

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



**MONDAY, AUGUST 19, 2019
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, August 19, 2019 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 Adam McIntosh – St. David’s Church

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 – 2019 Swim Season** - Jerry Matheson Park Pool will be open on Saturday and Sunday only on the weekends of August 24-25 and August 31-September 1. The pool will be open on Monday, Labor Day (September 2). Pool hours are: Saturday & Sunday: 12 p.m.-8 p.m.
- September 14, 2019 – **2nd Saturday at the Depot**
- September 28, 2019 – **GroovFest ’19 at the Depot**
- October 5, 2019 – **5th “Annual Paces for Pink” 5K Run**
- October 12, 2019 – **“Zomball in Tomball”**
- October 19, 2019 – **Freight Train Food Truck Festival at the Depot**
- October 26, 2019 – **9th 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:
 - Doris Speer – Tracylynn Garcia has earned the **Certified Municipal Clerk Certification** from **International Municipal Clerks Association (IIMC)**
 - Glenn Windsor – Presentation of the Quarterly Investment Report for period ending June 30, 2019. 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 at the end of the quarter, yield information, and weighted average maturities. On June 30, 2019, the City had total cash and cash equivalents in the amount of \$68,247,819.00.

6.0 Approve the Minutes of the August 5, 2019 Regular Tomball City Council Meeting

7.0 Old Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

7.1 Adopt, on Second Reading, Ordinance No. 2019-15, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity no Longer Require the Continued Existence of Parts of Unimproved Roadways Between Persimmon Road and Hufsmith-Kohrville Road, all Situated in the Jesse Pruitt Survey, Abstract Number 629, City of Tomball, Harris County, Texas; Vacating, Abandoning, and Closing Said Unimproved Roadways and Street Rights-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 Raburn Commercial Resources, LP; Providing for Severability; and Containing Other Provisions Relating to the Subject

7.2 Adopt, on Second Reading, Ordinance No. 2019-18, an Ordinance Amending the Code of Ordinances of the City Council of the City of Tomball, Texas, by Repealing Article III. – Bingo Gross Receipts Tax, Section 42-58. – Construction and Administration. and Section 42-59 – Levy Of Tax., in Its Entirety; Providing for Severability; and Making Other Provisions and Findings Related Thereto

8.0 New Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

- 8.1 Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with BJ Services LLC to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with capital improvements to its corporate headquarters located at 11211 FM 2920 Rd., Tomball, TX 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$91,316.00.
 - 8.2 Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Aspen Pumps Inc. to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation and development of its corporate headquarters to be located at 14600 Brown Road, Tomball, Texas 77377. The estimated amount of expenditures for such Project is an amount not to exceed \$5,720.00.
 - 8.3 Approve, on First Reading, Resolution No. 2019-29-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 Phillips Cleaning Services, LLC, to make direct incentives to, or expenditures for, assistance with infrastructure costs required or suitable for the promotion of new or expanded business enterprises related to the construction of an office/warehouse facility to be located at 1311 Hicks Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$26,313.00.
 - 8.4 Approve Resolution No. 2019-27, a Resolution of the City Council of the City of Tomball, Texas, Setting a Public Hearing on October 7, 2019 at 6:00 P.M., to Discuss and Review a Proposed Ordinance Amending the City's Land Use Assumptions, Capital Improvements Plan and Impact Fees
- 9.0 New Business:
- 9.1 Conduct Second Public Hearing Regarding the Proposed Budget for Fiscal Year 2019-2020
 - 9.2 Adopt, on First Reading, Ordinance No. 2019-19, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2019-2020; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2018-2019 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance

- 9.3 Consideration to Approve **Zoning Case P19-090**: Request by Colleen Pye to Amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by Rezoning Approximately 0.53 Acres of Land legally described as Tract 91K Tomball Outlots, within the City of Tomball, Harris County, Texas, Generally Located on the East Side of Hospital Road, at 601 Hospital Road, from the Single-Family 9 District to the Single-Family 6 District.
- Conduct Public Hearing on **Zoning Case P19-090**
 - Adopt, on First Reading, Ordinance No. 2019-16, 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 0.53 Acres of Land, Legally Described as Tract 91K Tomball Outlots, 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 Hospital Road, at 601 Hospital 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 Approve Resolution No. 2019-26, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Date, Time, and Place for Public Hearing at which All Interested Parties shall have an Opportunity to be Heard; Providing for Publication of Notice of Such Public Hearing; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be *Annexed (Being 9.493 Acres of Land Situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and Being a Part of That Certain Tract of Land Described in the Deed to Merenco Realty, Inc. Recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is Part of that Certain 606.1394 Acre Tract of Land Described in the Deed to Merenco Realty, Inc. (an Undivided One-Half Interest) Recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T.) – [Merenco Tract]*
- 9.5 Approve Annexation and Service Agreement between City of Tomball and Merenco Realty, Inc. for Construction of Service Lines, Conveyance and Acceptance of Water and Sewer Facilities and Consent to Provide Service
- 9.6 Approve Request by The Houston Repertoire Ballet (HRB) for Financial Support for Eight Performances and Two Dress Rehearsals of "The Nutcracker" Ballet, to be held December 6-8, 2019 at the Tomball High School Theatre, in the Amount of \$16,500.00

- 9.7 Approve Spring Creek County Historical Association Request for \$59,800.00 for Fiscal 2019-2020 Annual Operations
 - 9.8 Appoint/Reappoint Members to the Tomball Regional Health Foundation Board of Directors for Terms Expiring September 1, 2019
 - 9.9 Approve Proposed Contract for Solid Waste Services between the City of Tomball and Waste Corporation of Texas, L.P.
 - 9.10 Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
 - Sec. 551.071 - Consultation with the City Attorney regarding a Matter that the Attorney's Duty Requires to be Discussed in Closed Session
 - Sec. 551.072 - Deliberations regarding the Purchase, Exchange, Lease, or Value of Real Property
- 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 15th day of August 2019 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.