being a tract or parcel, containing 12.114 acres (527,706 square feet) of land situated in the Elizabeth Smith Survey, Abstract Number 70 and in the C.M. Pilot Survey, Abstract 632, Harris County, Texas; Said 12.114 acre tract of record in the name of CSV Holderrieth, LLC in Harris County Clerk's File (H.C.C.F.) Number 20140017182) (11701 Holderrieth Rd., HCAD 0410260020004)*

- Mayor Klein Quinn called the PH to order at: 6:30 p.m.

Christian Goedde (requestor) - Spoke re: annexation property.
19910 Tidy Tipps Ln.
Spring, TX 77379

- Hearing no further comments Mayor Klein Quinn closed PH at: 6:34 p.m.

5. Adopt, on First Reading, Ordinance 2023-52, 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 tract or parcel, containing 12.114 acres (527,706 square feet) of land situated in the Elizabeth Smith Survey, Abstract Number 70 and in the C.M. Pilot Survey, Abstract 632, Harris County, Texas[11701 Holderrieth Rd, HCAD 0410260020004]*)

Motion made by Council 3 Dunagin, Seconded by Council 4 Townsend, Sr. by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Voting Abstaining: Mayor Klein Quinn

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr to adopt on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

6. Approve a services agreement with DXI Industries, Inc. for the purchase of chlorine and sulfur dioxide gas for water treatment for Fiscal Year 2024, for a not-to-exceed amount of \$225,000 (Bid No. 2024-04), 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 contract with B&C Constructors, LP for the renovations to the City of Tomball Administrative Services Building through a 1GPA Contract (Contract No. 19-03DP) for a not-to-exceed amount of \$98,628.68, 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 FY 2023-2024 Budget.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

8. Approve Resolution 2023-55, a Resolution of the City 2023-2024 and City of Tomball, Texas, Amending Tow Truck Rotation Company Fees – Vehicle Storage Fees in the Master Fee Schedule for Fiscal Year 2023-2024, and Providing an Effective Date.

Motion made by Council 5 Parr, Seconded by Council 4 Townsend, Sr..

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

9. Approve, on First Reading, Resolution No. 2023-46-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 The Garza Agency to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 28427 SH 249, 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 Townsend, Sr. on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

10. Approve, on First Reading, Resolution No. 2023-50-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 T & R Harmon, LLC DBA Craving Kernels to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 702 South Persimmon Street, Unit 3A, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$8,820.00.

Motion made by Council 1 Ford, Seconded by Council 4 Townsend, Sr, on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

11. Approve, on First Reading, Resolution No. 2023-53-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 Headquarters TOO, 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 development and construction of a 15,500 square foot commercial facility to be located at 1417 Graham Drive, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$102,459.00.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

12. Approve, on First Reading, Resolution No. 2023-54-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 First Community Credit Union 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 development and construction of a Banking and Financial Services office building to be located at 26902 TX-249 in the City of Tomball, Texas. The estimated amount of expenditures for such Project is an amount not to exceed \$64,721.00.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

13. Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with IC Star Solar (USA), LLC to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the development of its corporate headquarters to be located at 19200 Hamish Rd, Tomball, Texas 77377. The estimated amount of expenditures for such Project is and amount not to exceed \$522,000.00.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

14. 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. 551.072 – Deliberations regarding Real Property

City Council enter Executive Session at: 7:10 p.m.

City Council reconvened at: 7:30 p.m.

M. Adjournment

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

PASSED AND APPROVED this 18th day of December 2023.

Tracylynn Garcia
City Secretary, TRMC, MMC,
CPM

Lori Klein Quinn
Mayor