

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



**MONDAY, SEPTEMBER 21, 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 6:15 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 Degges
Councilman Klein Quinn

Members present (via video):

Councilman Townsend

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
Assistant City Secretary – Tracylynn Garcia
City Attorney – Loren Smith
Legal Secretary-Olson & Olson – Layla Walker (via video)
Fire Chief – Randy Parr
Fire Marshall – Joe Sykora (via video)
Assistant Fire Chief – Taner Drake
Police Chief – Jeff Bert
Marketing Director – Mike Baxter (via video)
Finance Director – Glenn Windsor
Director of Public Works – Beth Jones
Director of Community Development – Craig Meyers
Police Officer-Bailiff – Rom McGullion

- 2.0 The invocation was led by Pastor Jerry Williams – EPIC Ministriesd.
- 3.0 Pledges to U. S. and Texas Flags were led by Assistant Fire Chief Drake Taner.

4.0 One public comment was received:

David Quinn
13415 Lost Creek Rd
Tomball, Texas 77375

Spoke in favor of Alleyways.

5.0 No Reports and Announcements were given.

6.0 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to approve the Minutes of the September 8, 2020 Regular City Council Meeting and the September 14, 2020 Special Tomball City Council Meeting.

7.0 Old Business:

7.1 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to adopt, on Second 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 Ford	<u>Aye</u>
Councilman Stoll	<u>Nay</u>
Councilman Degges	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>
Councilman Townsend	<u>Aye</u>

Motion carried 4 votes Aye 1 vote Nay.

7.2 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, approve, on Second 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.

- 7.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second 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 Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Ford	<u>Aye</u>

Motion carried unanimously.

8.0 New Business:

- 8.1 Motion was made by Councilman Townsend, second by Councilman Degges, to read Ordinance No. 2020-27 by caption only on First and Only Reading.

Motion carried unanimously.

Motion was made by Councilman Ford, second by Councilman Klein Quinn, to adopt, on First and Only Reading, Ordinance No. 2020-27, an Ordinance Approving and Authorizing the Issuance and Sale of the City of Tomball Special Assessment Revenue Bonds, (Raburn Reserve Public Improvement District Improvement Area #1 Project); Approving and Authorizing a Master Indenture of Trust and First Supplemental Indenture of Trust and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of Such Bonds; and Providing an Effective Date. Vote was as follows:

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

- 8.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2020-29, a Resolution of the City Council of the City of Tomball, Texas Approving a Reimbursement Agreement Relating to Improvement Area #1 of The Raburn Reserve Public Improvement District.

Motion carried unanimously.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2020-30, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Passage of Legislation during the 87th Regular Session of the Texas Legislature (2021), to Allow for the Expenditure of Municipal Hotel Occupancy Tax Revenue by the City for Construction of Improvements in Municipal Parks.

Motion carried unanimously.

- 8.4 Motion was made by Councilman Stoll, second by Councilman Degges, to approve Resolution No. 2020-31, a Resolution of the City of Tomball, Texas, Approving the Master Fee Schedule for Fiscal Year 2020-2021.

Motion carried unanimously.

- 8.5 Motion was made by Councilman Klein Quinn, second by Councilman Townsend, to approve Resolution No. 2020-32, a Resolution of the City of Tomball, Texas, Adopting and Ratifying the City of Tomball's Investment Policy, as set forth in the City's Administrative Policy No. 13, entitled "Investment Policy".

Motion carried unanimously.

- 8.6 Motion was made by Councilman Stoll, second by Councilman Degges, to award Contract and Authorize the City Manager to Execute an Agreement for Grant Administration Services with Langford Community Management Services for E&P Project 2020-10035, Community Development Block Grant – Mitigation Project.

Motion carried unanimously.

- 8.7 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to award Contract and Authorize the City Manager to Execute an Agreement for Professional Engineering Services with Huitt-Zollars for E&P Project 2020-10035, Community Development Block Grant – Mitigation Project.

Motion carried unanimously.

- 8.8 Motion was made by Councilman Degges, second by Councilman Ford, to Appoint Assistant Court Clerk Inez Sanchez as Juvenile Case Manager for the Tomball Municipal Court.

Motion carried unanimously.

- 8.9 Motion was made by Councilman Degges, second by Councilman Stoll, to Approve Revisions to Administrative Policy Number 27, Adopting Policies and Procedures Necessary to Receive State and Federal Grant Funding.

Motion carried unanimously.

- 8.10 Executive Session: The City Council recessed at 6:36 p.m., to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

Sec. 551.074 – Personnel Matters: Deliberation of the Appointment, Employment, Employment, and Duties of a Public Officer or Employee – City Manager

Upon reconvening into the regular Council meeting at 6:54 p.m., the following items were considered:

- 8.11 Motion was made by Councilman Stoll, second by Councilman Degges, to approve the Amendments to and Extension of the Employment Contract for Robert Hauck, City Manager.

Motion carried unanimously.

- 9.0 Motion was made by Councilman Degges, second by Councilman Townsend, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 5th day of October 2020.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor