

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



**MONDAY, SEPTEMBER 8, 2020
6:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for August 3, 2020, at 6:03 p.m., at 401 Market Street, Tomball, Texas, 77375, via video/telephone conference (Zoom).

- 1.0 Mayor Fagan called the meeting to order at 6:00 p.m., having established a quorum. Mayor Fagan read a statement regarding the process for the conduct of the meeting via Zoom and telephone. Members present (in person):

Councilman Ford
Councilman Stoll
Councilman Townsend
Councilman Klein Quinn

Members present (via video):

Councilman Degges

Others present:

City Manager – Robert Hauck (in person)
Assistant City Manager – David Esquivel (in person)
City Secretary – Doris Speer (in person)
Assistant City Secretary – Tracylynn Garcia
City Attorney – Justin Pruitt (in person)
Legal Secretary-Olson & Olson – Layla Walker (via video)
Fire Chief – Randy Parr (in person)
Fire Marshall – Joe Sykora (via video)
Assistant Fire Chief – Taner Drake (in person)
Police Chief – Jeff Bert (in person)
Marketing Director – Mike Baxter (via video)
Finance Director – Glenn Windsor (in person)
Director of Public Works – Beth Jones (in person)
Director of Community Development – Craig Meyers (in person)
Police Officer-Investigations – Cleo Thomas (in person)
Pastor Scott Zyblot – Silver Spring Baptist Church (via video)

- 2.0 The invocation was led by Pastor Slavatore Sberna – People Church.

3.0 Pledges to U. S. and Texas Flags were led by Fire Marshall Joe Sykora.

4.0 No public comments were received.

5.0 Presentations:

- Mayor Fagan administered the Oath of Office to Taner Drake, new Assistant Fire Chief
- Mayor Fagan presented certificates to Shanna Botelho, Kathryn Caspersen and Brandy Oliver, who have earned Level I Municipal Court Clerk Certification

6.0 Reports and Announcements:

- ***GrooveFest 2020 – September 19, 2020 at the Depot – a Virtual Event***
- ***Reports by City staff and members of council about items of community interest on which no action will be taken:***
 - * ***Beth Jones presented an Update on Broussard Park***
 - * ***Mike Baxter provided information about the upcoming virtual GrooveFest 2020-Details***

7.0 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to approve the Minutes of the August 14, 2020 Special Joint Meeting with City Council and TEDC and the August 17, 2020 Regular Tomball City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

8.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt on Second Reading, Ordinance No. 2020-23, an Ordinance of the City Council of the City of Tomball, Texas. Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2020-2021; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2019-2020 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance. Vote was as follows:

Councilman Townsend	<u> Aye </u>
Councilman Klein Quinn	<u> Aye </u>
Councilman Ford	<u> Aye </u>
Councilman Stoll	<u> Aye </u>
Councilman Degges	<u> Aye </u>

Motion carried unanimously.

9.0 New Business Consent Agenda:

- 9.1 Cast Ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees (TML-IRP)
- 9.2 Approve Continued Participation in Harris County Emergency Operations Plan and Authorize the Mayor to Execute the Necessary Harris County Document Accepting the Revisions to the Harris County Emergency Operations Basic Plan Document

Motion was made by Councilman Townsend, second by Councilman Ford, to approve Items 9.1 and 9.2. Vote was as follows:

Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

10.0 New Business:

- 10.1 Motion was made by Councilman Townsend, second by Councilman Klein Quinn to ratify the FY 2020-2021 Budget and Find that the Proposed Tax Rate of \$.337862/\$100 Does Not Exceed the No-New-Revenue Tax Rate and Will Not Generate More Property Tax Revenue than the FY 2019-2020 Budget

Motion carried unanimously.

- 10.4 Conduct Public Hearing regarding the Proposed 2020 Tax Rate of \$0.337862/\$100 Assessed Value for the City of Tomball, Texas

- Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball regarding the Proposed 2020 Tax Rate of \$0.337862/\$100 Assessed Value for the City of Tomball, Texas at 6:21 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:21 pm.

- 10.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt \$0.173583 as the Portion of the Tax Rate to Fund the Interest and Sinking (Debt Service) Fund for Fiscal Year 2020-2021

Motion carried unanimously.

- 10.3 Motion was made by Councilman Ford, second by Councilman Townsend, to adopt \$0.164279 as the Portion of the Tax Rate to Fund the Maintenance and Operations (M&O) Fund for Fiscal Year 2020-2021

Motion carried unanimously.

- 10.5 Motion was made by Councilman Townsend, second by Councilman Ford, to read Ordinance No. 2020-24 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2020-24, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.337862/\$100 Value Assessed for the Year 2020 on All Taxable Real and Personal Property Located in the City of Tomball, Texas; Providing for Penalty, Interest, and Additional Penalty on Taxes Not Timely Paid; and Providing Other Matters Relating to the Subject. Vote was as follows:

Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>
Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>

Motion carried unanimously.

- 10.6 The Mayor announced the Date for the Final Vote on the 2020 Tax Rate will be at a Special City Council Meeting on September 14, 2020 at 5:00 p.m.

No action necessary.

- 10.7 Conduct Public Hearing of the City Council of the City of Tomball regarding Proposed Assessments to be Levied Against Certain Assessable Property in the Raburn Reserve Public Improvement District (TPID 10)

- Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball of the City Council of the City of Tomball Regarding Proposed Assessments to be levied against Certain Assessable Property in the Raburn Reserve Public Improvement District (TPID 10) at 6:25 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:25 pm.

- 10.8 Motion was made by Councilman Townsend, second by Councilman Ford, to read Ordinance No. 2020-26 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2020-26, an Ordinance of the City of Tomball, Texas Approving a Service and Assessment Plan and Assessment Roll for Authorized Improvements for The Raburn 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 Vote was as follows:

Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>
Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>

Motion carried unanimously.

- 10.9 Motion was made by Councilman Townsend, second by Councilman Klein Quinn to approve Resolution 2020-28, A Resolution Of The City Council Of The City Of Tomball, Texas Approving The Distribution Of A Preliminary Limited Offering Memorandum For Its Special Assessment Revenue Bonds, Series 2020 (Raburn Reserve Public Improvement District Improvement Area #1)

Motion carried unanimously.

- 10.10 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve on First Reading, Resolution No. 2020-26-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 construction of a 44,000 square foot indoor sports facility to be located at 19220 Theis Ln., Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$119,450.00.

Motion carried unanimously.

- 10.11 Motion was made by Councilman Ford, second by Councilman Stoll, to approve as a Project of the Tomball Economic Development Corporation, an agreement with CCJ Collaborations, LLC to make direct incentives to or expenditures for the creation or retention of primary jobs associated with the development of a 10,500 square foot brewery and restaurant facility to be located on Lot 16 of the Tomball Business and Technology Park. The estimated amount of expenditures for such Project is \$254,502.00.

Motion carried unanimously.

- 10.12 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Tomball Economic Development Corporation (TEDC) 2020-2021 Strategic Work Plan

Motion carried unanimously.

- 10.13 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Tomball Economic Development Corporation (TEDC) 2020-2023 Strategic Plan

Motion carried unanimously.

- 10.14 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2020-2021 Budget

Motion carried unanimously.

- 10.15 Motion was made by Councilman Townsend, second by Councilman Ford, to read Ordinance No. 2020-25 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2020-25, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Amending Section 34-1, Definitions, and Section 34-7, Miscellaneous Sign Provisions, of Article I, In General, of Chapter 34, Signs, to Add a Definition of Old Town Area and to Apply Regulations to Sign Colors within the Old Town Area; 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. Vote was as follows:

Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>
Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Nay</u>
Councilman Degges	<u>Aye</u>

Motion carried 4 votes aye, 1 vote nay.

- 10.16 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, Health Insurance Contracts for City Employees with Blue Cross Blue Shield and Cigna.

Motion carried unanimously.

- 10.17 Motion was made by Councilman Townsend, second by Councilman Ford, to approve Amendments to Administrative Policy No. 27, Policies and Procedures to Receive State and Federal Grant Funding.

Motion carried unanimously.

- 10.18 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Resolution No. 2020-27, a Resolution of the City Council of the City of Tomball, Texas, Authorizing the Submission of a Community Development Block Grant – Mitigation Project Application to the General Land Office; and Authorizing the City Manager or Assistant City Manager to Act as the City’s Executive Officer and Authorized Representative in All Matters Pertaining to the City's Participation in the Community Development & Revitalization Program

Motion carried unanimously.

- 10.19 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Gas Sales Agreement, Supplier Addendum and Participant Addendum with Symmetry Energy Solutions for the City’s North and South Gates and Authorize the City Manager to Execute the Agreement.

Motion carried unanimously.

- 11.0 Motion was made by Councilman Townsend, second by Councilman Ford, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 21st day of September 2020.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor