

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



**MONDAY, SEPTEMBER 17, 2018
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, September 17, 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 Greg Sipe, Church 1:37

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:

- October 6, 2018 – **6th “Annual Paces for Pink” 5K Run**
- October 13, 2018 – **“Zomball in Tomball”** at the Depot
- October 20, 2018 – **Freight Train Food Truck Festival** at the Depot
- October 27, 2018 – **8th Annual Tomball Bluegrass Festival**, 12:00 p.m.- 6:00 p.m.
- November 16, 2018 – **Downtown Holiday Lamp Post Stroll**
- November 16, 2018 – **Christmas Tree Lighting** at the Depot – 7:00 p.m.
- 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 September 4, 2018 Regular Tomball City Council Meeting and the September 10, 2018 Special Tomball City Council Meeting

7.0 Old Business:

7.1 Adopt, on Second Reading, Ordinance No. 2018-29, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include All of the Territory within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory within Such Limits and Boundaries; Approving a Service Plan for All of the Area within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause *[Being All That Certain Tract or Parcel Containing 1.5153 Acres of Land for Proposed Annexation Purposes Situated in the Joseph House Survey, A-34 in Harris County, Texas, Same Being Comprised of a 1.5153 Acre Portion of Brown Road, (60.00 Feet in Width), According to a Deed Filed for Record in Volume 3194, Page 388 of the Harris County Deed Records) [A Portion of Brown Road from SH 249 to PFG Company Property]*

7.2 Adopt, on Second Reading, Resolution No. 2018-25-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 Houston PFG Inc., to make direct incentives to, or expenditures for, assistance with infrastructure costs related to the development and construction of a commercial facility to be located at 14600 Brown Road, Tomball, Texas 77377. The estimated amount of expenditures for such Project is \$39,097.00.

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 Reappoint three Associate/Alternate Judges to the Municipal Court for an additional one-year term

8.2 Reappoint Associate/Alternate Prosecutor to the Municipal Court for an additional one-year term

9.0 New Business:

9.1 Presentation by Commissioner Jack Cagle regarding the Greenway Project

9.2 Announce the Dates for the Vote on the 2018 Tax Rate, at the Regular City Council Meeting on October 1, 2018 at 6:00 p.m. and the Regular City Council Meeting on October 15, 2018 at 6:00 p.m.

- 9.3 Approve Resolution No. 2018-26, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2018-2019
- 9.4 Approve Resolution No. 2018-27, a Resolution of the City Council of the City of Tomball, Texas, for the Designation of Its Representative and Alternate for the Houston-Galveston Area Council 2019 General Assembly
- 9.5 Approve General and No Litigation Certificate of the City of Tomball for the Anticipated Issuance of “The Southeast Texas Housing Finance Corporation Multifamily Housing Revenue Bonds (Bayshore Towers Apartments), Series 2018”, Not to Exceed \$15,000,000, in Connection with the Rehabilitation of the Bayshore Towers Apartments in the City of Pasadena, Harris County, Texas, and Authorize the Mayor to Execute the Requested Documents as Requested by Southeast Texas Housing Finance Corporation (SETH)
- 9.6 Approve Resolution No. 2018-28, a Resolution of the City Council of the City of Tomball, Texas supporting Hamilton Valley Management Ltd., in the Rehabilitation of the Elderly Designated Multi-Family Housing Development Known as The Village Apartments, and Authorize Mayor to Issue Letter of Support
- 9.7 Approve Contractual Agreement for Right-Of-Way Utility Adjustments between Harris County and the City of Tomball, for Certain Improvements to Holderrieth Road from SH 249 to 715 LF East of Existing Calvert Road
- 9.8 Consideration to Approve **Zoning Case P18-130**: Request by Greg Breaux for a Conditional Use Permit to operate a Mobile Food Court on approximately 3.39 acres of land legally described as Lot 1A Block 1 Parkway Oasis 3rd Replat, generally located on the west side of Business 249 between Hirschfield Road and Alice Road and zoned General Retail District.
- Conduct Public Hearing on **Zoning Case P18-130**
 - Adopt, on First Reading, Ordinance 2018-32, 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 Greg Breaux, To Operate A “Mobile Food Court”; Said Property Being Approximately 3.39 Acres, And Being Legally Described As Lot 1A Block 1 Parkway Oasis 3rd Replat, Harris County, Texas, Generally Located On The West Side Of Business 249 Between Hirschfield Road And Alice Road; 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.

9.9 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 attorney regarding Cause No. 2018-00921; *City of Tomball v. KCC International, LLC d/b/a LaQuinta Inn and Suites*, in the 234th Judicial District Court in and for Harris County, Texas
- Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager

9.10 Consideration and Possible Action regarding Amendments to and Extension of the Employment Contract for Robert Hauck, City Manager

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 13th day of September 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.