

**NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, DECEMBER 6, 2010

7:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, December 6, 2010 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 Pastor Larry Trendell, Youth Minister, ChristBridge Fellowship 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 Presentations:

- Proclamation proclaiming Monday, December 6, 2010 as ***“We Believe – Tomball High School Cougar Football Team Day”***
- Certificate of Achievement for Excellence in Financial Reporting to the Finance Department, awarded by the Government Finance Officers Association to the City of Tomball for its Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2009

6.0 Reports and Announcements:

- December 11, 2010 – **2nd Saturday at the Depot – 5:00 p.m. – Unveiling of the Beckendorf Statue (Farmer)**
- December 11-12, 2010 – **German Christmas Market**
- December 13, 2010 - Special Joint City Council and Planning and Zoning Commission Meeting - 6:00 p.m., City Hall
- December 23-24, 2010 – **Christmas Holiday** – City offices will be closed
- December 31, 2010 – **New Year's Day Holiday** – City offices will be closed
- **Walk Tomball!** (Every Saturday at 9:00 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
 - ◆ George Shackelford – Update on Proposed 2011 MS 150 Bike Ride for the Multiple Sclerosis Association.

7.0 Approve the Minutes of the November 15, 2010 Regular City Council Meeting

8.0 Old Business

- 8.1 Adopt, on Second Reading, Ordinance No. 2010-24, an Ordinance Amending Chapter 42, "Heath and Sanitation", of the Code of Ordinances of the City of Tomball, Texas, by Adding a New Article VI. "Prohibited Smoking Paraphernalia and Smoking Products", Providing for Severability; Establishing a Penalty up to \$200 per Offense; and Providing an Effective Date
- 8.5 Adopt, on Second Reading, Ordinance No. 2010-25, an Ordinance Amending Chapter 78, Traffic and Vehicles, of the Code of Ordinances of the City Council of the City of Tomball, Texas, by Adding a New Section 78-73, "Use of Certain Wireless Communication Devices While Driving Prohibited"; Regulating the Use of Wireless Communication Devices while Operating Motor Vehicles; Providing a Penalty in an Amount Not to Exceed \$200 for Each Violation Hereof; and Providing for Severability; and Making Other Provisions and Findings Related Thereto

9.0 New Business:

- 9.1 Appoint Members to the Tourism Advisory Committee
- 9.2 Approve Request from Tomball Rotary Club to Allow the Sale of Beer in Juergens Park during the Tomball Rotary Fish Fry, to be held in April 2011
- 9.3 Presentation by Dan Dompier of the Brandt Exploration Property Development Plan at Huffsmith-Kohrville Road and Proposed Medical Complex Drive

- 9.4 Approve Renewal of the Interlocal Agreement for Fire Protection Services between the City of Tomball and Harris County Emergency Services District No. 15
- 9.5 Approve Renewal of Consulting Services Agreement with Waypoint Business Solutions, LLC, for Turn-key Outsourcing of Information Technology Services for the City of Tomball
- 9.6 Discussion and Possible Action regarding Chapter 54, Peddlers and Solicitors, of the Code of Ordinances of the City of Tomball, Texas
- 9.7 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(s):

Section 551.071 Consultation with Attorney regarding the following matters:

- A. Possible civil action to enforce ordinance regarding construction of building and use of land at 30702 State Highway 249;
- B. Pending litigation including: Kallus v. City, G. Singh Enterprises v. City, Kurcharski v. City, and Cloud v. City; and
- C. Status of land acquisition for lift station from P. Hildreth.

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 3rd day of December 2010 by 4:00 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.