

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



MONDAY, MAY 3, 2010

7:00 P.M.

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, May 3, 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 Bobby Ferguson, Freewill Baptist Church

3.0 Pledges to U. S. and Texas Flags

- Led by members of the THS 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 for “National Emergency Medical Services Week”, May 16-22, and “Emergency Medical Services for Children (EMSC) Day”, May 19
- Proclamation for “National Public Works Week – Above, Below and All Around You”, May 16-22

6.0 Reports and Announcements:

- April 26-May 4 – **Early Voting** at City Hall
- May 6, 2010 – **Mayor’s Coffee** – (New Location) **Bootsie’s** – 5:30 p.m-7:00 p.m.
- **May 8, 2010 – Election Day – General City Election at City Hall, 7:00 a.m.-7:00 p.m.**
- May 8, 2010 - **Farmers Market**
- May 8, 2010 - **2nd Saturday at the Depot**

- May 11, 2010 – Ceremony in Heritage Plaza, 9:00 a.m. to ***“Honor the Standing and the Fallen”***, honoring Law Enforcement personnel
- May 17, 2010 – Tomball Economic Development Corporation Appointments
- May 17, 2010 – Planning and Zoning Commission Member Appointments
- Hurricane Preparedness Week – May 23-29, 2010
- June 12, 2010 - 2nd Saturday at the Depot, 6:00 p.m.
- ***Walk Tomball!*** (Every Saturday at 9:00 a.m. at the Depot)
- Report by the Interim City Manager on the permitted use of Cross-linked Polyethylene (PEX) pipe and tubing in construction
- 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 following Meetings:

- Special City Council Meeting of April 19, 2010
- Regular City Council Meeting of April 19, 2010

8.0 Old Business:

- 8.1 Approve Request by the Owners of Pine Country Subdivision, Section One, for the Extension of City of Tomball's Water Main to Service Their Eight-Lot Subdivision
- 8.2 Adopt on Second Reading, Ordinance No. 2010-07, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by Changing the Zoning District Classification of approximately 5.006 Acres of land, Legally Described as Tract 281, Tomball Outlots, of the Map Records of Harris County, Texas, from the SF-20-E Single-Family Estate Residential-20 District to the LI - Light Industrial District; Said Property Being Located on the westerly side of South Persimmon Street, northerly of Agg 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
- 8.3 Adopt on Second Reading, Ordinance No. 2010-08, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by Changing the Zoning District Classification of approximately 2.456 Acres of land, legally described as Block 16 and Lots 25 through 36, Block 23, Tomball Townsite, within the City of Tomball, Harris County, Texas, from the SF-6 Single-Family Residential-6 District to the OT&MU - Old Town and Mixed Use District, said property being generally located on the westerly side of South Cherry Street, southerly of Fannin Street; 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

- 8.4 Adopt on Second Reading, Ordinance No. 2010-09, Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Zoning Ordinance by Amending Section 38, Use Regulations, to add “Temporary Real Estate Field Office” and “Model Home” as Listed Uses; Amending Section 43.8, Temporary Buildings, to Rename the Section “Temporary Structures and Uses” and add Development Regulations for Such; Amending Section 45, Definitions, to add a New Definition for “Temporary Real Estate Field Office;” 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

9.0 New Business:

- 9.1 Consideration and Possible Action regarding a Development Agreement between the City of Tomball and Zion Road Properties, LLC.
- 9.2 Consideration and Possible Action to Direct the City Manager to Develop an Agreement with Klein Independent School District for the Extension of Utility Service
- 9.3 Approve Rudolph Road and Utilities Capital Improvement Plan Project Amended Design Contract with O'Malley Engineers, LLC for \$55,000.00
- 9.4 Approve Continued Funding for Professional Services on Existing Agreement with Lockwood, Andrews, and Newnam, Inc., in the Amount of \$449,974.00 and to Authorize Director of Engineering and Planning to Request that Harris County Flood Control District (HCFCD) Develop Interlocal Agreement for Further Council Consideration
- 9.5 Approval and Dedication of Easement from City of Tomball to CenterPoint Energy Houston Electric, LLC Associated with City of Tomball Water Well No. 5 and 6 Sites
- 9.6 Approve Proposal from Cobb, Fendley and Associates for Landman and Appraisal Services Associated with the Tomball Hufsmith Water and Gas Improvements Project, in an Amount Not to Exceed \$103,250.00
- 9.7 Discussion regarding Development Standards and Platting Requirements for Depot Area
- 9.8 **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 551.074 – Personnel Matters – To Deliberate the Hiring/Employment, Duties and Responsibilities of a City Manager
- 9.9 Consideration and Possible Action regarding the Hiring/Employment, Duties and Responsibilities of a City Manager

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 30th day of April 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.