

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



MONDAY, APRIL 16, 2018

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, April 16, 2018 at 6:00 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 Corey Hubbard of Bethesda Ministries Church, Tomball

3.0 Pledges to U.S. and Texas Flags

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 Reports and Announcements

- April 28, 2018 – **Lions Club Car Show** – Lone Star College-Tomball
- April 30, 2018 – Special City Council meeting - 5:30 p.m.

- May 8, 2018 – Special City Council meeting to Canvass the May 5, 2018 Election - 5:30 p.m.
- Reports by City staff and members of council about items of community interest on which no action will be taken:

6.0 Approve the Minutes of the April 2, 2018 Tomball City Council Meeting

7.0 Old Business:

7.1 Adopt, on Second Reading, Ordinance No. 2018-15, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of this Ordinance (SH 249 and SH 249 Frontage Roads)

8.0 New Business:

8.1 Conduct Second Public Hearing for the Purpose of Considering the Following Annexation: *374.9 Acres of Land, Located West of SH 249/Tomball Expressway, South of Humble Lake Road, North of a Private Road Forming the Northern Border of Willowcreek Ranch Equestrian Reserve and Boudreaux Estates Section One, and East of Willow Creek Ranch Subdivision, Situated in the Chauncey Goodrich Survey, Abstract Number 305, the Auguste Senechal Survey, Abstract Number 722, and the Sam Lewis Survey, Abstract Number 1704, Harris County, Texas, Being all of a Called 20.000 Acres Tract of Land Conveyed to County of Harris by Jimmy C. Shaw, Et Ux by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas, Being all of a Called 117.9465 Acres Tract of Land, Described In Six, (6), Tracts, Conveyed to County of Harris by Merenco Realty, Inc. by Deed Dated October 17, 2014 and Recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas, Being all of a Called 229.772 Acres Tract, Described in Thirteen, (13), Tracts, Being all of a Called 4.992 Acres Tract and Being all of a Called 2.363 Acres Tract Conveyed to County of Harris by Harris County Improvement District No. 17 by Deed dated September 11, 2017 and Recorded in County Clerk's File RP-2017-402273 of the Official Public Records of Real Property of Harris County, Texas, Save and Except that Certain Portion of Land out of a Called 3.693 Acres, a Called 2.088 Acres, a Called 3.709 Acres, and a Called 148.751 Acres Tracts that Apparently Lies within the Said Lewis Survey (HCID #17 – Willow Creek Annexation)*

8.2 Conduct First Public Hearing for the Purpose of Considering the Following Annexation: *Being a 2.844-Acre Tract of Land in the Jesse Pruitt Survey, Abstract No. 629, Harris County Texas, out of and a part of that Certain 4.8914-Acre Tract of Land described in Deed recorded under Clerk's File No. 2013-0036029 of the Official Public Records of Real Property of Harris County, Texas, Located at 22828 Hufsmith-Kohrville Road*

8.3 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):

- Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – Assistant City Manager

8.4 Approve Appointment of David Esquivel as Assistant City Manager, Pursuant to Section 7.02 of the City Charter

9.0 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 12th day of April 2018 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 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.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: April 16, 2018

Topic:

- Led by Pastor Corey Hubbard of Bethesda Ministries Church, Tomball

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda:

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 16, 2018

Topic:

- April 28, 2018 – **Lions Club Car Show** – Lone Star College-Tomball
- April 30, 2018 – Special City Council meeting - 5:30 p.m.
- May 8, 2018 – Special City Council meeting to Canvass the May 5, 2018 Election - 5:30 p.m.
- Reports by City staff and members of council about items of community interest on which no action will be taken:

Background:

Origination:

Various

Recommendation:

N/A

Party(ies) responsible for placing this item on agenda:

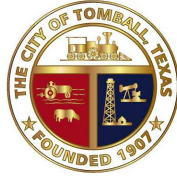
City Secretary

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

April 30, 2018 – Special City Council Meeting

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



**MONDAY, APRIL 30, 2018
5:30 P.M.**

Notice is hereby given of a **SPECIAL** meeting of the Tomball City Council, to be held on **MONDAY, APRIL 30, 2018 at 5:30 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 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 - GC, 551.042.]*
- 3.0 New Business:
 - 3.1 Conduct Second Public Hearing to Consider the Annexation of the Following Tract of Land:

Being a 2.844-Acre Tract of Land in the Jesse Pruitt Survey, Abstract No. 629, Harris County Texas, out of and a part of that Certain 4.8914-Acre Tract of Land described in Deed recorded under Clerk's File No. 2013-0036029 of the Official Public Records of Real Property of Harris County, Texas, Located at 22828 Hufsmith-Kohrville Road.
- 4.0 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 12th day of April 2018 by 5:30 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, MMC

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.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: April 16, 2018

Topic:

Approve the Minutes of the April 2, 2018 Tomball City Council Meeting

Background:

Origination:

City Secretary

Recommendation:

N/A

Party(ies) responsible for placing this item on agenda:

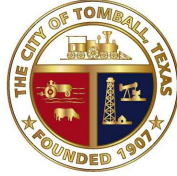
City Secretary

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Draft Minutes - 4/2/2018 Regular City Council Meeting

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



**MONDAY, APRIL 2, 2018
6:00 P.M.**

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Fagan. Other members present:

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – Rob Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Assistant Fire Chief – Jonathon Fontenot
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
City Engineer – Beth Jones
Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
Community Center Director – Rosalie Dillon

2.0 The invocation was led by Andrew Parsons, Director of Youth Ministries, Tomball United Methodist Church

3.0 Pledges to the U. S. and Texas Flags were led by Randy Parr

4.0 No public comments were received.

5.0 Presentations: Mayor Fagan presented the following Proclamations:

- Proclamation declaring September 7, 2017 as ***“Kennedy Marie Guidry Day”***
- Proclamation declaring April 2, 2018 as ***“Martha Roquemore – 2018 Cinderella and David Rocha – 2018 Prince Charming” Day***
- Proclamation declaring April 2, 2018 as ***“Concordia Lutheran High School Basketball Team 2017-2018 TAPPS 6A State Champions” Day.***

6.0 Reports and Announcements:

- April 14, 2018 – **2nd Saturday at the Depot**
- April 28, 2018 – **Lions Club Car Show** – Lone Star College-Tomball
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Craig Meyers updated Council on the **Tomball Comprehensive Plan Update Open House**

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the March 19, 2018 Regular Tomball City Council Meeting

Motion carried unanimously.

8.0 Old Business:

8.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2018-14, an Ordinance Altering the Prima Facie Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of The City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of this Ordinance (*Portions of Zion Road and East Hufsmith Road*). Vote was as follows:

Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

9.0 New Business:

- 9.1 Motion was made by Councilman Townsend, second by Councilman Degges, to reappoint Holly Cook to Position 4 and Stephen Hughes to Position 1 and to appoint Melanie Sutton to Position 7 on the Tourism Advisory Committee for Terms Expiring December 5, 2017.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Stoll, second by Councilman Townsend, to appoint Councilman Klein Quinn to serve on a Working Committee to Consider the Feasibility of a Joint Venture between Tomball Sports Medicine Center, Tomball Regional Hospital, the City of Tomball, Harris County, and Tomball Regional Health Foundation for a Community Wellness Center. Vote was as follows:

Councilman Ford	<u>Abstain</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Abstain</u>

Motion carried unanimously.

- 9.3 Motion was made by Councilman Stoll, second by Councilman Degges, to approve the Request from Trammell Crow Residential to Reduce Water and Sewer Impact Fees by \$335,780.00 for a Proposed Multi-Family Development at the Intersection of Holderrieth Road and State Highway 249. Vote was as follows:

Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Nay</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Klein Quinn	<u>Nay</u>

Motion FAILED, 3 votes Nay, 2 votes Aye.

- 9.4 Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball at 6:42 p.m. for the Purpose of Considering the Following Annexation: *374.9 Acres of Land, Located West of SH 249/Tomball Expressway, South of Humble Lake Road, North of a Private Road Forming the Northern Border of Willowcreek Ranch Equestrian Reserve and Boudreaux Estates Section One, and East of Willow Creek Ranch Subdivision, Situated in the Chauncey Goodrich Survey, Abstract Number 305, the Auguste Senechal Survey, Abstract Number 722, and the Sam Lewis Survey, Abstract Number 1704, Harris County, Texas, Being all of a Called 20.000 Acres Tract of Land*

Conveyed to County of Harris by Jimmy C. Shaw, Et Ux by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas, Being all of a Called 117.9465 Acres Tract of Land, Described In Six, (6), Tracts, Conveyed to County of Harris by Merenco Realty, Inc. by Deed Dated October 17, 2014 and Recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas, Being all of a Called 229.772 Acres Tract, Described in Thirteen, (13), Tracts, Being all of a Called 4.992 Acres Tract and Being all of a Called 2.363 Acres Tract Conveyed to County of Harris by Harris County Improvement District No. 17 by Deed dated September 11, 2017 and Recorded in County Clerk's File RP-2017-402273 of the Official Public Records of Real Property of Harris County, Texas, Save and Except that Certain Portion of Land out of a Called 3.693 Acres, a Called 2.088 Acres, a Called 3.709 Acres, and a Called 148.751 Acres Tracts that Apparently Lies within the Said Lewis Survey (HCID #17 – Willow Creek Annexation)

Receiving no public comments, Mayor Fagan closed the public hearing at 6:42 p.m.

- 9.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2018-15 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2018-15, an Ordinance Altering the Prima Facie Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of this Ordinance (*SH 249 and SH 249 Frontage Roads*). Vote was as follows:

Councilman Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 9.6 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2018-11, Designating Authorized Representatives to Conduct Authorized Participation in TexPool and TexPool Prime on Behalf of the City of Tomball.

Motion carried unanimously.

10.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Meeting adjourned.

PASSED AND APPROVED this the 16th day of April 2018.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 16, 2018

Topic:

Adopt, on Second Reading, Ordinance No. 2018-15, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of this Ordinance (SH 249 and SH 249 Frontage Roads)

Background:

Staff was notified by the Texas Department of Transportation in February 2018 that a Speed Zone Study had been completed along SH 249 within the city limits. Based on the traffic study, the recommended revisions to the speed zone include:

Along SH 249 from the north city limit City of Tomball to the 840 feet south of Tomball Parkway, a distance of approximately 1.300 miles, the speed limit shall be 45 MPH.

Along SH 249 Frontage road, from 840 feet south of Tomball Parkway to the south city limit City of Tomball, a distance of approximately 2.531 miles, the speed limit shall be 45 MPH.

Once adopted, staff anticipates the new speed limits to be posted within 30 days of notification to the Texas Department of Transportation of approval.

Origination:

Public Works Department

Recommendation:

Adopt Ordinance Number 2018-15 on Second Reading.

Party(ies) responsible for placing this item on agenda:

Doris Speer, City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Ordinance No. 2018-15

TxDOT Speed Zone Study

ORDINANCE NO. 2018-15

AN ORDINANCE ALTERING THE *PRIMA FACIE* SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF §545.356, TEXAS TRANSPORTATION CODE, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF TOMBALL AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE IN AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR THE VIOLATION OF THIS ORDINANCE (SH 249 AND SH 249 FRONTAGE).

* * * * *

WHEREAS, §545.356, Texas Transportation Code, provides that, whenever the governing body of the City shall determine, upon the basis of an engineering and traffic investigation, any *prima facie* speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe *prima facie* speed limit thereat or there on by the passage of an Ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of §545.356, Texas Transportation Code, the following *prima facie* speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

Along SH 249 from the north city limit City of Tomball to the 840 feet south of Tomball Parkway, a distance of approximately 1.300 miles, the speed limit shall be 45 MPH.

Along SH 249 Frontage road, from 840 feet south of Tomball Parkway to the south city limit City of Tomball, a distance of approximately 2.531 miles, the speed limit shall be 45 MPH.

Section 2. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not more than Two Hundred Dollars (\$200.00).

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 2ND DAY OF APRIL 2018.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 16TH DAY OF APRIL 2018.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball



P.O. BOX 1386 | HOUSTON, TEXAS 77251-1386 | (713) 802-5000 | WWW.TXDOT.GOV

February 6, 2018

The Honorable Gretchen Fagan
Mayor
City of Tomball
401 Market Street
Tomball, Texas 77375-4697

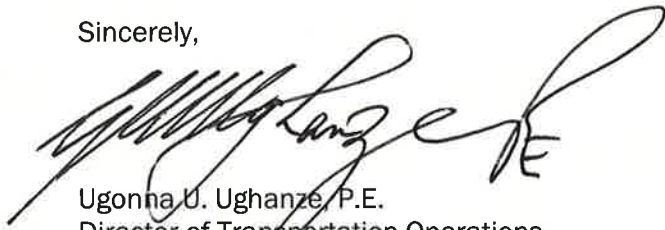
RE: Request for City Ordinance Speed Zone – SH 249 – Harris County

Dear Mayor Fagan:

Our office has completed a Speed Zone Study along SH 249 within the City of Tomball. Attached you will find a Speed Zone Strip Maps numbered 5691A, 5691B, and a prepared Speed Zone Ordinance suggested by the Texas League of Municipalities containing the recommended zone along SH 249. If you concur with the recommended zone please furnish this office with a copy of your executed ordinance.

Should you have questions please contact Gaurang Pandit, Transportation Engineer Supervisor at (713) 802-5856 or Rogelio Rubico at (713) 802-5182.

Sincerely,



Ugonna U. Ughanze, P.E.
Director of Transportation Operations
Houston District

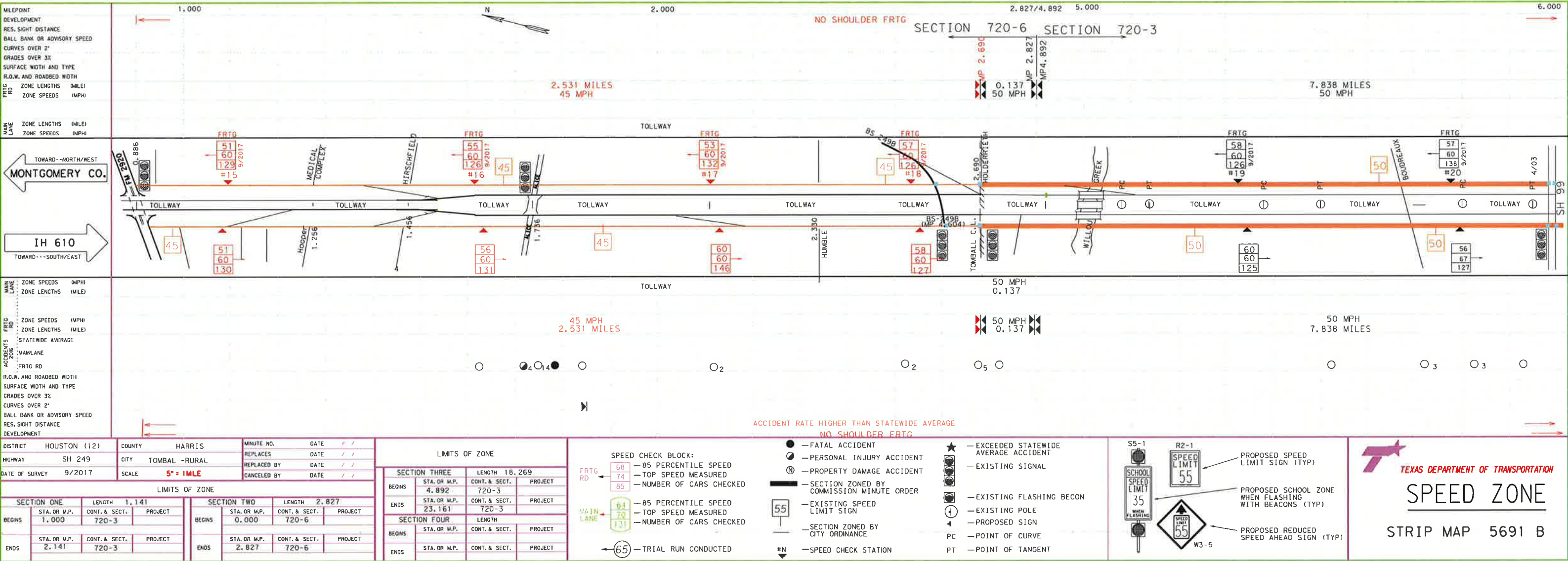
Attachments

cc: Doris Speer – City of Tomball
Gaurang S. Pandit, P.E.
Rogelio R. Rubico, P.E.

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer



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Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 16, 2018

Topic:

Conduct Second Public Hearing for the Purpose of Considering the Following Annexation: *374.9 Acres of Land, Located West of SH 249/Tomball Expressway, South of Humble Lake Road, North of a Private Road Forming the Northern Border of Willowcreek Ranch Equestrian Reserve and Boudreaux Estates Section One, and East of Willow Creek Ranch Subdivision, Situated in the Chauncey Goodrich Survey, Abstract Number 305, the Auguste Senechal Survey, Abstract Number 722, and the Sam Lewis Survey, Abstract Number 1704, Harris County, Texas, Being all of a Called 20.000 Acres Tract of Land Conveyed to County of Harris by Jimmy C. Shaw, Et Ux by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas, Being all of a Called 117.9465 Acres Tract of Land, Described In Six, (6), Tracts, Conveyed to County of Harris by Merenco Realty, Inc. by Deed Dated October 17, 2014 and Recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas, Being all of a Called 229.772 Acres Tract, Described in Thirteen, (13), Tracts, Being all of a Called 4.992 Acres Tract and Being all of a Called 2.363 Acres Tract Conveyed to County of Harris by Harris County Improvement District No. 17 by Deed dated September 11, 2017 and Recorded in County Clerk's File RP-2017-402273 of the Official Public Records of Real Property of Harris County, Texas, Save and Except that Certain Portion of Land out of a Called 3.693 Acres, a Called 2.088 Acres, a Called 3.709 Acres, and a Called 148.751 Acres Tracts that Apparently Lies within the Said Lewis Survey (HCID #17 – Willow Creek Annexation)*

Background:

Section 43.063 of the Local Government Code requires two public hearings on proposed annexations. The hearings must be conducted on or after the 40th day but before the 20th day before the date of the first reading of the ordinance (a 21-39 day timeframe). Council authorized the public hearings to be held during the regular Council meeting on April 2, 2018 and the regular Council meeting on April 16, 2018.

The first reading of the annexation ordinance will be adopted at the regular Council meeting on Monday, May 7, 2018 and the second reading of the ordinance will be adopted at the regular Council meeting on May 21, 2018.

Origination:

Harris County

Recommendation:

N/A

Party(ies) responsible for placing this item on agenda:

City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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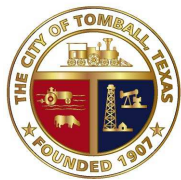
ATTACHMENTS:

Notice of Public Hearings

HCID 17 map

HCID 17 - Aerial

**NOTICE OF PUBLIC HEARINGS
CITY OF TOMBALL, TEXAS**



**MONDAY, APRIL 2, 2018
6:00 P.M.
and
MONDAY, APRIL 16, 2018
6:00 P.M.**

Notice is hereby given that **PUBLIC HEARINGS** will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday, April 2, 2018 at 6:00 p.m., and at a Regular Council Meeting on Monday, April 16, 2018 at 6:00 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following Annexation:

374.9 ACRES OF LAND, LOCATED WEST OF SH 249/TOMBALL EXPRESSWAY, SOUTH OF HUMBLE LAKE ROAD, NORTH OF A PRIVATE ROAD FORMING THE NORTHERN BORDER OF WILLOWCREEK RANCH EQUESTRIAN RESERVE AND BOUDREAUX ESTATES SECTION ONE, AND EAST OF WILLOW CREEK RANCH SUBDIVISION, SITUATED IN THE CHAUNCEY GOODRICH SURVEY, ABSTRACT NUMBER 305, THE AUGUSTE SENECHAL SURVEY, ABSTRACT NUMBER 722, AND THE SAM LEWIS SURVEY, ABSTRACT NUMBER 1704, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 20.000 ACRES TRACT OF LAND CONVEYED TO COUNTY OF HARRIS BY JIMMY C. SHAW, ET UX BY DEED DATED OCTOBER 17, 2014 AND RECORDED IN COUNTY CLERK'S FILE 20140468595 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 117.9465 ACRES TRACT OF LAND, DESCRIBED IN SIX, (6), TRACTS, CONVEYED TO COUNTY OF HARRIS BY MERENCO REALTY, INC. BY DEED DATED OCTOBER 17, 2014 AND RECORDED IN COUNTY CLERK'S FILE 20140471160 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 229.772 ACRES TRACT, DESCRIBED IN THIRTEEN, (13), TRACTS, BEING ALL OF A CALLED 4.992 ACRES TRACT AND BEING ALL OF A CALLED 2.363 ACRES TRACT CONVEYED TO COUNTY OF HARRIS BY HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 BY DEED DATED SEPTEMBER 11, 2017 AND RECORDED IN COUNTY CLERK'S FILE RP-2017-402273 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN PORTION OF LAND OUT OF A CALLED 3.693 ACRES, A CALLED 2.088 ACRES, A CALLED 3.709 ACRES, AND A CALLED 148.751 ACRES TRACTS THAT APPARENTLY LIES WITHIN THE SAID LEWIS SURVEY.

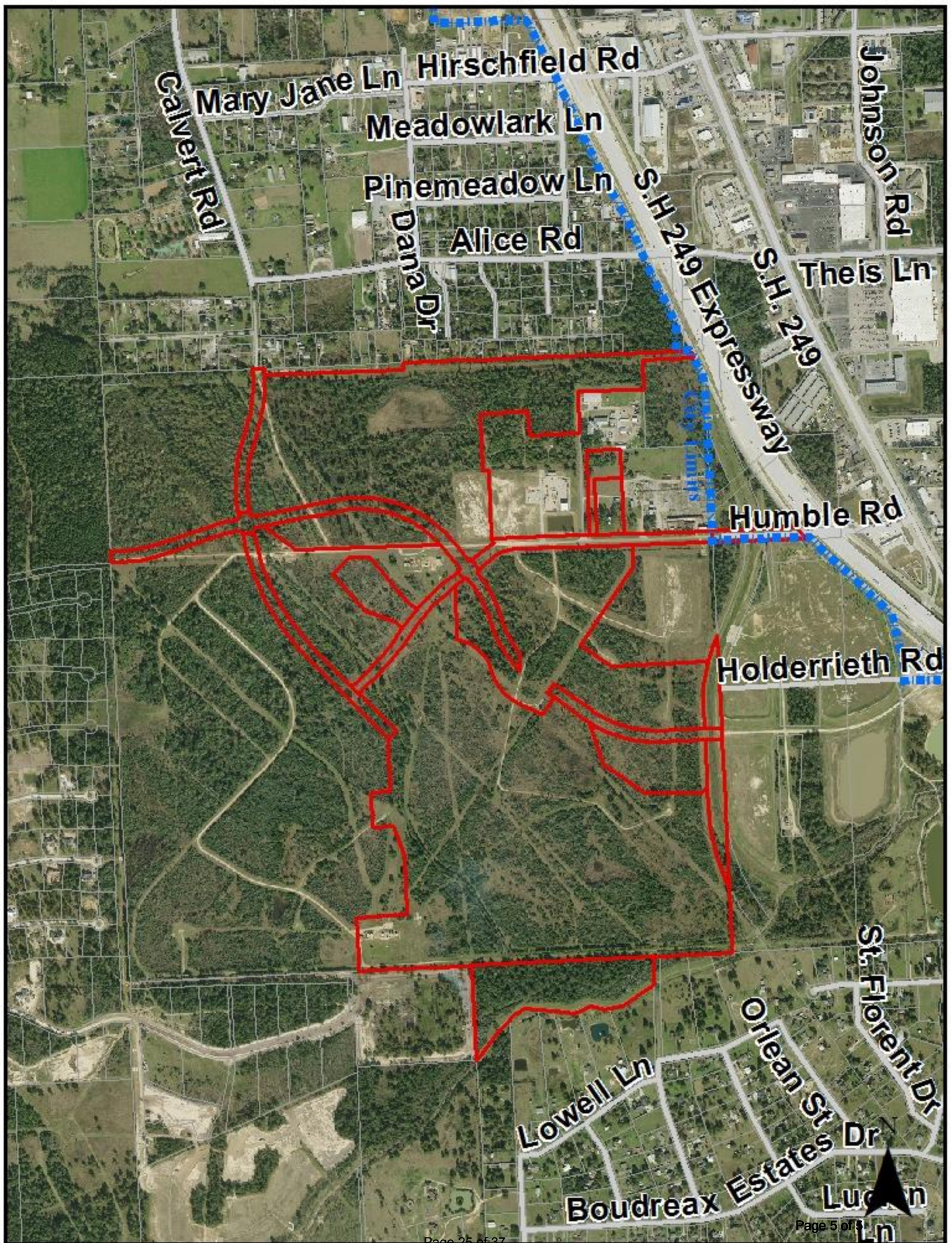
Persons interested in the above-proposed Annexation will be given an opportunity to be heard. Legal descriptions and maps of said property are available for inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas.

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 6th day of March 2018 by 8:00 a.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer
Doris Speer
City Secretary, TRMC, MMC

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.



Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 16, 2018

Topic:

Conduct First Public Hearing for the Purpose of Considering the Following Annexation: *Being a 2.844-Acre Tract of Land in the Jesse Pruitt Survey, Abstract No. 629, Harris County Texas, out of and a part of that Certain 4.8914-Acre Tract of Land described in Deed recorded under Clerk's File No. 2013-0036029 of the Official Public Records of Real Property of Harris County, Texas, Located at 22828 Hufsmith-Kohrville Road*

Background:

Section 43.063 of the Local Government Code requires two public hearings on proposed annexations. The hearings must be conducted on or after the 40th day but before the 20th day before the date of the first reading of the ordinance (a 21-39 day timeframe). Council authorized the public hearings to be held during the regular Council meeting on April 16, 2018 and at a special Council meeting on April 30, 2018, at 5:30 p.m.

The first reading of the annexation ordinance will be adopted at the regular Council meeting on Monday, May 21, 2018 and the second reading of the ordinance will be adopted at the regular Council meeting on June 4, 2018.

Origination:

Ricky and Jared Mattern, Owners

Recommendation:

N/A

Party(ies) responsible for placing this item on agenda:

City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Notice of Public Hearings

22828 Hufsmith-Kohrville - Map 1

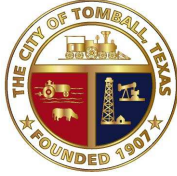
22828 Hufsmith-Kohrville - Zoning

22828 Hufsmith-Kohrville - Future Land Use

22828 Hufsmith-Kohrville - Metes & Bounds

22828 Hufsmith-Kohrville - Map 2

**NOTICE OF PUBLIC HEARINGS
CITY OF TOMBALL, TEXAS**



**MONDAY, APRIL 16, 2018
6:00 P.M.
and
MONDAY, APRIL 30, 2018
5:30 P.M.**

Notice is hereby given that **PUBLIC HEARINGS** will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday, April 16, 2018 at 6:00 p.m., and at a Special Council Meeting on Monday, April 30, 2018 at 5:30 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following Annexation:

BEING A 2.844-ACRE TRACT OF LAND IN THE JESSE PRUITT SURVEY, ABSTRACT NO. 629, HARRIS COUNTY TEXAS, OUT OF AND A PART OF THAT CERTAIN 4.8914-ACRE TRACT OF LAND DESCRIBED IN DEED RECORDED UNDER CLERK'S FILE NO. 2013-0036029 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, LOCATED AT 22828 HUFSMITH-KOHRVILLE ROAD.

Persons interested in the above-proposed Annexation will be given an opportunity to be heard. Legal descriptions and maps of said property are available for inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas.

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 4th day of April 2018 by 5:30 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, MMC

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.

HUFSMITH-KOHRVILLE

22828 Hufsmith Kohrville

Light Industrial

Light Industrial

HUFSMITH-KOHRVILLE

22828 Hufsmith Kohrville

Agricultural

Light Industrial

Agricultural

Light Industrial

Commercial

Agricultural

WEIRICH LN

Industrial

Industrial

Industrial

Industrial

Industrial

Industrial

Industrial

22828 Hufsmith Kohrville

**Low Density
Residential**

**Low Density
Residential**

**Low Density
Residential**

**Low Density
Residential**

WEIRICH LN

HUFSMITH-KOHRVILLE

FIELD NOTES

Being a 2.844 acre tract of land in the Jesse Pruitt Survey, Abstract No. 629, in Harris County, Texas, out of and a part of that certain 4.8914 acre tract of land described in deed recorded under Clerk's File No. 2013-0036029 of the Official Public Records of Real Property of Harris County, Texas, said 2.844 acres is hereafter referred to as "the subject tract" and is more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found lying in the North line of the said 4.8914 acre tract (hereafter called "the parent tract"), in the South line of that certain 93.3743 acre tract of land recorded under Clerk's File No. 2008-0355024, and marking the Northwest corner of the subject tract, and the Northeast corner of that certain twenty-foot-wide strip of land containing 0.1983 acres conveyed to Harris County for the widening of Hufsmith Kohrville Road recorded under Clerk's File No. RP-2016-513692;

THENCE North 87°02'49" East, departing the East right-of-way line of the newly-widened Hufsmith Kohrville Road, and with the South line of the said 93.3743 acre tract, a distance of 446.43 feet to a 1/2 inch iron rod (with yellow plastic cap) found at fence corner marking the Northeast corner of the subject tract and the parent tract, and the Northwest corner of **KLEIN ISD BERNSHAUSEN ELEMENTARY SCHOOL ~ SECTION 3** (Film Code No. 644130, Harris County Map Records);

THENCE South 03°20'21" East, departing the South line of the said 93.3743 acre tract, and with the East line of the parent tract and the West line of **KLEIN ISD BERNSHAUSEN ELEMENTARY SCHOOL ~ SECTION 3**, a distance of 277.90 feet to a 5/8 inch iron rod found marking the Southeast corner of the subject tract, and the Northeast corner of that certain 1.825 acre tract of land conveyed to Harris County Flood Control District recorded under Clerk's File No. RP-2016-450615;

THENCE South 87°51'38" West (Reference Bearing based on deed of 1.825 acre adjoiner to the South), departing the East line of the parent tract and the West line of **KLEIN ISD BERNSHAUSEN ELEMENTARY SCHOOL ~ SECTION 3**, a distance of 455.60 feet to a 5/8 inch iron rod found lying in the East line of the said 0.1983 acre road-widening tract, and marking the Southwest corner of the subject tract, and the Northwest corner of the said 1.825 acre tract;

THENCE North 01°26'00" West, with the newly-widened East line of Hufsmith Kohrville Road, a distance of 73.26 feet to a 5/8 inch iron rod found marking a slight angle point in the West line of the subject tract, and the East line of the said road right-of-way;

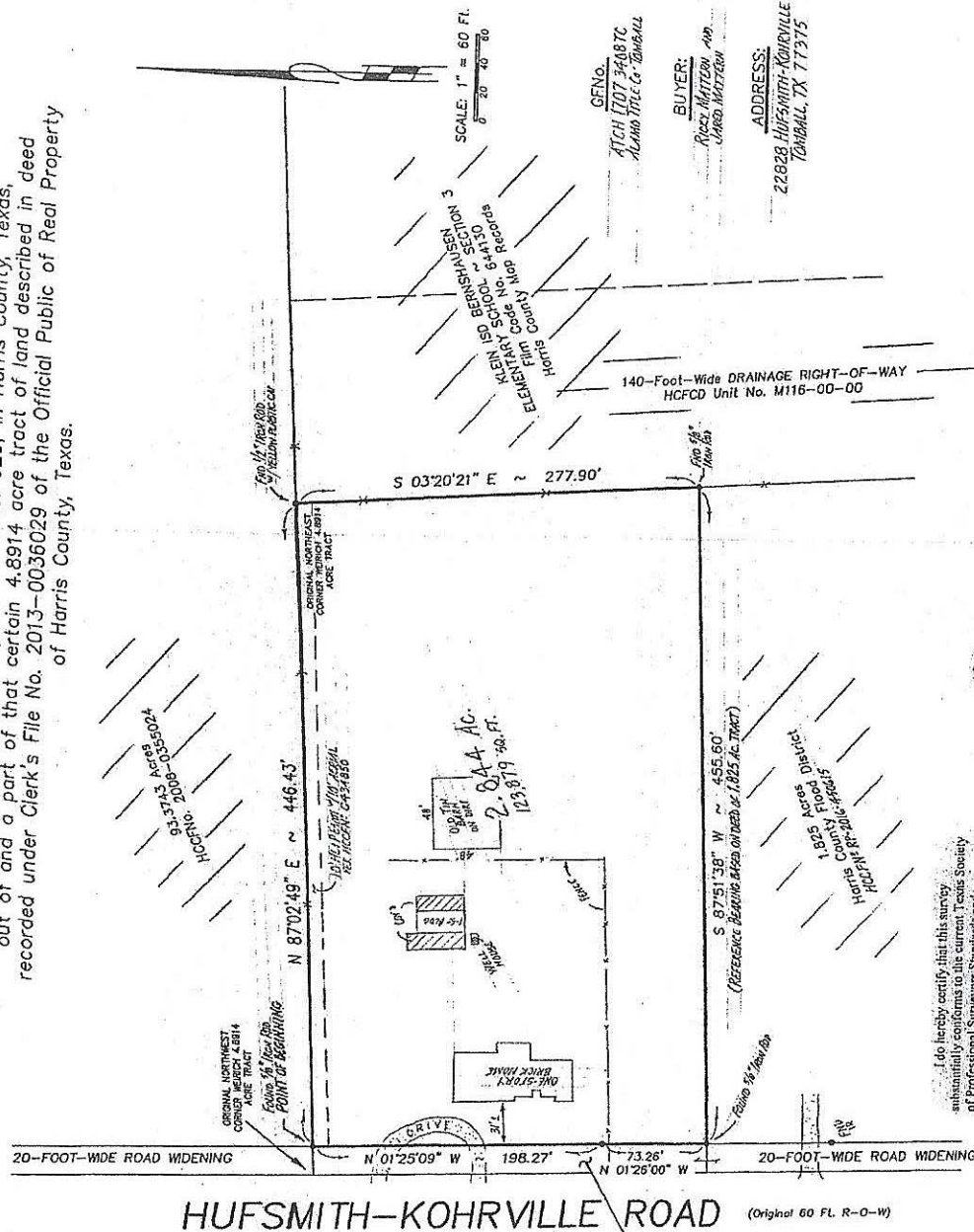
THENCE North 01°25'09" West, continuing with the said newly-widened East line of Hufsmith Kohrville Road, a distance of 198.27 feet to the **POINT OF BEGINNING** and containing 2.844 acres of land, upon which is situated a residence whose address is 22828 Hufsmith Kohrville Road, Tomball, TX 77375.



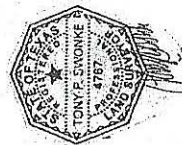
Tony P. Swonke
RPLS No. 4767
July 14, 2017

RM SM MZ EWR HW
Page 31 of 37

A plot of a 2.844 acre (123,879 Sq. Ft.) tract of land in the Jesse Pruitt Survey, Abstract No. 629, in Harris County, Texas, out of and a part of that certain 4.8914 acre tract of land described in deed recorded under Clerk's File No. 2013-0036029 of the Official Public of Real Property of Harris County, Texas.



NOTE 2: Field notes have also been submitted in conjunction with this plat.
 NOTE 1: That certain Humble Oil & Refining Co. (HOC) P.O.W. recorded in Vol. 571, Pg. 246 (HOC) does not affect this property.
 NOTE 3: That certain Harris County P.O.W. recorded in Vol. 2540, Pg. 313 (HOC) does not affect this property.
 NOTE 4: That certain Harris County road and drainage easement recorded under Clerk's File No. 2016-049516 does not affect this property.



I do hereby certify that this survey substantially conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

and that this survey was made under my supervision on the ground of the property described and detailed above and is correct in all that it implies. All improvements are shown and there are no conflicts, discrepancies, shortages in area or boundary lines or any overlapping of improvements except as shown herein. All visible easements and rights-of-way are shown.

Signed, stamped and dated this 24 day of October, 2017.

UPDATES/ ADDITIONS/ REVISIONS:

Prepared by
 Tony Swonke Land Surveying
 700 Kane Street
 Tomball, TX 77375
 281-351-7789

[Handwritten signatures and initials]

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 16, 2018

Topic:

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):

- Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – Assistant City Manager

Background:**Origination:**

City Manager

Recommendation:

N/A

Party(ies) responsible for placing this item on agenda:

City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 16, 2018

Topic:

Approve Appointment of David Esquivel as Assistant City Manager, Pursuant to Section 7.02 of the City Charter

Background:

The City Charter requires that the position of Assistant City Manager be approved by City Council.

I recommend David Esquivel for the position of Assistant City Manager. David has been our Public Works Director for the past 3 1/2 years, and he has proven to be an outstanding member of our management team. Additionally, David has 10 years of prior experience as City Engineer, Public Works Director, and Assistant City Manager, in the City of Cleburne, Texas.

The selection process was very similar to that used by City Council during their recent selection of City Manager. It consisted of posting the job opportunity advertisement with the Texas Municipal League, and the Texas City Manager's Association. The postings drew 34 applicants from six different states, with nine candidates having direct city management experience.

Resume reviews were completed and interviews with the city manager, city staff, and a community panel were conducted. All agree that David is the right person to assume the position of Assistant City Manager.

Origination:

Robert S. Hauck

Recommendation:

Approve the appointment of David Esquivel as Assistant City Manager

Party(ies) responsible for placing this item on agenda:

Robert S. Hauck

ACTION TAKEN

Approval	Readings Passed	Other
☐ Yes ☐ No	☐ 1 st ☐ 2 nd	

ATTACHMENTS:

Esquivel Cover Letter and Resume

David Esquivel, PE

Tomball Texas 77379

March 14, 2018

Mr. Robert S. Hauck, City Manager
Attn: Ms. Lisa Coe, HR Director
401 Market Street
Tomball, Texas 77375

RE: Position of Assistant City Manager

Dear Rob,

For the past three years, I have had the privilege of working with an extraordinary group of professionals in the Public Works Department. As you know they are a highly committed group of professionals that are always striving to do better and improve in all aspects of their assignments. I am proud to be a part of this group and believe that I have played a critical role in assisting them grow and setting the tone on the goals and objectives. The culture that we have built and are trying to sustain in the department is crucial in order to continue to build trust, respect and professionalism.

However, when I first interviewed with you and George, I expressed my deep desire to seek a position in City Management that would allow me to be involved in all aspects of city government. It has been my time in the Public Works department as well as involvement with many other city departments that has verified my continued desire to be a part of a city management team that cares about the community and the city employees. Throughout my career I have been trusted with increasing levels of responsibilities and I have been promoted to various positions including the position of Assistant City Manager. I do believe that I possess the needed demeanor and skills to help develop and implement the City Council's policies as well as assisting you on the further development of our team; therefore, I submit my application for the position of Assistant City Manager.

I look forward to this process and I am certain that you will find the right person to assist you in leading the City forward. I will continue to work hard for our residents and our employees regardless of the outcome of this search. If you have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "David Esquivel". The signature is fluid and cursive, with the first name "David" being larger and more prominent than the last name "Esquivel".

David Esquivel, PE

attachments: Resume

PROFILE

Ambitious Executive Professional who creates strategic alliances with organization leaders to effectively align with and support key business initiatives. Builds and retains high performance teams by hiring, developing and motivating skilled professionals. Actively engages outside customers and partners to achieve the common goals of both the city and it's customers.

EXPERIENCE

Director of Public Works - January 2015 to Current, City of Tomball

Responsible for 9 departments and staff development with a total budget of approximately \$20 million and 47 employees. Primary responsibilities include operations and strategic planning for water, sewer, streets, sanitation services, parks, building maintenance, sewer treatment, natural gas distribution, fleet and capital projects.

Assistant City Manager / Director of Public Works - May 2011 to November 2014, City of Cleburne

Responsible for 24 departments with a total budget of approximately \$40 million and 120 employees. Primary responsibilities included staff development and strategic planning for water, sewer, streets, sanitation services and development, parks and recreation and Community Services.

Director of Public Works - August 2008 to May 2011, City of Cleburne

Responsible for and over saw 17 departments with a total budget of approximately \$30 million and 100 employees. Primary responsibilities included staff development and strategic planning for water, sewer, streets, sanitation services and development.

City Engineer - February 2004 to August 2008, City of Cleburne

Began as Senior Engineer then promoted to City Engineer when received Professional Engineer license. Responsible for the building inspections, engineering and mapping departments. Implemented the city base map updates using AutoCAD, Began the GIS department and began the conversion of base maps into GIS. Responsible for management of all capital projects including performing in-house design, bid and construction of projects.

EDUCATION

Bachelor of Science: Civil Engineering, 2001; Texas Tech University - Lubbock, Texas

Professional Engineer License (PE), Texas

Completed PFIA (Public Funds Investment Act) certification (2014)

Community Development Institute (CDI – Years 1 and 2)

BOARDS, COMMISSIONS AND ORGANIZATIONS

Texas Board of Professional Engineers - member

Leadership North Houston - Class 21 (2015)

American Public Works Association - member

Klein Soccer Association - Coach

Texas City Managers Association (TCMA)

Tomball Chamber of Commerce