

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



MONDAY, AUGUST 4, 2014

6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, August 4, 2014 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 Reverend Russell Hall, Tomball United Methodist 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 Presentations:

- Presentation to the City of Tomball's **2014 Marketing Partner**

6.0 Reports and Announcements:

- **Tomball City Pool - 2014 Swim Season - Jerry Matheson Park Pool** opened May 24, 2014 and will close on September 1, 2014. May 24-June 6, 2014, the pool will be open only during weekends. The pool will be closed every Monday during swim season 2014, except Memorial Day and Labor Day. June 6-August 24, 2014 will be regular weekly days and hours. After August 24, 2014, the pool will open weekends only until September 1, 2014.
- June 9-July 28, 2014 - **TOMBALL KID'S CLUB** - Every Monday and Thursday, 11:00 a.m.-1:00 p.m., at **MLK Community Park**, 403 W. Chestnut
- August 8, 2014 – **Friday Night Creature Feature** – *The Lost Skeleton of Cadavra*

- August 9, 2014 - **2nd Saturday at the Depot – *The SpongeBob Squarepants Movie*** - 6:30 p.m.
- August 18, 2014 – Appoint/Reappoint Members to the Tomball Regional Health Foundation Board of Directors for Terms Expiring September 1, 2014
- August 30, 2014 – ***Texas Music Festival***
- September 13, 2014 – ***2nd Annual “New Life” 5K and Kid’s Walk Fundraiser (Tomball Pregnancy Center and Salem Lutheran)***
- September 27, 2014 – ***4th Annual Bugs, Brew & Barbeque Festival***
- October 11, 2014 - ***2nd Annual “Sherine’s Stride” 5K Run and 1-Mile Kids Run for Breast Cancer Awareness***
- October 25, 2014 – ***3rd Annual Tomball Bluegrass Festival***
- November 8, 2014 – ***6th Annual 5K Tomball Dash (Woodforest Bank)***
- ***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:
 - o Glenn Windsor – Quarterly Investment Report for the quarter ending June 30, 2014. 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, yield information, and weighted average maturities. On June 30, 2014, the City had total cash equivalents and investments totaling \$56,368,097. A copy of the report is attached for review.

7.0 Approve the Minutes of the Following Meetings:

- July 21, 2014 Special City Council Meeting
- July 21, 2014 Regular City Council Meeting

8.0 Old Business:

- 8.1 Adopt, on Second Reading, Ordinance No. 2014-18, an Ordinance of the City of Tomball, Texas, Amending Its Zoning Ordinance by Changing the Zoning District Classification of Approximately .68 Acres of Land, Legally Described as Lots 1, 2, 3, and 14, Block 7, Main Street Addition, within the City of Tomball, Harris County, Texas, from the Commercial and Old Town and Mixed Use Districts to the Commercial District; Said Property being Generally Located West of Lawrence Avenue, South of West Main 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
- 8.2 Adopt, on Second Reading, Ordinance No. 2014-22, an Ordinance of the City of Tomball, Texas, Adopting Impact Fees for Water, Wastewater, and Drainage Facilities; Defining Certain Terms; Providing for the Assessment and Collection of Such Impact Fees; Containing Other Provisions Relating to the Subject; and Providing for Severability

9.0 New Business:

- 9.1 Award Contract for Project No. 2014-08, Asphalt Overlay Improvements, to Low Bidder Forde Construction Co., Inc., in the Amount of \$162,079.54, and Authorize the City Manager to Execute the Necessary Agreement
- 9.2 Reappoint Presiding Municipal Court Judge and Alternate Municipal Court Judge
- 9.3 Approve Renewal of Medical Insurance Contract with Blue Cross Blue Shield and Approve Change of Dental Providers from United Concordia to Aetna
- 9.4 Adopt, on First Reading, Ordinance No. 2014-19, 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 [70.36 Acres of Land Located on FM 2978 (Hufsmith-Kohrville Road), North of Spell Road; Located within the Extraterritorial Jurisdictional of the City of Tomball, Harris County, Texas].
- 9.5 Consideration to approve **COMPREHENSIVE PLAN CASE P14-118**: Request by Harold Ellis, on behalf of BCDE, LTD. and Eibsen & Associates, Inc., to amend the City's Comprehensive Plan by altering the Future Land Use of approximately 70.36 acres of land, legally described as all of proposed Alexander Estates Subdivision and being a partial replat of Tomball Greens Unrestricted Reserve "C" as recorded in F.C. No. 440128, H.C.M.R out of the Elizabeth Smith Survey, A-70 Harris County, Texas, within the City of Tomball, Harris County, Texas, generally located east of Hufsmith-Kohrville Road, north of Spell Road, from Rural Residential & Business/Industrial to Medium Density Residential.
 - Conduct a Public Hearing on **COMPREHENSIVE PLAN CASE P14-118**
 - Adopt, on First Reading, Ordinance No. 2014-20, an Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Plan by Changing the Future Land Use Classifications of Approximately 70.36 Acres of Land, Legally Described as All of Proposed Alexander Estates Subdivision and Being a Partial Replat of Tomball Greens Unrestricted Reserve "C" as Recorded in F.C. No. 440128, H.C.M.R. out of the Elizabeth Smith Survey, A-70 Harris County, Texas, within the City of Tomball, Harris County, Texas; from Rural Residential and Business/Industrial to Medium Density Residential; Said Property Being Generally Located East of Hufsmith-Kohrville Road, North of Spell Road; Providing for the Amendment of the Comprehensive Plan 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

- 9.6 Consideration to approve **ZONING CASE P14-102**: Request by Harold Ellis, on behalf of BCDE, LTD. and Eibsen & Associates, Inc., to amend the City's Zoning Ordinance by rezoning approximately 70.36 acres of land, legally described as all of proposed Alexander Estates Subdivision and being a partial replat of Tomball Greens Unrestricted Reserve "C" as recorded in F.C. No. 440128, H.C.M.R out of the Elizabeth Smith Survey, A-70 Harris County, Texas, within the City of Tomball, Harris County, Texas, generally located east of Hufsmith-Kohrville Road, north of Spell Road, from the Agricultural District to the Single-Family Residential-9 District.
- Conduct a Public Hearing on **ZONING CASE P14-102**
 - Adopt, on First Reading, Ordinance No. 2014-21, an Ordinance of the City of Tomball, Texas, Amending Its Zoning Ordinance by Changing the Zoning District Classification of Approximately 70.36 Acres of Land, Legally Described as All of Proposed Alexander Estates Subdivision and Being a Partial Replat of Tomball Greens Unrestricted Reserve "C" as Recorded in F.C. No. 440128, H.C.M.R. out of the Elizabeth Smith Survey, A-70 Harris County, Texas, within the City of Tomball, Harris County, Texas; from the Agricultural District to the Single-Family Residential-9 District; Said Property Being Generally Located East of Hufsmith-Kohrville Road, North of Spell 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
- 9.7 Adopt on First Reading, Ordinance No. 2014-24, an Ordinance of the City of Tomball, Texas, Amending the "2009 Major Thoroughfare Plan" for the City of Tomball, Texas; Making Certain Findings; and Providing for Severability
- 9.8 Receive Report, Discussion and Possible Action regarding Medical Responses and Protocols between the City of Tomball Fire Department and Northwest Emergency Management Services (NWEMS)
- 9.9 Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
- Sec. 551.071 – Private Consultation with Attorney in Closed Meeting regarding Pending Litigation and Attorney-Client Matters that the Duty of the Attorney Requires be Held in Closed Session.
 - Sec. 551.072 – Deliberations Regarding Real Property

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 30th day of July 2014 by 6:00 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.