

NOTICE OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**TUESDAY, SEPTEMBER 4, 2012
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on **TUESDAY, September 4, 2012 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 Tara Dorroh, Chaplain, International Fellowship of Chaplains

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 Presentations:

- Presentation – HEB, Buffalo Wild Wings, TISD Student Council, Tomball Bible Church, and Cisco's Salsa Company – **Tomball Kids Club at MLK, Jr. Park**
- Proclamation - **"Texting & Driving – It Can Wait Day"- September 19, 2012**

6.0 Reports and Announcements:

- September 8, 2012 – **Second Saturday at the Depot – 6:30 p.m.**
- **September 17, 2012 at 6 p.m. – Public Hearing on Proposed Tax Rate**
- **September 24, 2012 at 5 p.m. – Public Hearing on Proposed Tax Rate**
- **September 29, 2012 – Bugs, Brew & Barbecue, VW Show and MusicFest – 9:00 a.m.-6:00 p.m.**

- **October 27, 2012 – Tomball Bluegrass Festival – 11:30 a.m.-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

7.0 Approve the Minutes of the August 20, 2012 Regular City Council Meeting

8.0 Old Business:

- 8.1 Adopt, on Second Reading, Ordinance No. 2012-25, an Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Plan by Changing the Future Land Use Classification of Approximately 1.28 Acres of Land, Legally Described as Tract 1, Meadow Lark Hill (Unrecorded), within the City of Tomball, Harris County, Texas, from High Density Residential to Employment/Office; said Property being Generally Located on the Southwestern Corner of Michel Road and Johnson 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
- 8.2 Approve, on Second Reading, Ordinance No. 2012-26, an Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Zoning Ordinance by Changing the Zoning District Classification of Approximately 1.28 Acres of Land, Legally Described as Tract 1, Meadow Lark Hill (Unrecorded), Within The City Of Tomball, Harris County, Texas, From the Duplex Residential District to the Commercial District; said Property being Generally Located on the Southwestern Corner of Michel Road and Johnson 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

9.0 New Business:

- 9.1 Approve, on First Reading, Resolution No. 2012-22-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 Stripes LLC to make direct Incentives to, or expenditures for, assistance with infrastructure costs related to the development and construction of a commercial building to be located at the northwest corner of S.H. 249 and Holderrieth Road in Tomball, Texas. The estimated amount of expenditures for such Project is \$21,000.
- 9.2 Approve, on First Reading, Resolution No. 2012-23-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 Baker Hughes Incorporated, to make direct incentives to, or expenditures for, assistance with

infrastructure costs for the promotion of new or expanded business development related to the construction of a commercial facility to be located at the northeast corner of FM 2920 and FM 2978 in the City of Tomball's extraterritorial jurisdiction (ETJ). The estimated amount of expenditures for such Project is \$912,889.00

- 9.3 Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2012-2013 Budget
- 9.4 Approve Request from Salem Ministries for City Support of the "4 Their Lives" Run Fundraiser, to be Held on Saturday, October 13, 2012, through In-Kind Services Provided by the City of Tomball
- 9.5 Approve New Dates for the Public Hearings on the Proposed Tax Rate for 2012 and Set October 1, 2012 at 6:00 p.m. and October 8, 2012 at 5 p.m. as the Dates for the Votes to Adopt the Tax Rate
- 9.6 Consideration to approve **ZONING CASE P12-477**: City-initiated text amendment to the Tomball Comprehensive Zoning Ordinance (Ordinance No. 2008-01) to amend Section 43.8 ("Temporary Structures & Uses") by allowing governmental entities and public school districts to utilize temporary buildings under certain conditions.
 - Conduct a Public Hearing on **ZONING CASE P12-477**
 - Adopt, on First Reading, Ordinance No. 2012-30, an Ordinance of the City of Tomball, Texas, amending its Comprehensive Zoning Ordinance by amending Section 43.8 ("Temporary Structures & Uses") allowing governmental entities and publicly funded school districts to utilize temporary buildings under certain conditions; Providing for 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. 2012-31, an Ordinance of the City of Tomball, Texas Temporarily Suspending the Collection of Impact Fees for the Development of Commercial Properties for the Area of the City known as Old Town Tomball, that Area being bounded by Fannin Street, Houston Street, the Railroad Tracks, and Pine Street and including the properties that front on Fannin and Houston Streets adjacent to such area; Providing for Mandatory Review of this Suspension; and Providing for Severability
- 9.8 Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
 - 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 August 2012 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.