

NOTICE OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, MAY 2, 2011
7:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, May 2, 2011 at 7:00 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 Anthony Malfitano, Chaplain, Rolling Thunder Texas-Chapter 1

3.0 Pledges to U. S. and Texas Flags

- Led by Members of 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:

- Proclamation – **Motorcycle Safety & Awareness Month – May 2011**

6.0 Reports and Announcements:

- **Farmers Market** – 9 a.m.-1:00 p.m. (Every Saturday, April through July)
- May 5, 2011 – **Tomball National Day of Prayer** – 12:00 p.m. at the Gazebo (Depot Plaza)
- May 5, 2011 – **Mayor's Coffee** – **Nona's Italian Grill** - 5:30 p.m.-7:00 p.m.
- May 14, 2011 – **2nd Saturday at the Depot**
- May 14, 2011 – **Election Day** – **General City Election at City Hall, 7:00 a.m.-7:00 p.m.**

- May 16, 2011 – **Reception honoring David Quinn, Council 1 – 5:00 p.m.**
- May 16, 2011 – **Council Meeting at 6:00 p.m. (new time)**
- **May 17, 2011 – Canvass May 14, 2011 Election Results, Oath(s) of Office, and Elect Mayor Pro-Tem – 6:00 p.m.**
- **Walk Tomball!** (every Saturday at 8:00 a.m. at the Depot)
- **June 20-August 15** (skip July 4th) – **HEB/City of Tomball's Mayor's Summer Nutrition Challenge –MLK Community Park**
- 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 March 31, 2011
 - Glenn Windsor – Mid-Year Financial Report for Six Months Ending March 31, 2011

7.0 Approve the Minutes of the April 18, 2011 Regular City Council Meeting

8.0 Old Business:

- 8.1 Approve Professional Services Agreements with CLR, Inc., in an Amount Not to Exceed \$134,671 for Four Parking Lots, for Professional Services related to Downtown Parking Lots and Authorize City Manager to Execute Agreements
- 8.2 Adopt, on Second Reading, Ordinance No. 2011-04, an Ordinance of the City of Tomball, Texas, finding and determining that public convenience and necessity no longer require the continued existence of road right-of-way containing all that certain tract or parcel containing 7,827.73 square feet situated in the William Hurd Survey, A-371 in Harris County, Texas, same also being a part of Ash Street, (variable width, unimproved), as shown on the revised map of Tomball, a subdivision in Harris County, Texas according to the map or plat thereof filed for record in volume 4, page 25 of the Harris County Map Records and a part of Timkin Road, (variable width) as recorded in instruments filed for record in volume 338, page 552 and under Harris County Clerk's File No. M-572329 of the Harris County Deed Records; vacating, abandoning, and closing said roadway right-of-way; authorizing the Mayor to execute and the City Secretary to attest, respectively, deed without warranty of title; providing for severability; and containing other provisions relating to the subject
- 8.3 Adopt on Second Reading, Ordinance No. 2011-06, 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 delete the off-street parking requirements 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; 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.

- 8.4 Adopt, on Second Reading, Ordinance No. 2011-07, an Ordinance of the City of Tomball, Texas, amending Chapter 2. Administration, of Its Code of Ordinances to Change Its Regular Meeting Time to 6:00 P.M.; amending Subsections 2-32(C) Meetings and 2-32(D)(6) Organization and Order of Agenda Related to the Same; Making Other Provisions Related Thereto; Repealing Ordinances or Parts of Ordinances Inconsistent Herewith; and Providing for Severability

9.0 New Business:

- 9.1 Appointments to the Planning and Zoning Commission for Terms Expiring June 1, 2011
- 9.2 Award Contract for Bid 2011-03, Project Number 2007-10006, Tomball Hills Lift Station Replacement, to Low Bidder, N&S Construction Co., L.P., in the Amount of \$349,775.00.
- 9.3 Discussion and Possible Direction to City Staff regarding Chapter 60. Signs
- 9.4 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 Purposes:
- Sec. 551.071 - Private Consultation with Attorney in Closed Meeting regarding Contemplated Litigation
 - Sec. 551.072 – Deliberations Regarding Real Property
- 9.5 Consideration and Possible Action to Request Applicant, Patti Fisher, to Demolish Substandard Building Located at 29503 Orchard Grove Drive

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 29th day of April 2011 by 5:00 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

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.