

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



MONDAY, OCTOBER 18, 2010

7:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, October 18, 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 Kevin Pieper, Salem Lutheran Church
- 3.0 Pledges to U.S. and Texas Flags
 - Led by Eta Sigma Alpha Home School Honor Society - Gamma Chapter Students
- 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 to Engineering and Planning for Winning the Vision 2030 State Award. The award was formally presented to the City at the 2010 APA Texas Chapter Annual Conference on October 8, 2010 in San Antonio.

6.0 Reports and Announcements

Mini Excavator and Trailer

- October 23, 2010 – Farmers Market – 8:00 a.m.
- October 29-30, 2010 – Fire Department Fall Festival – 6:00 p.m.
- October 30, 2010 - Special Walk Tomball to support American Heart Association – 10:00 a.m.; Heart Walk routes (1, 2 or 3 mile options) begin at The Heart Center at Tomball Regional (north entrance; use free parking garage or adjacent lots)
- November 4, 2010 – Mayor's Coffee – 5:30 p.m. - 7:00 p.m.
- November 13, 2010 – 2nd Saturday at the Depot – 6:00 p.m.
- 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

7.0 Approve the Minutes of the October 4, 2010 Regular City Council Meeting

8.0 Old Business:

8.1 Motion to Take from the Table – Quinn Rd. Sidewalk Change order # 1

8.2 Approve Change Order # 1 for \$59,320.00 for the Quinn Road Sidewalks and Utilities Project, Engineering and Planning Project No. 2007-10005, Project Bid No. 2010-01

9.0 New Business:

9.1 Adopt on first reading Ordinance No. 2010-21, An Ordinance establishing procedures for the management and administration of revenue generated by the Hotel Occupancy Tax; determining that the City Council of the City of Tomball shall maintain control over revenue generated by the Hotel Occupancy Tax; establishing _____ to consider and review all requests for the funding of activities with revenue generated by the hotel occupancy tax.

9.2 Adopt, on First Reading, Ordinance No. 2010-22, an Ordinance of the City of Tomball, Texas, Adopting **Amendment Number 1** to the Original Budget of the City of Tomball, Texas, for the Fiscal Year 2010-2011, as adopted by Ordinance 2010-17; Providing for Appropriation of Funds from the Governmental and Proprietary Funds; Directing Publication of the Caption of this Ordinance; finding that the Meetings at which this Ordinance is Considered are open to the Public; Providing for Severability and the Repeal of Conflicting

Ordinances; and Providing Other Details Relating to the Passage of this Ordinance.

9.3 Approve Grant for the Spring Creek County Historical Association (Tomball Museum) in the amount of \$14,000.00.

9.4 Discussion supporting the MS150 bike ride for the Multiple Sclerosis Association April 16-17, 2011

9.5 Consideration and Possible Action Regarding **ZONING CASE P10-273**: Request by WDL Lumber, on behalf of William and Jean Adams, to amend the City's Comprehensive Zoning Ordinance to rezone approximately 0.3436 acres of land, legally described as Tracts 16D-1 and 16D-2 out of the Joseph House Survey, Abstract 34, within the City of Tomball, Harris County, Texas, generally located on the westerly side of Quinn Road, northerly of Zion Road, from the O-Office District to the SF-20-E Single-Family Estate Residential-20 District.

- Conduct a Public Hearing on **ZONING CASE P10-273**
- Adopt on First Reading, Ordinance No. 2010-23, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by changing the Zoning District classification of approximately 0.3436 acres of land, legally described as Tracts 16D-1 and 16D-2 out of the Joseph House Survey, Abstract 34, within the City of Tomball, Harris County, Texas, from the O-Office District to the SF-20-E Single-Family Estate Residential-20 District; said property being generally located on the westerly side of Quinn Road, northerly of Zion 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.

9.6 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. 551.072 – Deliberations Regarding Real Property
- Sec. 551.071 - Private consultation with attorney in closed meeting regarding contemplated litigation and attorney-client matters - claim of Terrance Holiday.

9.7 Possible action regarding claim filed by Terrance Holiday

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 15th day of October 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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.