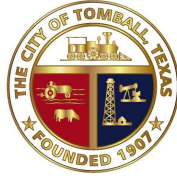


NOTICE OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, AUGUST 19, 2013
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, August 19, 2013 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
- 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:
 - **August 27-30, 2013** – City Pool is Closed for the Season
 - **August 31-September 2, 2013** – City Pool is Open for Labor Day Weekend
 - September 3, 2013 at 6:00 p.m. – **Public Hearing on Proposed Tax Rate**
 - September 9, 2013 at 5:00 p.m. – **Public Hearing on Proposed Tax Rate**
 - September 14, 2013 – Second Saturday at the Depot – 6:00 p.m.
 - September 28, 2013 – ***Bugs, Brew & Barbecue, VW Show and MusicFest*** – 9:00 a.m.-6:00 p.m.
 - October 26, 2013 – ***Tomball Bluegrass Festival*** – 11:00 a.m.-7:00 p.m.
 - November 2, 2013 – ***Diesels & Easels Art Festival*** – 10:00 a.m.-6:00 p.m.
 - November 19, 2013 – ***20th Anniversary of Lone Star College-Tomball***
 - ***Walk Tomball!*** – Every Saturday at 8:00 a.m. at the Depot
 - Reports by City staff, members of Council, and others about items of community interest on which no action will be taken:
 - Glenn Windsor – Quarterly Investment Report for Period Ending June 30, 2013 - 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, 2013, the City had total cash equivalents and investments totaling \$51,221,643. A copy of the report is attached for review.

- Glenn Windsor - Introduction of New Finance Employees
 - Phoebe Briseño, Accountant
 - Kristen Kelly, Accounts Payable Clerk
- Craig Meyers - Introduction of New Community Development Employee
 - Robert Pemberton, Building Inspector

6.0 Approve the Minutes of the August 5, 2013 Regular City Council Meeting

7.0 Old Business:

- 7.1 Adopt, on Second Reading, Ordinance No. 2013-10, an Ordinance of the City of Tomball, Texas, Adopted in Accordance with Section 2.05 of the City Charter, Establishing a Charter Review Commission to Study the Charter and to Review and Consider Proposed Amendments to the City Charter; Providing for the Selection Of Thirteen (13) Members to Comprise the Charter Review Commission and for the Manner of Selection and Period of Service of Such Members; Providing for a Schedule for Submission of Proposed Charter Amendments to the Voters; Providing for Procedures for the Conduct of the Business of the Charter Review Commission; Containing Recitations; Finding that the Meetings at which This Ordinance is Considered are open to the Public; Providing for Severability and the Repeal of Conflicting Ordinances; and Providing Other Details Relating to the Passage of This Ordinance
- 7.2 Adopt, on Second Reading Ordinance No. 2013-11, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2013-2014; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2012-2013 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance
- 7.3 Adopt, on Second Reading, Ordinance No. 2013-12, an Ordinance of the City of Tomball, Texas, Establishing Rates and Charges for Potable Water, Sanitary Sewer, Natural Gas, and Garbage Collection and Disposal Services; Repealing Ordinance No. 2012-24 and All Other Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; Providing for an Effective Date; Providing Other Matters Relating to the Subject; and Providing for Severability
- 7.4 Adopt, on Second Reading, Ordinance No. 2013-13, an Ordinance of the City Council of Tomball, Texas, Approving the Service and Assessment Plan for the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision)

8.0 New Business:

- 8.1 Ratify the FY 2013-2014 Budget and Find that the Proposed Tax Rate of \$0.341455/\$100 Generates LESS Property Tax Revenue than the FY 2012-2013 Budget
- 8.2 Set and Announce that the Dates for the Public Hearings on the Proposed Tax Rate for 2013 will be September 3, 2013 at 6 p.m. and September 9, 2013 at 5 p.m.
- 8.3 Appoint Members of Charter Review Commission and Designate Commission Chairman
- 8.4 Appoint/Reappoint Members to the Tomball Regional Health Foundation for Terms Expiring September 1, 2013
- 8.5 Approve Resolution No. 2013-23, a Resolution of the City Council of the City of Tomball, Texas, Nominating a Candidate for a Position on the Board of Directors of the Harris County Appraisal District
- 8.6 Approve Resolution No. 2013-24, a Resolution of the City Council of the City of Tomball, Texas, Adopting Procedures and Requirements to Appoint Council Representatives to Boards for which City of Tomball has no Oversight
- 8.7 Approve Resolution No. 2013-25, a Resolution of the City of Tomball, Texas, adopting the City of Tomball's Investment Policy, as set forth in the City's Administrative Policy No. 13, entitled "Investment Policy"
- 8.8 Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Resolution No. 2013-26, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed for the Completion of the Raleigh Creek Utility Line Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings (Mary Radcliffe, 0.345 Acres).

- 8.9 Consideration to approve **ZONING CASE P13-106**: Request by Joel Bode, on behalf of Concordia Lutheran High School of North Harris County, to amend Section 43.8 ("Temporary Structures & Uses") of the City's Comprehensive Zoning Ordinance (Ordinance No. 2008-01) by allowing denominational schools to utilize temporary buildings under certain conditions.
 - Conduct a Public Hearing on **ZONING CASE P13-106**
 - Adopt, on First Reading, Ordinance No. 2013-14, an Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Zoning Ordinance by Amending Section 43.8 ("Temporary Structures & Uses") Allowing Denominational Schools to Utilize Temporary Buildings Under Certain Conditions; 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.

- 8.12 Consideration to approve **ZONING CASE P13-114**: Public hearing to consider a City-initiated text amendment to the Tomball Comprehensive Zoning Ordinance (Ordinance No. 2008-01) to amend Section 34.6.E.1 (“Additional Off-Street Parking Space Requirements”) to require that residential developments in the OT & MU - Old Town & Mixed Use District for 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 shall provide off-street parking stalls in accordance with Section 38 of the Tomball Comprehensive Zoning Ordinance.

- Conduct a Public Hearing on **ZONING CASE P13-114**
- Adopt, on First Reading, Ordinance No. 2013-15, an Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Zoning Ordinance by Amending Section 34.6.E.1 (“Additional Off-Street Parking Space Requirements”) to Require that Residential Developments in the OT & MU - Old Town & Mixed Use District for 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 shall Provide Off-Street Parking Stalls in Accordance with Section 38 of the Tomball Comprehensive Zoning Ordinance; 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.

9.0 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 2013 by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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.