

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



**MONDAY, OCTOBER 5, 2020  
6:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for October 5, 2020, at 6:00 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 Stoll  
Councilman Degges  
Councilman Townsend  
Councilman Klein Quinn

Members present (via video):

Councilman Ford

Others present:

City Manager – Robert Hauck  
Assistant City Manager – David Esquivel  
City Secretary – Doris Speer  
Assistant City Secretary – Tracylynn Garcia  
City Attorney – Loren Smith  
Fire Chief – Randy Parr  
Fire Marshall – Joe Sykora  
Assistant Fire Chief – Taner Drake  
Marketing Director – Mike Baxter (via video)  
Finance Director – Glenn Windsor  
Director of Public Works – Beth Jones  
Director of Community Development – Craig Meyers  
Police Detective – Cleo Thomas  
Administrative Assistant - Johnita Robinson

- 2.0 The invocation was led by Pastor David Hinkle – Tomball Bible Church. (via video)
- 3.0 Pledges to U. S. and Texas Flags were led by Fire Chief Randy Parr.

4.0 No public comments were received.

5.0 Reports and Announcements:

- November 7, 2020- "Depot Day"- 10:00 a.m.-5:00 p.m., a National Model Railroad Month Celebration at the Depot - Tomball- a Virtual Event
- November 20, 2020 - Christmas Tree Lighting at the Depot - 7:00 p.m. - a Virtual Event
- November 26-27, 2020 - Thanksgiving Holiday - City offices closed
- December 24-25, 2020 - Christmas Holidays - City offices closed
- January 1, 2021 - New Year's Day Holiday - City offices closed
- Reports by City staff and Members of Council about items of community interest on which no action will be taken:

6.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the Minutes of the September 21, 2020 Special Joint Tomball City Council and Tomball Economic Development Corporation Meeting and the September 21, 2020 Regular City Council Meeting.

Motion carried unanimously.

7.0 New Business:

7.1 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve Developer Agreement between the City of Tomball and HT Raburn Reserve Development LP in regards to the over-sizing material cost of the water main extension through the Raburn Reserve subdivision in an amount not to exceed \$24,511.86

Motion carried unanimously.

7.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2020-31 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Ford, second by Councilman Klein Quinn, to Adopt, on First Reading, Ordinance No. 2020-31, 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 Delete the Definition of Old Town Area and to Amend Regulations Regarding Sign Colors; 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 Stoll	<u>Nay</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>

Councilman Klein Quinn        Aye     
Councilman Ford                    Aye   

Motion carried 4 votes aye, 1 vote nay.

- 7.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to award contract for E&P Project 2019-10015 to Cooley Construction, LLC in the amount of \$3,398,332.00 for the construction of drainage improvements along S. Persimmon.

Motion carried unanimously.

- 7.4 Conduct public hearing regarding the City's intent to apply for a Texas Parks and Wildlife Grant.

- Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball regarding the City's intent to apply for a Texas Parks and Wildlife Grant at 6:09 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:09 p.m.

- 7.5 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve Resolution No. 2020-33, a Resolution of the City Council of the City of Tomball, Texas, authorizing the submission of a Local Parks Non-Urban Outdoor Recreation grant application to the Texas Parks and Wildlife Department and Authorize the City Manager and Assistant City Manager to act as the City's Executive Officer and authorized representative.

Motion carried unanimously.

- 7.6 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Resolution No. 2020-34, a Resolution of the City Council of the City of Tomball, Texas, resolving to prevent mining and drilling At Jerry Matheson Park.

Motion carried unanimously.

- 7.7 Motion was made by Councilman Townsend, second by Councilman Degges, to Appoint Weaver & Tidwell, LLP as auditors for the Fiscal Year Ending September 30, 2020 and authorize the City Manager to enter into negotiations with the firm as to fees charged and other relevant terms of the audit engagement.

Motion carried unanimously.

- 7.8 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2020-28 by caption only on First and Final Reading.

Motion carried unanimously.

Motion was made by Councilman Ford, second by Councilman Klein Quinn, to Adopt, on First Reading, Ordinance of the City Council of the City of Tomball, Texas, Authorizing the Issuance of City of Tomball, Texas, General Obligation Refunding Bonds, Series 2020; Levying a Tax in Payment Thereof; Authorizing the Issuance of the Bonds in Accordance with Specified Parameters; Authorizing the Redemption Prior to Maturity of Certain Outstanding Bonds; Approving the Preparation and Distribution of an Official Statement; and Enacting Other Provisions Relating Thereto; and Providing for the Effective Date Thereof. Vote was as follows:

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

- 7.9 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2020-35, a Resolution of the City of Tomball, Texas, Adopting Texas Coalition for Affordable Power, Inc. (TCAP) Professional Services Agreement and Gexa Energy's Commercial Electric Service Agreement for Power to be Provided On and After January 1, 2023.

Motion carried unanimously.

- 8.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 19th day of October 2020.

Doris Speer  
Doris Speer, TRMC, MMC  
City Secretary

Gretchen Fagan  
Gretchen Fagan  
Mayor