

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



MONDAY, AUGUST 17, 2015

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, August 17, 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 Senior Pastor Christopher Hull, Zion Lutheran 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.]*

5.0 Reports and Announcements:

- **Tomball City Pool – 2015 Swim Season - Jerry Matheson Park Pool** will close on September 7, 2015. The pool will be closed every Monday during swim season 2015 except Labor Day. June 9-August 23, 2015 will be regular weekly days and hours. August 29-September 7, 2015, the pool will open weekends only.
- August 22, 2015 – **Unveiling of the Ken Walden, Station Agent Statue** at the Depot – Saturday at 11:00 a.m.
- August 24, 2015 – **Mayor's Coffee** at Cisco's Salsa Company, Sol de Luna, 207 Commerce, 5:30 p.m.
- August 29, 2015 – **Texas Music Festival** – 12:00 Noon-6:00 p.m.
- September 12, 2015 – **2nd Saturday at the Depot**

- September 26, 2015 – **5th Annual Bugs, Brew & Barbeque Festival** – 12:00 Noon-6:00 p.m.
- October 10, 2015 – ***Sherine's Stride 5K Run***
- October 10, 2015 – ***"Zomball in Tomball"***
- October 24, 2015 – **4th Annual Tomball Bluegrass Festival** – 12:00 Noon-6:00 p.m.
- ***Walk Tomball!*** – Every Saturday at **8:00 a.m.** at the Depot
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - Mike Baxter – **Texas Festivals and Events Association Awards** - The City of Tomball has scored nine first place awards for its marketing and festivals program from the Texas Festivals & Events Association during the TFEA's recent conference held in Houston, with a clean sweep in the Best Event Photography and Best Radio categories as the City won first, second and third places. In addition to the nine first place honors, Tomball also took multiple second and third place awards, as well. Depot Station Agent Ken Walden was posthumously awarded Volunteer of the Year by the Texas Festivals & Events Association for his years of work at the Depot and the City's many festivals and special events. Walden's sister, Karen Perkovich, accepted on his behalf and plans to display the award inside the Depot. Mike Baxter, marketing director for the City of Tomball, was also honored by the organization with a Lifetime Achievement Award and inducted into the Texas Festivals & Events Association's Hall of Honor. Baxter is now serving a second term on the TFEA Board of Directors. Since joining the TFEA in 2012, the City of Tomball has won a total of 33 first place awards for its festivals and marketing programs.

6.0 Approve the Minutes of the August 3, 2015 Regular City Council Meeting

7.0 Old Business:

7.1 Adopt, on Second Reading, Ordinance No. 2015-14, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2015-2016; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2014-2015 Fiscal Year in Accordance with Actual Expenditures; and Providing other Details Relating to the Passage of This Ordinance

8.0 New Business:

8.1 Receipt of Report from Tomball Regional Health Foundation to City Council

- 8.2 Appoint/Reappoint Members to the Tomball Regional Health Foundation for Terms Expiring September 1, 2015
- 8.3 Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2015-2016 Budget
- 8.4 Approve, on First Reading, Resolution No. 2015-17-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 Marriott Residence Inn Hotel to be located at 14303 Medical Complex Drive, Tomball, Texas. The estimated amount of expenditures for such Project is \$437,250.00.
- 8.5 Adopt, on First Reading, Ordinance No. 2015-15, an Ordinance of the City of Tomball, Texas Waiving the Assessment and Collection of Impact Fees for Water and Wastewater Utilities for the Development of Non-Residential Properties Adjacent to FM 2920 (Main Street) Between State Highway 249 Business and North Willow Street Until March 2, 2017; and Providing for Severability
- 8.6 Consideration to approve **ZONING CASE P15-008**: Request by Dan Schaub, on behalf of Albers Properties, L.P., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately .4186 acres of land, legally described as Tract 2A, Abstract 629, Joseph Pruitt Survey, within the City of Tomball, Harris County, Texas, generally located east of South Chestnut Street, north of Chestnut Business Park Drive, from the Single-Family 6 (SF6) District to the Planned Development District.
- Conduct Public Hearing on **ZONING CASE P15-008**
 - Adopt, on First Reading, Ordinance No. 2015-17, 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 .4186 Acres of Land, Legally Described as Tract 2a, Abstract 629, Joseph Pruitt Survey, Within the City of Tomball, Harris County, Texas, From The Single-Family Residential-6 District to the Planned Development District; Said Property Being Generally Located East of South Chestnut Street, North of Chestnut Business Park Drive; 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.

- 8.7 Consideration to approve **ZONING CASE P15-071**: Request by the City of Tomball to amend Section 50-2 (“Definitions”) of the Code of Ordinances by creating a definition for “masonry;” to amend Section 50-33 (“Board of Adjustments”) of the Code of Ordinances by authorizing the Board of Adjustments to hear and decide upon special exceptions for building façade requirements; to amend Section 50-62 (“Reserved”) of the Code of Ordinances by creating an Exterior Building Material/Façade Overlay District and associated regulations effecting properties along FM 2920, SH 249 and SH Business 249.
- Conduct a Public Hearing on **ZONING CASE P15-071**
 - Adopt, on First Reading, Ordinance No. 2015-16, an Ordinance of The City of Tomball, Texas, Amending Chapter 50 (Zoning) of The Code of Ordinances by Amending Section 50-2 (“Definitions”) By Creating a Definition For “Masonry;” by Amending Section 50-33 (“Board Of Adjustments”) by Authorizing The Board of Adjustments to Hear and Decide Upon Special Exceptions for Building Façade Requirements; and by Amending Section 50-62 (“Reserved”) By Creating An Exterior Building Material/Façade Overlay District And Associated Regulations Effecting Properties Along Fm 2920, Sh 249 And Sh Business 249; 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.
- 8.8 Approve the following plats as recommended by the Planning and Zoning Commission:
- **BVW Main Street – Tomball**: A Subdivision of 0.6322 acres out of Lots 1, 2, 3, and 14, Block 7 Main Street Addition, Volume 15, Page 43 HCMR Joseph House Survey, A-34 Tomball, Harris County, Texas.
 - **KCS Subdivision**: Being a Subdivision of 7.3681 acres of land in the John M. Hooper Survey, Abstract Number 375, of Harris County, Texas, and being out of and part of a called 8.489 acres as described in deed recorded in Clerk’s File Number S026291 of the Real Property Records of Harris County, Texas
 - **Asgard Replat**: A replat of Lots 37 and 38 into New Lot 38 in Block 42 of Revised Map of Tomball, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the Map Records of Harris County, Texas. Said Block 86 lying in the Ralph Hubbard Survey (A-383).
- 8.9 Approve the Purchase of Five (5) Automated License Plate Readers to be Placed in New Patrol Cars, in the Amount of \$72,026.25

- 8.10 Approve Renewal of Medical Insurance Contract with Blue Cross Blue Shield
 - 8.11 Approve Amendment to Current Delinquent Tax Collection Contract with the Law Firm Perdue, Brandon, Fielder, Collins, and Mott, LLP, to Include the Collection of Delinquent Assessments from the City's Existing Public Improvement Districts (PIDs) and any Future Public Improvement Districts
 - 8.12 Award Contract for Proposal No. 2015-08R – Vendor to Sell Beer and Wine at City Festivals to The Empty Glass.Wine Bar – Tomball
 - 8.13 Approve the Purchase of a Track Excavator from Mustang CAT in the Amount of \$175,707.17 Utilizing the Buy Board Cooperative Purchasing Contract
 - 8.14 Set Dates for the Required Public Hearings on the Proposed 2015 Tax Rate
- 9.0 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 14th day of August 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.