

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



**MONDAY, DECEMBER 3, 2018
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, December 3, 2018 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 Roberson, Hufsmith Church of Christ, Tomball

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:

- December 7-9, 2018 – **Tomball German Christmas Market**
- December 24-25, 2018 – **Christmas Holidays** – City offices closed
- January 1, 2019 – **New Year's Day Holiday** – City offices closed
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - Glenn Windsor – Quarterly Investment Report for Period Ending September 30, 2018. 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 September 30, 2018, the City had total cash and cash equivalents in the amount of \$69,325,792.

6.0 Approve the Minutes of the November 19, 2018 Special Tomball City Council Meeting and the November 19 2018 Regular Tomball City Council Meeting

7.0 Old Business:

7.1 Adopt, on Second Reading, Ordinance No. 2018-37, 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 3 Acres Of Land, Legally Described Tract 253a Tomball Outlots, Within The City Of Tomball, Harris County, Texas, From The Agricultural District To The Light Industrial District; Said Property Being Generally Located On The West Side Of Pitchford Road At 902 Pitchford 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

7.2 Adopt, on Second Reading, Ordinance No. 2018-38, 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 10 Acres Of Land, Legally Described Lot 1 Block 1 Welling Owens Quadruplexes, Within The City Of Tomball, Harris County, Texas, From The Planned Development District To The Office District; Said Property Being Generally Located On The East Side Of Lovett Street, South Of Carrell 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

7.3 Adopt, on Second Reading, Ordinance No. 2018-39, 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 Great Oak School To Operate A "School, Other Than Public Or Denominational"; Said Property Being Approximately 10 Acres, And Being Legally Described As Lot 1 Block 1 Welling Owens Quadruplexes, Within The City Of Tomball, Harris County, Texas, Generally Located On The East Side Of Lovett Street, South Of Carrell Street And Zoned Office 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

8.0 New Business:

8.1 Approve, on First Reading, Resolution No. 2018-32-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 Agreement by and between the Corporation and Industrial Reserve, LLC, to make direct incentives to, or expenditures for, assistance with infrastructure costs to be required or suitable for the promotion of new or expanded business development related to the development and construction of a office/warehouse building to be located on approximately 1.9890 acres of land in the Jesse Pruitt Survey, Abstract 608, Harris County, Texas, and generally located at the northwest corner of Cherry Street and Theis Lane, Tomball, TX 77375. The estimated amount of expenditures for such Project \$44,650.00.

- 8.2 Approve, on First Reading, Resolution No. 2018-33-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 Agreement by and between the Corporation and Clarus Tomball Investments Ltd., to make direct incentives to, or expenditures for, assistance with infrastructure costs for the promotion of new or expanded business enterprise related to the construction of a Days Inn Hotel & Suite to be located at 15525 FM 2920 Road, Tomball, Texas. The estimated amount of expenditures for such Project is \$149,750.00
- 8.3 Consideration and Possible Action to Approve, as a Project of the TEDC Corporation, an Agreement with Houston Poly Bag I, LTD to make direct incentives to or expenditures for equipment expansion for the creation and retention of primary jobs for Houston Poly Bag I, LTD. The estimated amount of expenditures for such Project is an amount not to exceed \$110,369.00.
- 8.4 Consideration and Possible Action to Approve First Amendment to Economic Development Agreement between the Tomball Economic Development Corporation and Houston Poly Bag, Ltd. for Additional Funding of \$12,752.00
- 8.5 Appoint/Reappoint Members to Positions 2, 5, and 8 of the Tourism Advisory Committee Board, for Terms expiring December 5, 2018
- 8.6 Presentation by Hines Real Estate regarding Funding Options for Their Proposed Residential Subdivision in Tomball, Located at the Northeast Corner of Agg Road and Persimmon Street
- 8.7 Approve Abandonment of a Drainage Right-of-Way and Adopt, on First Reading, Ordinance No. 2018-40, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity No Longer Require the Continued Existence of a Drainage Right-of-Way situated within The Tomball 2920 Subdivision, Harris County, Texas, and as Recorded in the Map Records of Harris County, Texas; Vacating, Abandoning, and Closing Said Drainage Right-of-Way; Providing for Severability; and Containing Other Provisions Relating to the Subject

- 8.8 Adopt, on First Reading, Ordinance No. 2018-41, an Ordinance of the City Council of the City of Tomball, Texas, Approving the 2018 Updated Service and Assessment Plan for the City of Tomball Public Improvement District Number Three (PID No. 3), for The Reserve at Spring Lake Subdivision
- 8.9 Approve Software License and Service Agreement with Zuercher Technologies for Replacement of Computer Aided Dispatch System (CAD) for the Tomball Police Department, in the Amount of \$247,811.00
- 8.10 Approve the Execution of an Agreement for Professional Services with Freese & Nichols for the Completion of a Water and Wastewater Impact Fee Study in the Amount of \$59,100.00
- 8.11 Award Contract for Project No. 2018-20 – E&P Project 2018-10026, Pine Street Ground Storage Tank Rehabilitation, to NG Painting, L.P., in the Amount of \$139,000.00
- 8.12 Approve Fixed Pricing for Natural Gas Acquisitions for the City's North Gate Natural Gas Purchases from EDF Trading, for a Fixed Price of \$4.09/MMBtu from December 2018 through November 2019
- 8.13 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. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

9.0 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 29th day of November 2018 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.