

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



MONDAY, OCTOBER 17, 2016

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, October 17, 2016 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 the Reverend Thomas Hopper, St. Anne's Catholic Church

3.0 Pledges to U. S. and Texas Flags

- Led by Members of the Webelos Cheetah Patrol and Infinity Vipers Patrol, Pack 469, and Tomball High School/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 Reports and Announcements:

- October 22, 2016 – **5th Annual Tomball Bluegrass Festival** – 12:00 Noon-6:00 p.m.
- November 12, 2016 – **2nd Saturday at the Depot**
- November 18, 2016 – **"Holiday Lamp Post Stroll"**
- November 19, 2016 – **51st Annual Tomball Holiday Parade**
- November 24-25 – **Thanksgiving Holidays**; City offices will be closed
- 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 “**6th Annual Beetles, Brew & Barbeque Festival**” and the first “**Freight Train Food Truck Festival**” at the Depot
- Billy Tidwell – Report on the success of **2016 National Night Out**
- Denise Fiore – Report on the success of “**Zomball in Tomball**”

6.0 Approve the Minutes of the October 3, 2016 Regular Council Meeting and the October 10, 2016 Special Council Meeting

7.0 Old Business:

- 7.1 Adopt, on Second Reading, Ordinance No. 2016-23, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity no Longer Require the Continued Existence of a Part of an Unimproved Roadway Between Epps Street and Hufsmith Road, All Situated in the Joseph House Survey, Abstract Number 34, Harris County, Texas, and as Recorded in Volume 002, Page 65 of the Map Records Of Harris County, Texas; Vacating, Abandoning, and Closing Said Unimproved Roadway and Street Right-Of-Way; Authorizing the Mayor to Execute and the City Secretary to Attest, Respectively, a Quitclaim Deed Conveying Said Unimproved Roadway and Street Right-Of-Way to Arthur M. Sansom; Providing for Severability; and Containing Other Provisions Relating to the Subject
- 7.2 Adopt, on Second Reading, Ordinance No. 2016-25, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.341455 for the Year 2016 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
- 7.3 Adopt, on Second Reading, Ordinance No. 2016-26, an Ordinance of the City Council of the City of Tomball, Texas Consenting to the Creation of Harris County Improvement District No. 17 and Consenting to the Annexation of Land into Said District

8.0 New Business:

- 8.1 Presentation by Allen Boone Humphries Robinson, LLP in regards to Municipal Utility Districts versus Public Improvement Districts
- 8.2 Approve Request from Woodforest Bank for City Support of the 8th Annual 5K Tomball Dash, a Certified Run, to be held in Tomball on Saturday, November 12, 2016, through In-Kind Services Provided by the City of Tomball
- 8.3 Approve Resolution No. 2016-22, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 51st Annual Tomball Holiday Parade, “**A Gold**

Medal Christmas”, to be Held in Tomball on Saturday, November 19, 2016 and to Approve Requested Street Closures and In-Kind Services

- 8.4 Consideration to approve Zoning Case P16-0140: Request by Robert Chandler, on behalf of Lone Star Partners, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.898 acres of land, legally described as 11.898 acres of land situated in the Sam Lewis Survey, Abstract Number 1704, City of Tomball, Harris County, Texas, being a portion of that certain called 160.3 acres of land described in deed and recorded under Volume 942, Page 191 of the Deed Records of Harris County, Texas, generally located at the southeast corner of SH 249 Bypass and Alice Road, from the Agricultural District to the Commercial District.
- Conduct Public Hearing on Zoning Case P16-0140
 - Adopt, on First Reading, Ordinance No. 2016-27, 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 11.898 Acres of Land, Legally Described as 11.898 Acres of Land Situated in the Sam Lewis Survey, Abstract Number 1704, City of Tomball, Harris County, Texas, Being a Portion of That Certain Called 160.3 Acres of Land Described in Deed and Recorded under Volume 942, Page 191 of the Deed Records of Harris County, Texas, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property Being Generally Located at the Southeast Corner of SH 249 Bypass and Alice 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.
- 8.5 Consideration to approve Zoning Case P16-0142: Request by Scott McKinzie, on behalf of BCDE, LTD., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 70 acres of land, legally described as a 70.3604 acre tract of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; being a portion of Unrestricted Reserve “C” of Tomball Greens Final Plat as shown on a plat filed for record under Film Code Number 440128 of the Harris County Map Records, being the remainder of a called 78.4754 acre tract conveyed to BCDE, LTD. by Special Warranty Deed With Vendor’s Lien dated December 30, 2002 and filed for record under Clerk’s File No. W332593 of the Harris County Official Public Records of Real Property and being all of a called 4.882 acres conveyed to Eibsen & Associates, Inc. by Warranty Deed dated March 31, 2014 and filed for record under Clerk’s File No. 20140133968 of the Harris County Official Public Records of Real Property, within the City of Tomball, Harris County, Texas, generally located on the east side of Hufsmith-Kohrville

Road, north Spell Road, from the Single-Family 9 District to the Single-Family 6 District.

- Conduct Public Hearing on Zoning Case P16-0142
- Adopt, on First Reading, Ordinance No. 2016-28, 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 70 Acres of Land, Legally Described as a 70.3604 Acre Tract of Land Situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; Being a Portion of Unrestricted Reserve “C” of Tomball Greens Final Plat as shown on a Plat Filed for Record under Film Code Number 440128 of the Harris County Map Records, Being the Remainder of a Called 78.4754 Acre Tract Conveyed to BCDE, Ltd. by Special Warranty Deed with Vendor’s Lien Dated December 30, 2002 and Filed for Record under Clerk’s File No. W332593 of the Harris County Official Public Records of Real Property and Being All of a Called 4.882 Acres Conveyed to Eibsen & Associates, Inc. by Warranty Deed Dated March 31, 2014 and Filed for Record under Clerk’s File No. 20140133968 of the Harris County Official Public Records of Real Property, within the City of Tomball, Harris County, Texas, from the Single-Family 9 District to the Single-Family 6 District; Said Property Being Generally Located on the East Side of Hufsmith-Kohrville Road, North Spell 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.

- 8.6 Authorize the City Manager to Execute a Revised, FEMA-Compliant, Mutual Aid Agreement between Harris County Fire Departments
- 8.7 Discussion and Possible Action regarding On-Street and Off-Street Parking Options for the Old Town Area
- 8.8 Approve Recommended Amendments to Administrative Policy No. 23, Entitled “Park Reservation Policy”
- 8.9 Renew Contract Number 0000-10004 for Janitorial Services to Sparkling Maintenance Service
- 9.0 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 13th day of October 2016 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.