

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



MONDAY, MARCH 6, 2017

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, March 6, 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 Pastor James Clark, First Baptist Church

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 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.]*

5.0 Presentations:

- New Baby Proclamation – Jason and Hollyann Apel, Parents of Jackson Scott Apel

6.0 Reports and Announcements:

- March 11, 2017 – **2nd Saturday at the Depot**
- April 8, 2017 – **7th Annual 5K Bunny Run and 1 Mile Kids Walk**

- April 8, 2017 – **2nd Saturday at the Depot**
- April 17-22, 2017 – Annual **Spring Clean-Up and Chipping Week**
- April 22, 2017 – **Tomball Consolidated Recycling Day** at Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
- April 22, 2017 – **Tomball Rotary Club Annual Fish Fry** at the Depot, 4:00 p.m.-8:00 p.m.
- April 29, 2017 – **Tomball Lions Club Car Show** at Lone Star College, 10:00 a.m.-2:00 p.m.
- May 6-7, 2017 – ***Rails & Tails Mudbug Festival***
- May 27, 2017 – ***Tomball Honky Tonk Music Festival and Chili Challenge***
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Randy Parr – Report on the success of the ***Shattered Lives Event*** at **Tomball Memorial High School**

7.0 Approve the Minutes of the February 20, 2017 Regular Tomball City Council Meeting

8.0 Old Business:

8.1 Adopt, on Second Reading, Ordinance No. 2017-02, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Grevis Properties, to Operate a “Mobile Food Court” at 403 East Main Street; Said Property Being Approximately 0.28 Acres, and Being Legally Described as Lot 24 Block 80 Tomball Townsite Lot 24 Replat, Harris County, Texas, Generally Located at the Southeast Corner of East Main Street and Chestnut Street; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability

8.2 Adopt, on Second Reading, Ordinance No. 2017-03, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Ryan Bailey, on Behalf of Adapt Programs, LLC, to Operate an “Institution for Alcoholic, Narcotic or Psychiatric Patients” at 13628 Michel Road; Said Property Being Approximately 1.00 Acre, and Being Legally Described as Reserve B Block 1 Falcon, Tomball, Harris County, Texas, Generally Located on the South Side of Michel Road, Between Johnson Road and SH 249; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability

9.0 New Business:

- 9.1 Conduct First Public Hearing to Consider the Annexation of the Following Tract of Land: (Tract 1: 65.6190 acres of land in the William Perkins Survey, Abstract No. 621, the T.A. Duclos Survey, Abstract No. 1473, and in the C. W. Hall Survey, Abstract No. 1639, Harris County, Texas):

A FIELD NOTE DESCRIPTION of 65.6190 acres (2,858,363 square feet) of land in the Williams Perkins, Survey, Abstract No. 621, in the T. A. Duclos Survey, Abstract No. 1473, and in the C. W. Hall Survey, Abstract No. 1639, Harris County, Texas; said 65.6190 acre tract of land being several tracts of land conveyed to A-K Venture Capital, L.C., as recorded in Harris County Clerk's File Nos. P577137, 20150073274, 20150446291, 20150424692, 20150446503, 20150446572 and 20150085560; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

COMMENCING FOR REFERENCE at a 5/8-inch iron rod found at the intersection of the south right-of-way line of Boudreaux Estates Drive (previously called Boudreaux Road, 60 feet wide) with the east right-of-way line of Rocky Road (previously called Boudreaux Road, 60 feet wide) for the northwest corner of a 14.8700 acre tract of land conveyed to Greater Life Church, as recorded in Harris County Clerk's File No. P747894;

THENCE, South 02° 42' 23" East with the east right-of-way line of said Rocky Road, at a distance of 508.47 pass a point at the intersection of the east right-of-way line of said Rocky Road with the north right-of-way line of State Highway 99 (Grand Parkway, right-of-way width varies), as recorded in Harris County Clerk's File No. 20130635661 and continuing for a total distance of 1,125.13 feet to a TXDOT monument disk found at the intersection of the east right-of-way line of said Rocky Road with the south right-of-way line of said State Highway 99 for a northwest corner and the POINT OF BEGINNING of this tract;

THENCE, North 87° 08' 44" East – 3.45 feet with a south right-of-way line of said State Highway 99 to a TXDOT monument disk found for an interior corner of this tract;

THENCE, North 02° 28' 32" West – 66.98 feet with an east right-of-way line of said State Highway 99 to a TXDOT monument disk found for an angle point of this tract;

THENCE, North 42° 34' 59" East – 50.02 feet with the southeast right-of-way line of said State Highway 99 to a TXDOT monument disk found for an angle point of this tract;

THENCE, North 88° 01' 15" East – 1,169.62 feet with the south right-of-way line of said State Highway 99 to a TXDOT monument disk found for an angle point of this tract;

THENCE, South 73° 26' 35" East – 26.19 feet with the south right-of-way line of said State Highway 99 to a TXDOT monument disk found for an angle point of this tract;

THENCE, North 88° 01' 15" East – 30.30 feet with the south right-of-way line of said State Highway 99 to a TXDOT monument disk found for the beginning of a non-tangent curve to the right;

THENCE, in a southeasterly direction with the south right-of-way line of said State Highway 99 and with said non-tangent curve to the right having a radius of 1,030.79 feet, a central angle of 22° 58' 29", a length of 413.33 feet and a chord bearing South 60° 10' 38" East – 410.57 feet to a 5/8-inch iron rod found in the southwest right-of-way line of State Highway 249 (width varies) for the northeast corner of this tract;

THENCE, in a southeasterly direction with the southwest right-of-way line of said State Highway 249 and with a non-tangent curve to the right having a radius of 1,379.00 feet, a central angle of 01° 37' 30", a length of 39.11 feet and a chord bearing South 23° 20' 16" East - 39.11 feet to a 5/8- inch iron rod with cap stamped "T.E.A.M." found for the end of said curve;

THENCE, South 22° 44' 12" East - 154.41 feet with the southwest right-of-way line of said State Highway 249 to a TXDOT monument disk found for a point-of-curvature;

THENCE, in a southeasterly direction with the southwest right-of-way line of said State Highway 249 and with a curve to the left having a radius of 1,512.00 feet, a central angle of 12° 29' 50", a length of 329.80 feet and a chord bearing South 28° 59' 08" East - 329.14 feet to a TXDOT monument disk found for the end of said curve;

THENCE, South 35° 12' 22" East - 395.67 feet with the southwest right-of-way line of said State Highway 249 to a TXDOT monument disk found at the northeast end of a cutback at the intersection of the southwest right-of-way line of said State Highway 249 with the northwest right-of-way line of Boudreaux Road (100 feet wide), as recorded in Harris County Clerk's File No. D900150 for a southeast corner of this tract;

THENCE, South 08° 39' 54" West – 53.94 feet with said cutback to a TXDOT monument disk found at the southwest end of said cutback for a southeast corner of this tract;

THENCE, South 58° 19' 09" West - 791 .84 feet with the northwest right-of-way line of said Boudreaux Road to a 5/8-inch iron rod found for the beginning of a non-tangent curve to the right;

THENCE, in a westerly direction with the north right-of-way line of said Boudreaux Road and with said non-tangent curve to the right having a radius of 2,750.00 feet, a central angle of 28° 57' 23", a length of 1,389.80 feet and a chord bearing South 72° 50' 56" West – 1,375.06 feet to a 5/8-inch iron rod found at the intersection of the north right-of-way line of said Boudreaux Road with the east right- of-way line of said Rocky Road for the southwest corner of this tract;

THENCE, North 02° 42' 23" West - 1,732.43 feet with the east right-of-way line of said Rocky Road to the POINT OF BEGINNING and containing 65.6190 acres (2,858,363 square feet) of land.

- 9.2 Approve 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
Aprobar la Resolución Nro. 2017-06 Cancelando la Elección Regular de Funcionarios Municipales programada para celebrarse el día 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 proveyendo detalles relativos a la cancelación de tal elección.
Chấp thuận Nghị Quyết số 2017-06, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Kỳ Dự Kiến sẽ được tổ chức vào ngày 6 tháng Năm, 2017, Chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Texas; Chỉ thị việc đưa ra Thông Báo về Hủy Bỏ Cuộc Bầu Cử đó; và Cung Cấp Thông Tin Chi Tiết Liên quan đến việc Hủy Bỏ Cuộc Bầu Cử đó.
通過決議案2017-06，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；以及提供關於取消該選舉的詳情。
- 9.3 Adopt, on First Reading, Ordinance No. 2017-04, an Ordinance Altering the Prima Facie Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of The City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of this Ordinance
- 9.4 Approve Request by Tomball United Methodist Church for City Support and In-Kind Services to Host a Free Community Easter Egg Hunt at the Tomball Depot, to be Held on Saturday, April 15, 2017
- 9.5 Approve Request by Tomball Rotary Club for City Support and In-Kind Services for Their Annual Fish Fry at the Tomball Depot, to be Held on Saturday, April 22, 2017
- 9.6 Presentation by HMW Special Utility District, Requesting Consideration by Council to Authorize City Staff and HMW Staff to Prepare an Agreement Allowing for the Creation of a Water Interconnect and Sale of Wholesale Water to the Red Oak Terrace and McKinney Place Subdivisions
- 9.7 Consideration and Possible Action to Approve, as a Project of the Corporation, an Agreement with Epic International, LLC to Make Direct Incentives to, or

Expenditures for, the Relocation of Its Corporate Headquarters Facility to 21227 Hufsmith-Kohrville Road, Bldg. C, Tomball, Texas 77375. The Estimated Amount of Expenditures for such Project is \$37,500.00.

- 9.8 Approve RFQ No. 2017-05 for the City of Tomball Utility Rate Study and Authorization to Execute a Contract for Services to Willdan Financial Services, in the Amount of \$55,000.00
 - 9.9 Approve the Execution of an Engineering Contract with Goodwin Lasister Strong for the Design of the Sanitary Sewer Extension along Rudolph Road, in an Amount Not to Exceed \$43,700.00
 - 9.10 Approve the Execution of an Engineering Contract with Gunda Corporation for the Design of New Sidewalks along Quinn Road and Holderrieth Boulevard, in the Amount of \$114,297.00
 - 9.11 Accept a 0.0442-Acre Tract (1,924 Sq. Ft.) of Land (Parcel 532), via Special Warranty Deed from Mariah Group, Ltd., for Right-of-Way Needed for Extension of the Tomball Tollway
 - 9.12 Accept a 0.0058-Acre Tract (253 Sq. Ft.) of Land (Parcel 540), via Special Warranty Deed from Brown Road Timber Resources, LLC, for Right-of-Way Needed for Extension of the Tomball Tollway
- 10.0 Adjournment

C E R T I F I C A T I O N

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 2nd day of March 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.
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