

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



MONDAY, MAY 17, 2010

7:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, May 17, 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 Rick Brown, Sr. Pastor, ChristBridge Fellowship Church

3.0 Pledges to U. S. and Texas Flags

- Led by Members of the Tomball High School Student Council

4.0 Canvass of Election

Escrutinio de la Elección

Kiểm Phiếu của Cuộc Bầu Cử

4.1 Consideration to Adopt Resolution No. 2010-07, a Resolution and Order Canvassing the Returns and Declaring the Results of the General Election Held on May 8, 2010
Considerar la adopción de la Resolución Nro. 2010-07, una Resolución y Orden de escrutinio y parta declarar los resultados de la Elección General celebrada el 8 de mayo de 2010.

Xem xét Thông Qua Nghị Quyết Số. 2010-07, một Nghị Quyết và Lệnh Yêu Cầu Kiểm Phiếu Bầu và Công Bố Kết Quả của Cuộc Bầu Cử Tổng Quát Tổ Chức ngày 8 tháng Năm, 2010

4.2 Administer Oath of Office to Elected Officials

Administrar el juramento al cargo de los Oficiales Electos

Làm Lễ Tuyên Thệ Nhậm Chức cho Các Viên Chức Được Bầu Chọn

4.3 Consideration to Elect Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter

Considerar elegir un Alcalde Interino en conformidad con la Sección 6.08 de la Carta Orgánica de Gobierno Local de la Ciudad de Tomball.

Xem Xét Bầu Chọn Thị Trưởng đương nhiệm chiếu theo Mục 6.08 của Điều Lệ Hiến Chương về Nhà Ở.

5.0 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.*)

6.0 Presentations:

- Plaque to Councilman and Mayor Pro Tem Bill Webb, (2007-2010)
- Proclamation for Hurricane Preparedness Week – May 23-29, 2010

7.0 Reports and Announcements:

- FY 2010-Second Quarter Financial Report
- May 20 and May 21, 2010 – Strategic Planning Workshops
- Jerry Matheson Swimming Pool to open Memorial Day Weekend, May 29, 2010, and remain open daily (except Mondays) through Labor Day Weekend, September 6, 2010
- June 12, 2010 – **Farmers Market**
- June 12, 2010 - **2nd Saturday at the Depot**, 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

8.0 Approve the Minutes of the following Meetings:

- Special City Council Meeting of April 29, 2010
- Special City Council Meeting of May 3, 2010
- Regular City Council Meeting of May 3, 2010
- Special City Council Meeting of May 7, 2010

9.0 New Business:

9.1 Appoint/Reappoint Member to Planning and Zoning Commission

9.2 Appoint/Reappoint Members to the Tomball Economic Development Corporation

- 9.3 Consideration and Possible Action Regarding **ZONING CASE P10-226**: Request by Pete Terpstra to amend the City's Comprehensive Zoning Ordinance to rezone approximately 5.3584 acres of land, legally described as Tract 2 out of the Sam Lewis Survey, Abstract Number 1704, within the City of Tomball, Harris County, Texas, generally located on the westerly side of State Highway 249 Business, southerly of Alice Road, from the AG-Agricultural District to the C-Commercial District.
- Conduct a Public Hearing on **ZONING CASE P10-226**
 - Adopt on First Reading, Ordinance 2010-10, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by Changing the Zoning District Classification of approximately 5.3584 acres of land, Legally Described as Tract 2 out of the Sam Lewis Survey, Abstract Number 1704, Within the City of Tomball, Harris County, Texas, From the AG-Agricultural District to the C-Commercial District; Said Property Being Generally Located on the westerly side of State Highway 249 Business, Southerly of Alice 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.
- 9.4 Consideration and Possible Action Regarding **ZONING CASE P10-225**: Request by Pete Terpstra to amend the City's Comprehensive Zoning Ordinance to rezone approximately 6.3637 acres of land, legally described as Tracts 2B, 2Y-1, and 2Z out of the C.N. Pillot Survey, Abstract Number 632, within the City of Tomball, Harris County, Texas, Generally located between the south intersection of SH 249 Bypass (Tomball Expressway) and SH 249 Business, northerly of Holderrieth Road, from the AG-Agricultural District to the C-Commercial District.
- Conduct a Public Hearing on **ZONING CASE P10-225**
 - Adopt on First Reading, Ordinance 2010-11, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by Changing the Zoning District Classification of approximately 6.3637 acres of land, Legally Described as Tracts 2B, 2Y-1, and 2Z out of the C.N. Pillot Survey, Abstract Number 632, Within the City of Tomball, Harris County, Texas, From the AG-Agricultural District to the C-Commercial District; Said Property Being Generally Located between the south intersection of SH 249 Bypass (Tomball Expressway) and SH 249 Business, northerly of Holderrieth 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

- 9.5 Approve Resolution No. 2010-08, a Resolution Amending the Terms of the Development Agreement Establishing Public Improvement District (PID) No. 2 in the City of Tomball, Texas (Raleigh Creek)
- 9.6 Discussion and Possible Action to Waive Tennis Court Reservation Fee for Tina Roquemore
- 9.7 Approve Request by Apex Towing to Participate in the Emergency Wrecker Rotation List
- 9.8 Approve request from RE/MAX Platinum for Support with their Susan G. Koman "Walk for the Cure", to be held on Saturday, May 22, 2010
- 9.9 Approve **FINAL PLAT OF PARKWAY OASIS PARTIAL REPLAT NO. 1:** Being a subdivision of a 7.5797 Acre Tract of Land in the William Hurd Survey, Abstract No. 378 and in the John Hooper Survey, Abstract No. 375 City of Tomball, Harris County, Texas, 4 Lots, and 1 Block
- 9.10 Approve **TOMBALL CENTER III – B2, REPLAT NO. 2:** 7.8351 Acres, Being a partial Replat of Reserves “A” & “B” of Tomball Center III – B2, Replat No. 1, Film Code Number 625078 H.C.M.R. located in the Joseph House Survey, Abstract Number 34, Harris County, Texas, 1 Block, 2 Reserves
- 9.11 **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:
- Section 551.071 – Consultation with Attorney regarding a Demand for City Action by Gary Smith Related to a Slope Failure at 31422 Rigel Court
 - Section 551.074 – Personnel Matters – To Deliberate the Hiring/Employment, Duties and Responsibilities of a City Manager
 - Section 551.074 – Personnel Matters – To Deliberate the Hiring/Employment, Duties and Responsibilities of a Municipal Court Judge
- 9.12 Consideration and Possible Action Regarding a Demand for City Action by Gary Smith Related to a Slope Failure at 31422 Rigel Court
- 9.13 Consideration and Possible Action Regarding the Appointment of a Municipal Court Judge
- 9.14 Consideration and Possible Action regarding the Hiring/Employment, Duties and Responsibilities of a City Manager

10.0 Adjournment

C E R T I F I C A T I O N

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 14th day of May 2010 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.