

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



MONDAY, MAY 15, 2017

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, May 15, 2017 at 6:00 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Richard Jennings, Senior Pastor - River of Praise

3.0 Pledges to U. S. and Texas Flags

- Led by Members of the Tomball High School or Tomball Memorial High School Student Councils

4.0 Canvass of Election

4.1 Canvass of Election
Escrutinio de la Elección
Kiểm Phiếu của Cuộc Bầu Cử
拉票選舉

Resolution No. 2017-06, Canceling the Regular City Officer's Election Scheduled to be held on the 6th Day of May, 2017, in Accordance with Section 2.053(a) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election as approved by City Council on March 6, 2017, at the Regular Council Meeting. The following actions complete the canvass of the May 6, 2017 Election.

Resolución Nro. 2017-06, cancelando la Elección Regular de Funcionarios de la Ciudad programada para el 6 de mayo de 2017, de acuerdo con la Sección 2.053(a) del Código

Electoral de Texas; instruyendo que se de aviso de tal cancelación de elección; y disponiendo los detalles relativos a la cancelación de tal elección como fue aprobada por el Consejo Municipal el 6 de marzo de 2017 en la asamblea ordinaria del Consejo. Las medidas indicadas a continuación completan el escrutinio de la Elección del 6 de mayo de 2017.

Nghị quyết số 2017-06, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Lệ Dự Kiến sẽ được tổ chức vào ngày 6 tháng Năm, 2017 chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Tiểu Bang Texas; Chỉ thị việc Ban Hành Thông Báo Hủy Bỏ Cuộc Bầu Cử; và Cung Cấp Thông Tin Chi Tiết liên quan đến Hủy Bỏ Cuộc Bầu Cử theo phê chuẩn của Hội Đồng Thành Phố vào ngày 6 tháng Ba, 2017 tại Cuộc Họp Hội Đồng Thường Lệ. Các hành động sau đây hoàn tất việc kiểm phiếu ngày 6 tháng Năm, 2017.

決議案2017-06號，取消一般市府官員應於2017年5月6日的選舉計畫，其是根據德克薩斯州選舉法2.053(a)節；茲此通知該選舉取消；以及提供關於由市政委員會於2017年3月6日，在一般是政會議通過取消該選舉的詳情。下列行動完成2017年5月6日選舉遊說

- 4.2 Presentation to Councilman F. S. "Field" Hudgens
Presentación a Concejal F. S. "Field" Hudgens
Trình lên ông hội đồng F. S. Hudgens
簡報 Councilman F Hudgens S .
- 4.3 Administer Oath of Office to Elected Officials
Administrar el juramento al cargo de los funcionarios electos
Làm lễ Tuyên Thệ Nhậm Chức cho các Viên Chức Được Bầu Chọn
管管理選舉官員宣誓就職
- 4.4 Consideration to Elect Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter
Considerar elegir un Alcalde Interino, de acuerdo con la Sección 6.08 de la Carta Orgánica de Gobierno Local de al Ciudad de Tomball.
Xem xét Bầu Chọn Thị Trưởng Tạm Thời, chiếu theo Mục 6.08 của Hiến Chương Điều Lệ Địa Phương Thành Phố Tomball.
考慮選出暫替市長，根據Tomball市自治憲章6.08節
- 5.0 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.]*

6.0 Reports and Announcements:

- May 27, 2017 – ***Tomball Honky Tonk Music Festival and Chili Challenge***
- July 4, 2017 – ***Tomball July 4th Celebration & Street Festival***
- August 26, 2017 – ***Tomball Texas Music Festival***
- September 23, 2017 – ***7th Annual Beetles, Brew & Barbeque Festival*** – 12:00 Noon-6:00 p.m.
- October 7, 2017 – ***4th “Annual Paces for Pink” 5K Run***
- October 7, 2017 – ***“Zomball in Tomball”***
- October 21, 2017– ***6th Annual Tomball Bluegrass Festival*** – 12:00 Noon-6:00 p.m.
- Reports by City staff and members of council about items of community interest on which no action will be taken
 - Mike Baxter – Report on the Success of the ***Rails & Tails Mudbug Festival***
 - Glenn Windsor – Quarterly Investment Report for Period Ending March 31, 2017. The Public Funds Investment Act requires that a report of the City's Investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values, yield information, and weighted average maturities. On March 31, 2017, the City had total cash and cash equivalents in the amount of \$70,624,591. A copy of the report is attached for Council review.

7.0 Approve the Minutes of the May 1, 2017 Regular Tomball City Council Meeting

8.0 Old Business:

- 8.1 Adopt, on Second Reading, Ordinance No. 2017-10, an Ordinance of the City of Tomball, Texas, Amending its Zoning Ordinance by Approving a Planned Development District of Approximately 65.6190 Acres of Land Located at the Southwest Corner of the Intersection of State Highway 249 and State Highway 99, Amending the Official Zoning Map of the City to Reflect the Planned Development District to be Known as Planned Development–10 (PD 10) District; Adopting Regulations Applicable To PD–10 District; Providing for Severability; Providing for a Penalty of an Amount not to Exceed \$2,000.00 for Each Violation Hereof, with Each Day Constituting a New Violation; Making Findings of Fact; and Providing for Other Matters

9.0 New Business:

- 9.1 Approve Request for Qualifications to Seek an Independent Auditing Firm for the Fiscal Years Ending September 30, 2017 through September 30, 2021, a Five-Year Term
- 9.2 Adopt, on First Reading, Ordinance No. 2017-09, 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 [A Tract Containing 11.130 Acres or 484,852 Square Feet of Land, Situated in the Elizabeth Smith Survey, Abstract No. 70, Harris County, Texas. Being out of a Called 16.4724-Acre Tract Conveyed to 11311 Holderrieth Limited, L.P. as recorded under Harris County Clerk's File (H.C.C.F.) No. W840420, Tomball, Texas; Located within the Extraterritorial Jurisdiction of the City of Tomball, Harris County, Texas, Located at 11311 Holderrieth Road)] (Mustang Cat)

- 9.3 Consideration to Approve **Zoning Case P17-0037**: Request by Jerry M. Young, on behalf of Mustang Cat, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.130 acres of land, legally described as a tract or parcel containing 11.130 acres or 484,852 square feet of land, situated in the Elizabeth Smith Survey, Abstract No. 70, Harris County, Texas, being out of a called 16.4724 acre tract conveyed to 11311 Holderrieth Limited, L.P. as recorded under Harris County Clerk's file (H.C.C.F.) No. w840420, generally located at the southwest corner of Holderrieth and Hufsmith-Kohrville Road to the Light Industrial District.

- Conduct Public Hearing on **Zoning Case P17-0037**
- Adopt, on First Reading, Ordinance No. 2017-16, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 11.130 Acres of Land, Legally Described as a Tract or Parcel Containing 11.130 Acres or 484,852 Square Feet of Land, Situated in the Elizabeth Smith Survey, Abstract No. 70, Harris County, Texas, Being out of a Called 16.4724 Acre Tract Conveyed to 11311 Holderrieth Limited, L.P. as Recorded under Harris County Clerk's File (H.C.C.F.) No. W840420, within the City of Tomball, Harris County, Texas, to the Light Industrial District; Said Property being generally located at the Southwest Corner of Holderrieth Road and Hufsmith-Kohrville Road; Providing for the Amendment of the Official Zoning Map of the City; 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

- 9.4 Consideration to Approve **Zoning Case P17-0036**: Request by DJ and Kelly Ray, on behalf of Lefty's Auto Crafters, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.17 acres of land, legally described as Lot 9 Block 1 Main Street – Tomball, generally located on the east side of Holderrieth Boulevard, between Main Street and Arnold Street, from the Single-family 6 District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P17-0036**

- Adopt, on First Reading, Ordinance No. 2017-17, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 0.17 Acres of Land, Legally Described as Lot 9 Block 1 Main Street – Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Commercial District; Said Property being generally located on the East Side of Holderrieth Boulevard, between Main Street and Arnold Street; Providing for the Amendment of the Official Zoning Map of the City; 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

9.5 Award Contract for Project No. 2017-12 - Traffic Signal at Hufsmith-Kohrville Road and Spell Road to Third Coast Services, LLC, in the Amount of \$106,847.77

9.6 Consideration and Possible Action to Approve Development Agreement with Pigs Unlimited International, Inc. for the City of Tomball to Temporarily Provide Out-of-City Utility Services

10.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 11th day of May 2017 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer

Doris Speer

City Secretary, TRMC, MMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.