

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



MONDAY, OCTOBER 19, 2015

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, October 19, 2015 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 Gary Aaron, Victory Baptist Church

3.0 Pledges to U. S. and Texas Flags

- Led by Alexis Campbell and Sabrina Hernandez, Members of the Tomball High School Student Council

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.]*

5.0 Reports and Announcements:

- October 24, 2015 – **4th Annual Tomball Bluegrass Festival** – 12:00 Noon-6:00 p.m.
- November 14, 2015 – **7th Annual 5K Tomball Dash** (Woodforest Bank)
- November 14, 2015 – **2nd Saturday at the Depot**
- November 20, 2015 – **Lamp Post Decorating Contest and "Lamp Post Stroll"**
- November 21, 2015 – **50th Annual Holiday Parade**
- November 26-27, 2015 – Thanksgiving Holiday – City Offices Closed

- December 12, 2015 – ***Christmas on Commerce*** – a 2nd Saturday at the Depot Event
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - o Mike Baxter/Denise Fiore – Report on the success of the City’s annual ***“Zomball in Tomball”***
 - o Randy Parr – Report on community input regarding proposed changes to parking requirements near the Depot area during festivals and events

6.0 Approve the Minutes of the October 5, 2015 Regular City Council Meeting

7.0 Old Business:

7.1 Adopt, on Second Reading, Ordinance No. 2015-20, an Ordinance of the City of Tomball, Texas, amending the Code of Ordinances of the City of Tomball, Texas by Removing therefrom Article III, Auto Wreckers and Towers, of Chapter 48, Vehicles for Hire, in its Entirety, and Substituting in its place a New Article III, Tow Trucks And Tows, Regulating the Operation of Tow Trucks, Vehicle Storage Facilities, the City’s Tow Truck Rotation List and Related Regulations; Providing a Penalty in an Amount not to exceed \$2,000 for Each Violation Hereof with Each Day Constituting a Separate Offense; Providing for Severability; and Making Other Findings related Hereto

8.0 New Business:

- 8.1 Presentation regarding Electrical Services Provider for the City of Tomball and Possible Action to Approve Resolution No. 2015-24, a Resolution of the City of Tomball, Texas, Approving the Certificate of Formation and Bylaws of Texas Coalition for Affordable Power ("TCAP"), a Political Subdivision Corporation; Accepting Membership in Said Corporation; Appointing a Representative to Serve on Behalf of the City of Tomball; Approving Payment of an Initial Membership Fee
- 8.2 Approve the Extension of the Current Lease Agreement between the Harris County Tax Assessor-Collector and the City of Tomball for the use of the Facility located at 101 South Walnut as a Harris County Tax Office for an Additional One-Year Term, from December 1, 2015 to November 30, 2016
- 8.3 Consider Approval of Professional Services Agreement with RG Miller Engineers, in the Amount of \$50,000 for Implementation of Permit Year 3 of the City of Tomball's Storm Water Management Program

- 8.4 Consideration to approve **ZONING CASE P15-107**: Request by Ron Proctor, Jr., on behalf of Rock Materials, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 7 acres of land, legally described as a tract of land containing seven (7) acres, out of the C.N. Pillot Survey, A-632, in the Country of Harris and State of Texas; and being out of that certain 16.34 acres conveyed to J.W. Fowler by Deed Recorded in Vol. 1042, Page 608 Deed records of said county, within the City of Tomball, Harris County, Texas, generally located on the south side of Theis Ln., west of Commercial Park Rd., from the Agricultural District to the Light Industrial District.

- Conduct Public Hearing on **ZONING CASE P15-107**
- Adopt, on First Reading, Ordinance No. 2015-21, An Ordinance Of The City Of Tomball, Texas, Amending Its Chapter 50 (Zoning) Of The Tomball Code Of Ordinances By Changing The Zoning District Classification Of Approximately 7 Acres Of Land, Legally Described As C.N. Pillot Survey, A-632, Within The City Of Tomball, Harris County, Texas, From The Agricultural District To The Light Industrial District; Said Property Being Generally Located On The South Side Of Theis Ln., West Of Commercial Park Rd.; 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

- 8.5 Consideration to approve **ZONING CASE P15-108**: Request by Bill Hightower, on behalf of Hightower Investments, LTD., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 10 acres of land, legally described as Tract 1, A 2.691 acre tract, H.C.C.F No. S551075; Tract 2, A 3.072 acre tract, H.C.C.R. No. S551078; Tract 3, A 2.684 acre tract, H.C.C.R. No. S551077; and, Tract 4, A 1.852 acre tract, H.C.C.R. No. S551076 located in the Jesse Pruitt Survey, A-629, City of Tomball, Harris County, Texas, generally located at the northwest corner of Cherry Street and Theis Ln., from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **ZONING CASE P15-108**
- Adopt, on First Reading, Ordinance No. 2015-22, an Ordinance of the City of Tomball, Texas, Amending Its Chapter 50 (Zoning) Of The Tomball Code Of Ordinances By Changing The Zoning District Classification Of Approximately 10 Acres Of Land, Legally Described As Tract 1, A 2.691 Acre Tract, H.C.C.F No. S551075; Tract 2, A 3.072 Acre Tract, H.C.C.R. No. S551078; Tract 3, A 2.684 Acre Tract, H.C.C.R. No. S551077; And, Tract 4, A 1.852 Acre Tract, H.C.C.R. No. S551076 Located In The Jesse Pruitt Survey, A-629, Within The City Of Tomball, Harris County, Texas, From The Agricultural District To The Commercial

District; Said Property Being Generally Located At The Northwest Corner Of Cherry Street And Theis Ln.; 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

8.6 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

8.7 Consideration and Possible Action regarding Amendments to and Extension of the Employment Contract for George Shackelford, City Manager

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 15th day of October 2015 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, CMC

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.