

NOTICE OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, FEBRUARY 18, 2013
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, February 18, 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

- Led by Senior Pastor Tim Niekerk, Salem Lutheran Church

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:

- Tomball Police Department Annual Data Capture Report (SB 1074)
- **Farmers Market** – 9:00 a.m. to 1:00 p.m.
- February 19, 2013 – **Trail Rider Reception at the Depot** – 12:00 p.m.
- March 1, 2013 – Last Day to File Application for Place on May 11, 2013 Ballot – 5:00 p.m.
- March 9, 2013 – **2nd Saturday at the Depot** – 5:00 p.m.

- March 16, 2013 – ***Tomball HonkyTonk Music Festival*** – 11:00 a.m.-7:00 p.m.
- March 18, 2013 – Candidate Orientation (tentative date)
- March 18, 2013 and April 1, 2013 – Public Hearings regarding Tomball's Juvenile Curfew Ordinance
- April 13, 2013 – ***5th Annual City of Tomball Bunny Run 5K and Kids 1K***
- April 21-27, 2013 – ***Annual Tomball Clean-up Week*** – 8:00 a.m.-4:30 p.m. daily
- April 27, 2013 – ***Annual Tomball Recycle and E-Waste Event***
- Reports by City staff and members of council about items of community interest on which no action will be taken
 - Glenn Windsor – Quarterly Investment Report for Period Ending December 31, 2012 - 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 December 31, 2012, the City had total cash equivalents and investments totaling \$41,105,650. A copy of the report is attached for review.
 - Mayor Fagan - Introduction of the new Community Development Director

6.0 Approve the Minutes of the February 4, 2013 Regular Tomball City Council Meeting

7.0 Old Business:

- 7.1 Adopt, on Second Reading, Ordinance No. 2013-01, 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 Commercial Properties within the Old Town Area as Defined in the Tomball Comprehensive Plan and including the Properties located West of the BNSF Railroad, South of Fannin Street, East of South Elm Street, and North of Florence Street, starting at the DSP Boundary in the Southeast Corner at the BNSF Railroad and Florence Street Westerly along Florence Street to South Pine Street, Northerly along South Pine Street to Percival Street, Westerly along Percival Street to School Street, Northerly along School Street to Main Street, Westerly along Main Street to Baker Street, Northerly along Baker Street to Hicks Street, Easterly along Hicks Street to North Magnolia Street, Northerly along North Magnolia Street to Unimproved Right-of-Way North of Hicks and Epps Streets, Easterly along Unimproved Right-of-Way North of Hicks and Epps Streets to North Cherry Street, Southerly along North Cherry Street to Epps Street, Easterly along Epps Street to North Elm Street, Southerly along North Elm Street to Main Street, Main Street Southerly along South Elm Street to Unimproved Fannin Street, Easterly along Unimproved Fannin Street to Right-of-Way adjacent to BNSF Railroad, Southerly along Right-of-Way adjacent to BNSF Railroad to Florence Street until March 15, 2015; Declaring all Impact Fees for Water and Wastewater Suspended by Operation of Ordinance No. 2012-31 Waived; Repealing Ordinance No. 2012-31 Passed, Approved and Adopted on the 17th Day

of September, 2012 and All Other Ordinances or Parts of Ordinances in Conflict Herewith to the Extent of Such Conflict; and Providing for Severability

8.0 New Business:

- 8.1 Presentation by Dawson Duerer, Boy Scout, regarding Proposed Eagle Scout Service for Downtown Tomball
- 8.2 Approve Request for City Support for Abandoned Animal Shelter Event, "Paws for a Cause" on Saturday, April 20, 2013 to Waive In-Kind Services Fees and Rental Fee for the Use of Juergens Park
- 8.3 Appoint/Reappoint Members to the City of Tomball Board of Adjustments (BOA)
- 8.4 Approve Resolution No. 2013-14, a Resolution of the City of Tomball, Texas, Authorizing Publication of Notice of Intention to Issue Certificates of Obligation; Authorizing the Preparation of a Preliminary Official Statement and Notice of Sale; and Approving Other Matters Incidental Thereto
- 8.5 Award Contract for Project #2013-01 (Purchase of Pipe, Fittings, and Valves for the Replacement of the Baker Street Water Main from Zion Rd. to SH 249), in the Amount of \$51,112.00, to ACT Pipe and Supply
- 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:
 - Sec. 551.071 - Private Consultation with Attorney in Closed Meeting Regarding a Matter that the Duty of the Attorney Requires be Held in Closed Session.

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 February 2013 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.