

NOTICE OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, JULY 2, 2012
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, July 2, 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 Shawn O'Hearn, Pastor, Saddlecreek 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 Reports and Announcements:

- **June 25 through August 13, 2012 – Tomball Kids Club at MLK, Jr. Park – Hosted by HEB, in Partnership with Buffalo Wild Wings and Cisco's Salsa Company**
- **July 4, 2012 – City of Tomball Fourth of July Celebration – 2:00 p.m.-10:00 p.m.**
- July 14, 2012 – **Second Saturday at the Depot** – 6:30 p.m.
- July 16, 2012 – **Budget Workshop** on FY 2012-2013 Budget – 4 p.m.
- July 16, 2012 – **Public Hearing** on FY 2012-2013 Budget – 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:
 - Lori Lakatos – Update on Medical Complex Right-of-Way Purchases
 - Randy Parr – Promotion of Justin Martinez to Driver/Operator – Fire Department

6.0 Approve the Minutes of the June 18, 2012 Regular City Council Meeting

7.0 Old Business:

- 7.1 Approve Lease Agreement between the City of Tomball and Burlington Northern Santa Fe Railroad (BNSF), Covering Lease of Property off of North Elm Street for the City's Parking Lot Project, at an Annual Lease Rate of \$3,000.00, and Authorize Payment of a One-Time Railroad Protective Liability Insurance Fee as required by BNSF, in the Amount of \$885.00
- 7.2 Adopt, on Second Reading, Resolution No. 2012-17-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving a development and property exchange agreement between the Tomball Economic Development Corporation and 2978 Industrial Properties, LLC, (The "Company") related to the development of the Tomball Business and Technology Park Project; containing other provisions relating to the subject; and providing for severability
- 7.3 Adopt, on Second Reading, Ordinance No. 2012-15, an Ordinance of the City Council of Tomball, Texas, Approving the Service and Assessment Plan for the City of Tomball Public Improvement District Number Three
- 7.4 Adopt, on Second Reading, Ordinance No. 2012-16, an Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Zoning Ordinance by Granting a Conditional Use Permit Amendment to K. E. Jams Investments, Inc., to Expand a "Recreational Vehicle Park"; Being an Approximately 23.74 Acre Site, and Being Legally Described as Lot 168, Amending Plat of Tomball Outlots, generally located on the Westerly Side of South Cherry Street, Northerly of Agg Road at 1402 South Cherry Street, Tomball, Texas; Providing Requirements and Conditions for This Conditional Use Permit Amendment; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not To Exceed Two Thousand Dollars for Violations Hereof; and Providing for Severability.
- 7.5 Adopt, on Second Reading, Ordinance No. 2012-18, an Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Zoning Ordinance by Amending Section 38.2 ("Use Charts") to Allow a "Playfield or Stadium (Private)" Land Use in the Agricultural District with a Conditional Use Permit; 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.

8.0 New Business:

- 8.1 Approve Request from Tomball Regional Hospital for City Support of the "3rd Annual American Heart Association's Northwest Harris County Satellite Heart Walk" on Saturday, October 20, 2012, to Support the American Heart Association

- 8.2 Conduct Public Hearing of the City Council of the City of Tomball to Consider Proposed Assessments against Reserve at Spring Lakes Section One Properties in the City of Tomball Public Improvement District Number Three, Established by City Council Resolution No. 2009-28
- 8.3 Adopt, on First Reading, Ordinance No. 2012-19, an Ordinance of the City Council of Tomball, Texas, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Reserve at Spring Lakes Section One Properties within the City of Tomball Public Improvement District Number Three; and making Certain Findings Related Thereto
- 8.4 Adopt, on First Reading, Ordinance No. 2012-20, an Ordinance Deleting Article IV., Electricity, of Chapter 14, Buildings and Building Regulations, of the Code of Ordinances of the City of Tomball, Texas, in Its Entirety and Substituting Therefor a New Article IV., Electricity, of Chapter 14, Buildings and Building Regulations; Repealing all Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; Providing a Penalty in an Amount of Not More Than \$2,000 for Violation of Any Provision Hereof; Providing for Savings and Severability; Providing for Publication; and Making Other Provisions and Findings Related Thereto
- 8.5 Approve Resolution No. 2012-19, a Resolution of the City Council of the City of Tomball, Texas, Authorizing the Purchase of Property from Tomball 10 Joint Venture for use in the Medical Complex Drive Expansion Project; and Authorizing the City Manager to Execute All Documents Related Thereto
- 8.6 Approve Interlocal Agreement between the City of Tomball and the Tomball Independent School District (TISD), affording the Tomball Police Department the Ability to Assign Four Student Resource Officers (SROs) to TISD Campuses
- 8.7 Approve Interlocal Agreement between the City of Tomball and the Tomball Independent School District, affording the Tomball Police Department the Ability to Provide Police Services on a Contractual Basis for Specialized Events occurring Before, During and After the Normal Campus Hours
- 8.8 Appoint Member to Fill Vacancy and Complete Unexpired Term on City of Tomball Planning and Zoning Commission
- 8.9 Appoint Alternate Member, Position 2, to Fill Vacancy and Complete Unexpired Term on City of Tomball Board of Adjustments
- 8.10 Approve **BJS MANUFACTURING CENTER REPLAT**: A subdivision of 71.3618 Acres of Land out of the Jesse Pruitt Survey, A-629, City of Tomball, Harris County, Texas; Being a Replat of Restricted Reserve "A" and Reserve "B" of BJ Services Tract,

Film Code No. 537089 M.R.H.C.; Being a Replat of Lots 327 and 328 of Tomball Townsite, Volume 2, Page 65 M.R.H.C. and Being a Replat of Lots 330 and 333 of Corrected Map of Tomball Outlots, Volume 4, Page 75 M.R.H.C.

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 28th day of June 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.