

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



**Monday, November 04, 2024
6:00 PM**

- A. Mayor L. Klein-Quinn called the meeting of the City of Tomball Council to order at 6:15 P.M.

PRESENT

Council 1 John Ford
Council 3 Dane Dunagin
Council 4 Lisa A. Covington
Council 5 Randy Parr

ABSENT

Council 2 Paul Garcia

OTHERS PRESENT

City Manager - David Esquivel
Assistant City Manager - Jessica Rogers
City Secretary - Tracylynn Garcia
City Attorney - Loren Smith
Director of Community Development - Craig Meyers
Human Resources Director - Kristie Lewis
Fire Chief - Joe Sykora
Finance Director - Bragg Farmer
Public Works Director - Drew Huffman
IT Director - Tom Wilson
Director of Marketing & Tourism - Chrislord Templonuevo
Director of Special Projects - Luisa Taylor
Assistant City Secretary – Sasha Luna
Project Manager - Meagan Mageo
Police Chief - Jeff Bert
Police Lieutenant - Albert Chambers

- B. Invocation - Led by Chaplain Steve Allison with VFW Post 2427
C. Pledges to U.S. and Texas Flags led by Larry Chapman

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.]*

Janna Hoglund - appreciation to Leadership of Tomball
13214 Hidden Timbers Ln. (safety road issues - Theis and Business 249)
Tomball, Texas

Blair Rowton - zoning case Z2414 and Z2415
15907 Pine Country Blvd.
Tomball, Texas

Ross Polk - zoning case Z2414 and Z2415
15839 Pine Country Blvd.
Tomball, Texas

E. Presentations

1. Presentation of donated funds from Resale with a Purpose to Tomball Fire Department and Explorer Post #5451 for the 2024 Holiday Heroes Event.
2. Proclamation – 2024 Excellence in Tomball Economic Development Day

F. Reports and Announcements

1. Announcements

I. Upcoming Events:

November 9, 2024 – 2nd Saturday 4 p.m. – 8 p.m. @ Depot

November 14, 2024 – Mayor’s Holiday Kaffeeklatsch 11:30 a.m. – 1 p.m.
@ Community Center

November 16, 2024 – Depot Day Fall Fest 11 a.m. – 6 p.m. @ Depot

November 23, 2024 – 59th Annual Tomball Holiday Parade 10 a.m. to
noon on Main St.

G. Old Business

1. Adopt, on First Reading, Ordinance No. 2024-31, an Ordinance of the City of Tomball, Texas, amending Chapter 50 of the Tomball Code of Ordinances by rezoning approximately 1.0402 acres of land legally described as being Lot 72, Block 1 of Acquest Tomball Replat No.1 from Office (O) to the General Retail (GR) zoning district. The property is located at 1211 Rudel Drive, 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.

No action taken

H. 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 October 21, 2024, Special and Regular City Council meetings.
2. Approve the purchase of a vehicle from Silsbee Toyota through TIPS Cooperative Purchasing Network (Contract #210907) for a not-to-exceed amount of \$35,411.25, approve the expenditure of funds therefore, and authorize the City Manager to execute any and all documents related to the purchase.
3. Approve a contract with Weisinger Incorporated for the Pine Street Water Well 2 Rehabilitation through a BuyBoard Contract (Contract No. 672-22) for a not-to-exceed amount of \$440,560, approves 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 2024-2025 Budget as part of the 2025-2029 Capital Improvement Project Plan.
4. Approve a contract with Weisinger Incorporated for the FM 2920 Water Well 5 Rehabilitation through a BuyBoard Contract (Contract No. 672-22) for a not-to-exceed amount of \$387,160, approves 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 2024-2025 Budget as part of the 2025-2029 Capital Improvement Project Plan.
5. Approve Resolution Number 2024-38, a Resolution of the City Council of the City of Tomball, Texas approving a Reimbursement Agreement relating to the

Wood Leaf Public Improvement District Number 11 – Improvement Area #3 (IA3).

6. Approve a contract with Zone Industries, Co. to complete oxidation disc rotor repairs through a BuyBoard Contract (Contract No. 672-22) for a not-to-exceed amount of \$52,220.00 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 2024-2025 Budget.
8. Approve an agreement with Kelley Moore for the provision of employee development training, workshops, curriculum and consulting sessions for City personnel, for a not-to-exceed amount of \$51,000, 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 2024-2025 budget.

Motion made by Council 4 Covington, Seconded by Council 3 Dunagin for New Business Consent items 1-6 and 8.

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

Motion carried unanimously.

7. Approve the purchase of supplies and materials from Amazon Capital Services, Inc. through the OMNIA Partners Cooperative (Contract # R-TC-17006) for a not-to-exceed amount of \$150,000, approve the expenditure of funds therefore, and authorize the City Manager to execute any and all documents related to the purchase. The purchases are included in the FY 2024-2025 budget.

No action taken.

I. New Business

1. Appoint member to Business Position 5, whose term will begin on 12/5/2024, to the Tourism Advisory Committee.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to appoint Lori Ball.

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

Motion carried unanimously.

2. Appoint member to Hotel Position 9, whose term expires 12/5/2025, to the Tourism Advisory Committee.

Motion made by Council 3 Dunagin, Seconded by Council 4 Covington to appoint Katie Whisler

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

Motion carried unanimously.

3. Appoint member to Regular Position 4, whose term expires 3/2/2026, to the Board of Adjustments.

Motion made by Council 5 Parr, Seconded by Council 4 Covington to appoint Angie Johnson

Voting Yea: Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Voting Nay: Council 1 Ford

Motion carried 3 votes yea, 1 vote nay.

4. Conduct Public Hearing for the Purpose of Considering the Following Proposed Annexation: *Being 11.40 acres (496,734 square feet) tract of land situated in the John Edwards Survey, Abstract No. 20 and Chauncey Goodrich Survey, Abstract No. 311, in Harris County, Texas, being a portion of a called 18.739-acres recorded under County Clerk's File No. (C.C.F. No.) RP-2017- 242129, Official Public Records, Harris County, Texas (O.P.R.H.C.T.)*

- Mayor opened the Public Hearing at: 6:56 p.m.
- Hearing no public comments the Mayor closed the Public Hearing at: 6:57 p.m.

Adopt, on First Reading, Ordinance No. 2024-36, an Ordinance granting the request for annexation of a certain tract of land being 11.40 acres (496,734 square feet) tract of land situated in the John Edwards Survey, Abstract No. 20 and Chauncey Goodrich Survey, Abstract No. 311, in Harris County, Texas, being a portion of a called 18.739 acres recorded under County Clerk's File No. (C.C.F.No.) RP-2017-242129, Official Public Records, Harris County, Texas (O.P.R.H.C.T.); providing for a service plan; providing for severability.

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

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

Motion carried unanimously.

5. Conduct a public hearing and consideration to approve **Zoning Case Z24-15**: Request by International Commercial Development Enterprise LLC, represented by Ernesto Quintanilla, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 11.40 acres of land legally described as being a tract of land situated in the John Edwards Survey, Abstract No. 20 and the Chauncey Goodrich Survey, Abstract No. 311 from Agricultural (AG) to the Duplex Residential (D) zoning district. The property is located at 16000 FM 2920 Road within the City of Tomball, Harris County, Texas.

- Mayor opened the Public Hearing at: 7:05 p.m.

Blair Rowton - environmental concerns
15907 Pine Country Blvd.
Tomball, Texas

Ernesto Quintanilla (applicant) - spoke regarding his request

Ed Mackowski - drainage study concerns
22023 Pinetree Dr.
Tomball, Texas

- Hearing no further comments, Mayor closed the Public Hearing at: 7:12 p.m.

Adopt, on First Reading, Ordinance No. 2024-30, an Ordinance of the City of Tomball, Texas, amending Chapter 50 by rezoning approximately 11.40 acres of land legally described as being a tract of land situated in the John Edwards Survey, Abstract No. 20 and the Chauncey Goodrich Survey, Abstract No. 311 from Agricultural (AG) to the Duplex Residential (D) zoning district. The property is located at 16000 FM 2920 Road 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 4 Covington, Seconded by Council 5 Parr.

Voting Yea: Council 1 Ford, Council 5 Parr

Voting Nay: Council 3 Dunagin, Council 4 Covington

Tie breaker: Mayor Klein Quinn voted nay.

Motion failed 2 votes yea, 3 votes nay.

6. Conduct Public Hearing for the Purpose of Considering the Following Proposed Annexation: *Being 4.339 acres (189,008 square feet) tract of land situated in the John Edwards Survey, Abstract No. 20 and Chauncey Goodrich Survey, Abstract No. 311, in Harris County, Texas, being a portion of a called 18.739-acres recorded under County Clerk's File No. (C.C.F. No.) RP-2017- 242129, Official Public Records, Harris County, Texas (O.P.R.H.C.T.)*

- Mayor opened the Public Hearing at: 7:25 p.m.

Blair Rowton - not in favor of gas station
15907 Pine Country Blvd.
Tomball, Texas

- Hearing no further comments, the Mayor closed the Public Hearing at: 7:27 p.m.

Adopt, on First Reading, Ordinance No. 2024-37, an Ordinance granting the request for annexation of a certain tract of land being 4.339 acres (189,008 square feet) tract of land situated in the John Edwards Survey, Abstract No. 20 and Chauncey Goodrich Survey, Abstract No. 311, in Harris County, Texas, being a portion of a called 18.739 acres recorded under County Clerk's File No. (C.C.F.No.) RP-2017-242129, Official Public Records, Harris County, Texas (O.P.R.H.C.T.); providing for a service plan; providing for severability.

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

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

Motion carried unanimously.

7. Conduct a public hearing and consideration to approve **Zoning Case Z24-14**: Request by International Commercial Development Enterprise LLC, represented by Ernesto Quintanilla, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 4.339 acres of land legally described as being a tract of land situated in the John Edwards Survey, Abstract No. 20 and the Chauncey Goodrich Survey, Abstract No. 311 from Agricultural (AG) to the

General Retail (GR) zoning district. The property is located at 16000 FM 2920 Road within the City of Tomball, Harris County, Texas.

- Mayor opened the Public Hearing at: 7:30 p.m.

Ernesto Quintanilla (applicant) - spoke regarding his request

- Hearing no further public comments, the Mayor closed the Public Hearing at: 7:31 p.m.

Adopt, on First Reading, Ordinance No. 2024-29, an Ordinance of the City of Tomball, Texas, amending Chapter 50 of the Tomball Code of Ordinances by rezoning approximately 4.339 acres of land legally described as being a tract of land situated in the John Edwards Survey, Abstract No. 20 and the Chauncey Goodrich Survey, Abstract No. 311 from Agricultural (AG) to the General Retail (GR) zoning district. The property is located at 16000 FM 2920 Road 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 4 Covington, Seconded by Council 1 Ford.

Voting Nay: Council 1 Ford, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion failed unanimously.

8. Authorize the City Manager to execute a Consent and Waiver on behalf of the City of Tomball with KS State Bank for the Tomball.

Motion made by Council 5 Parr, Seconded by Council 3 Dunagin.

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

Motion carried unanimously.

9. Presentation and discussion regarding the status of the American Rescue Plan Act (ARPA) funds, and possible action for proposed direction for the remaining allocation of ARPA funds.

Motion made by Council 5 Parr, Seconded by Council 3 Dunagin to include benches.

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

Motion carried unanimously.

10. Approval of Revisions to the City of Tomball's Employee Handbook

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

Motion carried unanimously.

11. 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. 551.072 – Deliberations regarding Real Property

Executive Session Started: 7:53 p.m.

Executive Session Ended: 9:10 p.m.

J. Meeting adjourned at 9:11 p.m.

PASSED AND APPROVED on this 18th day of November 2024.

Tracylynn Garcia
City Secretary, TRMC, MMC, CPM

Lori Klein Quinn
Mayor