

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



MONDAY, JANUARY 20, 2014
6:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, January 20, 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 Pastor Charlie Middlebrook, Impact Church-Houston
- 3.0 Pledges to U. S. and Texas Flags
 - Led by 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:
 - January 27, 2014 – **Special Council Meeting to Canvass 1/18/2014 Special Election** – 5:00 p.m.
 - February 8, 2014 – **2nd Saturday at the Depot**; showing “*Home on the Range*”– 5:00 p.m.
 - **Walk Tomball!** – Every Saturday at 9:00 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:

- Glenn Windsor – Update regarding Status of Comprehensive Annual Financial Report
- Glenn Windsor – Finance Department has been awarded the Certificate of Achievement in Financial Reporting for Audit Year Ending September 30, 2012

6.0 Approve the Minutes of the January 6, 2014 Regular City Council Meeting

7.0 Old Business:

- 7.1 Adopt, on **First** Reading, Ordinance No. 2014-01**R**, an Ordinance of the City of Tomball, Texas, Ordering a Special Election to be Held in the City of Tomball on May 10, 2014, for the Purpose of Submitting to the Qualified Voters of Tomball, Texas Certain Proposed Amendments to the Existing Charter of the City; Stating the Proposed Amendments to be Voted Upon at Said Election; Designation of Polling Place and Appointment of Election Officials of Such Election; Providing the Form of the Ballot and Directing that the Notice of Election be Given; Containing Other Provisions to the State Election Code; Directing Publication of the Caption of This Ordinance; Finding that the Meetings at Which This Ordinance is Considered are Open to the Public as Required by Law; Providing for Severability and the Repeal of Conflicting Ordinances; and Providing an Effective Date

Adoptar, en primera lectura, la Ordenanza Nro. 2014-01R, una Ordenanza de la Ciudad de Tomball, Texas, Pedido de una elección especial que se celebrará en la Ciudad de Tomball el 10 de mayo de 2014, para el propósito de someter a los votantes calificados de Tomball, Tejas Ciertas enmiendas propuestas a la Carta existente de la Ciudad; indicando las enmiendas propuestas a ser sometidas a votación en dicha elección; designación de Centro de Votación y nombramiento de Oficiales Electorales de dicha elección; entregar el formulario de la votación y que la Dirección Notificación de Elección será dado; se dictan otras disposiciones del Código Electoral del Estado; Publicación de la Leyenda de la presente Ordenanza Directivo; Al comprobar que las sesiones en que esta ordenanza se considera están abiertos al público según lo exige la ley; Prever Nulidad y Derogación del Conflicto de Ordenanzas, y proporcionar una fecha efectiva.

Thông qua, ngày đầu tiên của Reading, Pháp lệnh số 2014-01R, một Pháp lệnh của thành phố Tomball, Texas, đặt hàng một cuộc bầu cử đặc biệt được tổ chức tại thành phố Tomball vào ngày 10 Tháng 5 năm 2014, cho các Mục đích của Trình bỏ phiếu Đạt Tiêu Chuẩn của Tomball, Texas Một số đề nghị sửa đổi Điều lệ hiện tại của thành phố; Phát biểu sửa đổi được đề xuất để được bình chọn khi ở Said bầu cử; Chỉ định Phòng Phiếu và bổ nhiệm các quan chức bầu cử bầu cử như vậy; Cung cấp mẫu của Lá Phiếu và chỉ đạo các thông báo về bầu cử được Given; Chứa Các quy định khác của Bộ luật bầu cử nhà nước; đạo Công bố các lời ghi chú của Pháp lệnh này; Tìm rằng cuộc họp tại đó Pháp lệnh này được coi là mở cửa để các hồ như bắt buộc của Luật; Cung cấp cho Tách và bãi bỏ của xung đột

pháp lệnh; và Cung cấp một ngày hiệu quả.

採納，對首讀，編號2014-01R條例，市湯波，得克薩斯州的一個條例，訂購一個特別選舉中市湯波的將於2014年5月10日，遞交給有選舉權的目的斥建議修訂在該次選舉進行表決;;投票站及委任該選舉的選舉官員的指定，湯波，德州的若干建議修訂城市現有憲章提供了選票的表格及導演的選舉通知發出;含其他規定向國家選舉守則;導演出版物本條例的標題中，找到了這個條例被認為是會議舉行的開放日按法律規定，提供可分割性和廢除的衝突條例，並提供了一個有效的日期

- 7.2 Adopt, on Second Reading, Ordinance No. 2014-02, an Ordinance of the City of Tomball, Texas, Establishing a Juvenile Case Manager Fund; Providing for the Assessment and Collection of a Juvenile Case Manager Fee; Providing for Severability; Providing for Publication and Effective Date

8.0 New Business:

- 8.1 Appoint Regular Member, Position 1, to Fill Vacancy and Complete Unexpired Term on City of Tomball Board of Adjustments
- 8.2 Approve Contract between the City of Tomball and TXU Energy for the Purchase of Electrical Energy
- 8.3 Approve and Authorize the City Manager to Execute the Yearly Compensation Amendment to Interlocal Agreement for Fire Protection, Fire Suppression, and Rescue Services, in the Amount of \$67,500, Covering the City of Tomball Fire Department's Continued Provision of Fire Protection and Rescue Services to the Area Contained in the Boundaries of Harris County ESD #15
- 8.4 Consideration and Possible action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2014-02, a Resolution of the City Council of the City of Tomball, Texas, Determining that a 3.608 Acre Tract of Land is needed for use as a drainage channel as part of the M121 Drainage Project for the City of Tomball, Texas; a 0.200 Acre Tract of Land is needed for the Extension of Holderrieth Road; 0.401 Acre Tract of Land is needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the Holderrieth Road Extension Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

8.5 Consideration and Possible action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2014-03, a Resolution of the City Council of the City of Tomball, Texas, Determining that a 8.288 Acre Tract of Land is needed for use as a drainage channel as part of the M121 Drainage Project for the City of Tomball, Texas; a 0.207 Acre Tract of Land is needed for the Extension of Holderrieth Road; 0.367 and 0.047 Acre Tracts of Land is needed for the construction, operation, maintenance, inspection, replacement, and removal of one or more utility lines as part of the Holderrieth Road Extension Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

8.6 Consideration to approve ZONING CASE P13-148: Request by the City of Tomball to amend Section 34.4 (“Area Regulations for Residential Uses”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating non-conforming lot regulations for lots within that portion of the Old Town Area bounded by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion.

- Conduct a Public Hearing on ZONING CASE P13-148
- Adopt, on First Reading, Ordinance No. 2014-03, an Ordinance of the City of Tomball, Texas, Amending Its Zoning Ordinance by Amending Section 34.4 (“Area Regulations for Residential Uses”) by Creating Non-conforming Lot Regulations for Lots within that Portion of the Old Town Area Bounded by Fannin Street, Houston Street, the Railroad Tracks, and Pine Street, and Including the Lots that Front on Fannin Street and Houston Street Adjacent to such Portion; 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 of a Revision to Section 70-46 of the Tomball Code of Ordinances

Adopt, on First Reading, Ordinance No. 2014-04, an Ordinance amending the Code of Ordinances of the City of Tomball, Texas by amending Section 70-46, Utilities, of Article III, Design Standards, of Chapter 70, Plats and the Subdivision of Land, to require all above ground electrical transmission and distribution lines to be located along the perimeter of the area within the overall subdivision; providing a penalty in an amount not to exceed \$2,000 for each violation hereof; and providing for severability; and making other provisions and findings related thereto.

8.8 Discussion and Possible Action to Legislate Payday and Auto Title Lending within the City of Tomball

8.9 Tomball Economic Development Corporation - Call to Order

Executive Session: The Tomball City Council and the Tomball Economic Development Corporation Board will meet in Executive Session as authorized by Title 5, Chapter 551, Texas Government Code, The Texas Open Meetings Act, for the following purpose:

- Section 551.087 - Deliberations Regarding Economic Development Negotiations

Tomball Economic Development Corporation - Adjournment

8.10 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:

- Sec. 551.072 – Deliberations Regarding Real Property

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 17th day of January 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.