

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



**MONDAY, FEBRUARY 19, 2018
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, February 19, 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 Dustin Reitzel, Pastor for the Woodlands Church Northpointe Campus, 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 Presentations:

- Proclamation – ***“Corey Brennan – Tomball’s 2018 Local Hero” Day***

6.0 Reports and Announcements:

- **February 20, 2018 – Trail Ride Reception** – 12 Noon at the Depot
- March 10, 2018 – **2nd Saturday at the Depot**
- April 4-5, 2018 – **Shattered Lives Event** – Tomball High School
- April 14, 2018 – **2nd Saturday at the Depot**
- April 28, 2018 – **Lions Club Car Show** – Lone Star College-Tomball

- 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 December 31, 2017. 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 December 31, 2017, the City had total cash and cash equivalents in the amount of \$68,614,155.

7.0 Approve the Minutes of the February 5, 2018 Regular Tomball City Council Meeting

8.0 Old Business:

- 8.1 Approve, on Second Reading, Ordinance No. 2018-08, an Ordinance of the City of Tomball, Texas, Finding and Determining that the Public Convenience and Necessity No Longer Require the Continued Existence of a Certain Portion of a City of Tomball Utility Easement across a Certain 0.007 Acre Tract of Land Being Out of and a Part of the John M. Hooper Survey, A-375, Tomball, Harris County, Texas and Being out of the Partial Replat of Tomball Marketplace, Lot 2, the Map of Which is Recorded in Film Code No. 639076 of the Map Records of Harris County, Texas, Located in the City of Tomball, Texas; Vacating, Abandoning, and Closing Said Portion of Such City of Tomball Utility Easement; Authorizing the City Manager to Execute and the City Secretary to Attest a Quitclaim Deed Quitclaiming the City's Interest in Said Abandoned Easement; and Containing Other Provisions Relating to the Subject

9.0 New Business:

- 9.1 Conduct Public Hearing of the City Council of the City of Tomball to Consider Proposed Assessments Against Section Two Properties in the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision) Established by City Council Resolution No. 2007-22
- 9.2 Adopt, on First Reading, Ordinance No. 2018-07, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section Two Properties within the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision); and Making Certain Findings Related Thereto
- 9.3 Presentation by the Texas Railroading Heritage Museum at Tomball Board of Directors

- 9.4 Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Motion Machinery, Ltd, to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the expansion and development of its current facility located at 909 E. Main Street, Tomball, TX 77375. The estimated amount of expenditures for such Project is \$10,584.00.
- 9.5 Update regarding Improvements to the City Parks of Martin Luther King Park, Juergens Park, Matheson Park, Wayne Stovall Park, Broussard Park, Depot Plaza, and to the Theis Attaway Nature Center
- 9.6 Reject Bids Received for Project No. 2018-09, Four (4) Fleet Replacement Vehicles, and Award BuyBoard Contract to Caldwell Country
- 9.7 Consideration To Approve **Zoning Case P18-004**: Request By Ahmad Adnan Aslam To Amend Chapter 50 (Zoning) Of The Tomball Code Of Ordinances By Rezoning Approximately 0.32 Acres Of Land Legally Described As Lots 11 & 12 Block 6 Main Street-Tomball, Harris County, Texas, Generally Located At The Southeast Corner Of Barbara Street And Lawrence Street, From The Single-Family 6 District To The Old Town & Mixed Use District.
- Conduct Public Hearing on **Zoning Case P18-004**
 - Adopt, on First Reading, Ordinance 2018-09, 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 0.32 Acres of Land, Legally Described Lots 11 & 12 Block 6 Main Street – Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town And Mixed Use District; Said Property Being Generally Located at the Southeast Corner of Barbara Street and Lawrence 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
- 9.8 Consideration To Approve **Zoning Case P18-008**: Request By Daniel & Rebecca Morgan To Amend Chapter 50 (Zoning) Of The Tomball Code Of Ordinances By Rezoning Approximately 1 Acre Of Land Legally Described As Lots 7, 8, 9 & 10 Block 8 Main Street Addition And Tract 11A, 11B, 12A & 12B Block 8, Part Of Lots 11 & 12 Main Street Tomball, Harris County, Texas, Generally Located On The East Side Of Raymond Street, Between Barbara Street And Alma Street, From The Single-Family 6 District To The Old Town & Mixed Use District.
- Conduct Public Hearing on **Zoning Case P18-008**

- Adopt, on First Reading, Ordinance No. 2018-10, 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 Acre of Land, Legally Described Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11a, 11b, 12a & 12b Block 8, Part of Lots 11 & 12 Main Street - Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town and Mixed Use District; Said Property Being Generally Located on the East Side of Raymond Street, between Barbara Street and Alma 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
- 9.9 Adopt, on First Reading, Ordinance No. 2018-11, 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
- 9.10 Approve Execution of an Engineering Contract with Gunda Corporation for the Design of 2018 Sidewalk Project for Installation of New Sidewalks along Various Roads within the City (Commerce Street, N. Walnut Street, Market Street, Johnson Road and Theis Lane), in the Amount of \$114,606.00
- 9.11 Authorize the City Manager to Execute an Interlocal Agreement with Harris County for the Acquisition and Use of Additional Grace Electronic Accountability Equipment
- 9.12 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. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager
 - Sec. 551.071 - Consultation with Attorney regarding Cause No. 201777979; City of Tomball, Texas v. 20.Nine.20 Offroad and Performance, LLC., in the 334th Judicial District Court in and for Harris County, Texas; and
 - Sec. 551.071 - Consultation with Attorney regarding a Matter in which the Duty of the Attorney is Required to be Held in Closed, Executive Session.
- 9.13 Consideration and Possible Action regarding Settlement in Cause No. 201777979; City of Tomball, Texas v. 20.Nine.20 Offroad and Performance, LLC., in the 334th Judicial District Court in and for Harris County, Texas

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 15th day of February 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.