

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



**MONDAY, JULY 20, 2020
6:00 P.M.**

IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR JULY 20, 2020, 6:00 P.M., AT 401 MARKET STREET, TOMBALL, TEXAS, 77375. IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED “SOCIAL DISTANCING”) TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19), THERE WILL BE LIMITED PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE. THIS MEETING AGENDA AND THE AGENDA PACKET ARE POSTED ONLINE AT <https://tomballtx.gov/Archive.aspx?AMID=38>; A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): +1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 971 5842 5282. The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, July 20, 2020 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 Andrew – Real Life Ministries
- 3.0 Pledges to U. S. and Texas Flags
- 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:
 - **Tomball City Pool – 2020 Swim Season** - Jerry Matheson Park Pool will operate with normal hours through August 16. The pool will be open on Saturday and Sunday only on the weekends of August 22-23 and August 29-30. The pool will be closed every Monday during swim season 2020,

except Labor Day (September 7). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.

- **TOMBALL KID'S CLUB – Activities (Food distribution only):** July 23 and 30 from 11:00 a.m. to 12:00 p.m., at **Juergens Park**
- Reports by City staff and members of council about items of community interest on which no action will be taken:

6.0 Approve the Minutes of the July 6, 2020 Special Tomball City Council Meeting and the July 6, 2020 Regular Tomball City Council Meeting

7.0 Old Business Consent Agenda:

- 7.1 Adopt, on Second Reading, Ordinance No. 2020-13, an Ordinance of the City Council of Tomball, Texas, Approving the Service and Assessment Plan for the City of Tomball Public Improvement District Number Four (Alexander Estates Subdivision)
- 7.2 Adopt, on Second Reading, Ordinance No. 2020-14, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment Against Section One Properties within the City of Tomball Public Improvement District Number Four (Alexander Estates Subdivision); and Making Certain Findings Related Thereto
- 7.3 Adopt, on Second Reading, Ordinance No. 2020-15, an Ordinance of the City Council of Tomball, Texas, Approving the Service and Assessment Plan for the City of Tomball Public Improvement District Number Eight (Timber Trails Subdivision)
- 7.4 Adopt, on Second Reading, Ordinance No. 2020-16, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section One Properties within the City of Tomball Public Improvement District Number Eight (Timber Trails) and Making Certain Findings Related Thereto
- 7.5 Adopt, on Second Reading, Ordinance No. 2020-21, an Ordinance of the City Council of Tomball, Texas, Amending Section 8-124 of Its Code of Ordinances to Remove the Use of the Term “Single-Family Residential Platted Lot” and Removing the Requirement that the One-Acre Requirement be Calculated Without Regard to Improvements Existing on the Property; 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

8.0 Old Business:

- 8.1 Adopt, on Second Reading, Ordinance No. 2020-12, 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

9.0 New Business

- 9.1 Consideration and Possible Approval regarding **Zoning Case P20-069**: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1 Acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas
- Conduct Public Hearing regarding **Zoning Case P20-069**
 - Adopt, on First Reading, Ordinance No. 2020-09, 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 One Acre of Land Legally Described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District, said Property being generally located at the Southwest Corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas; 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.
- 9.2 Consideration to Approve **Zoning Case P20-105**: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a soap, detergents, cleaning preparations manufacture facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.
- Conduct Public Hearing regarding **Zoning Case P20-105**
 - Adopt, on First Reading, Ordinance No. 2020-17, 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 Whitmeyer's Distilling Co., LLC to Operate a "Soap, Detergents, Cleaning Preparations Manufacture" Facility; Said Property being Approximately 6.10 Acres of Land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, within the City of Tomball, Harris County, Texas, generally located at the End of Spell Circle at 21250 Spell Circle, and is Zoned Light Industrial District; 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
- 9.3 Consideration to Approve **Zoning Case P20-104**: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing regarding **Zoning Case P20-104**
- Adopt, on First Reading, Ordinance No. 2020-18, 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 6 Acres of Land, Legally Described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, within the City of Tomball, Harris County, Texas, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District; Said Property being generally located on the South Side of FM 2920 at South Live Oak 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.

9.4 Consideration to approve **Zoning Case P20-103**: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing regarding **Zoning Case P20-103**
- Adopt, on First Reading, Ordinance No. 2020-19, 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 95.4 Acres of Land, Legally Described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, PT Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, PT Tract 21A (AG-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, within the City of Tomball, Harris County, Texas, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District; said Property being generally located on the South Side of Theiss Lane at Commercial Park Road and North Side of Holderrieth Road between SH 249 and South Cherry 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 Consideration to approve **Zoning Case P20-099**: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the

Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing regarding **Zoning Case P20-099**
 - Adopt, on First Reading, Ordinance No. 2020-20, 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 1.7958 Acres of Land Legally Described as Part of Tracts 6A 12A 18A 24A 30A & 36A (AG-Use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District, said Property being generally located on the North Side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas; 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.
- 9.6 Approve Resolution No. 2020-19, a Resolution of the City of Tomball, Texas, Designating the Harris County Tax Office as the Officer to Calculate the No-New Revenue Tax Rate and the Voter Approval Tax Rate in Accordance with the Texas Tax Code
- 9.7 Authorize City Manager to Execute an Agreement for Grant Administration Services with Langford Community Management Services for E&P Project 2019-10015, Lizzie Lane and South Persimmon Drainage Improvements, in the Amount of \$109,802.00
- 9.8 Approve Resale Deed for Property acquired by Foreclosure Tax Sale in Cause No. 1987-10418, styled City of Tomball vs. Benye Jackson Brown, HCAD Account No. 035-278-090-0023, to Maricsa Villasenor, in the Amount of \$3,000.00

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 16th day of July 2020 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.