

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



**Monday, October 07, 2024
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, October 07, 2024 at 6:00 PM, 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.

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): +1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 860 8339 3531 Passcode: 594942 . The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- A. Call to Order
- B. Invocation - Led by Pastor Bill Rasco with Spring Creek Church of Christ
- C. Pledges to U.S. and Texas Flags
- D. 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.]*
- E. Presentations
 - 1. Proclamation – 2024 Fire Prevention Week
- F. Reports and Announcements
 - 1. Announcements
 - I. Upcoming Events:**

October 10, 2024 – Mayor’s Kaffeeklatsch 8:30 a.m. – 10 a.m. @
Community Center

October 12, 2024 – Spooktacular 4 p.m. – 9 p.m. @ Depot

October 19, 2024 – Freedom 5k Ruck Run 8 a.m. – Noon @ Depot

2. Reports by City staff and members of council about items of community interest on which no action will be taken:

Councilman 3 Dunagin

G. Old Business

1. Approve, on Second Reading, Resolution No. 2024-29-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation’s Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and RSC Riverside Construction, LLC to make direct incentives to, or expenditures for, assistance with infrastructure costs required or suitable for the promotion of new or expanded business enterprise related to the construction of a multibuilding office/warehouse park to be located at 0 Holderrieth Road, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$101,870.00.
2. Approve, on Second Reading, Resolution No. 2024-30-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation’s Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and Red Grip, LLC to make direct incentives to, or expenditures for, assistance with infrastructure costs required or suitable for the promotion of new or expanded business enterprise related to the construction of a commercial office/retail development to be located at 1211 Rudel Road, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$15,195.00.
3. Adopt, on Second Reading, Ordinance No. 2024-26, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 10.89 acres of land legally described as being a tract of land situated in the Jesse Pruitt Survey, Abstract 629, from the Single-Family-20 District to the Light Industrial District, within the city of Tomball, Harris County, Texas; 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.

H. *New Business Consent Agenda: [All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

1. Approve Minutes of the September 16, 2024, Regular City Council meeting.
2. Approve a Services Agreement renewal with Accurate Utility Supply, LLC for water, wastewater, and drainage supplies and services through a BuyBoard Contract (Contract No. 626-20) for a not-to-exceed amount of \$245,000, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. These expenditures are included in the Fiscal Year 2024-2025 Budget.
3. Consideration to approve Resolution 2024-34, a Resolution of the City Council of the City of Tomball, Texas, authorizing the City Manager to act for the City in connection with the City's expenditure of grants from the American Rescue Plan and the Coronavirus Local Fiscal Recovery Fund and making other provisions related to the subject.
4. Approve a purchase with Fun Abounds Inc. for the purchase and installation of a shade structure for the playground at Jerry Matheson Park, through a BuyBoard Contract (Contract No. 679-22) for a not-to-exceed amount of \$92,957, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the Fiscal Year 2024-2025 Budget and Capital Improvement Plan.
5. Approve a contract with Hayden Paving, Inc. to complete a walking trail and parking lot resurface at Jerry Matheson Park, through a BuyBoard Contract (Contract No. 700-23) for a not-to-exceed amount of \$301,152, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the Fiscal Year 2024-2025 Budget and Capital Improvement Plan.
6. Approve a Service Agreement renewal with Shane Griffin Power & Electrical Services, LLC electrical contractor services for fiscal year 2025, for a not-to-exceed amount of \$175,000 (RFP 2023-12), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. These expenditures were included in the Fiscal Year 2024-2025 Budget.

7. Approve a purchase with Water & Play Expressions, Inc. for the purchase and installation of a shade structure for the splashpad at Jerry Matheson Park, through a BuyBoard Contract (Contract No. 679-22) for a not-to-exceed amount of \$114,637, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the Fiscal Year 2024-2025 Budget and Capital Improvement Plan.
8. Approve an agreement with Lake Country Chevrolet, LLC, for two Chevrolet Silverado 2500 Duty trucks and one Chevrolet Silverado 1500 Command Vehicle through the TIPS Purchasing (Contract TIPS USA #210907 AUTOMOBILES) for a not-to-exceed amount of \$172,019.04 authorize the expenditure of funds therefor and authorize the City Manager to execute any and all documents related to the expenditure. This amount is partially included in the FY 2024-2025 budget.
9. Approve an agreement with Silsbee Ford, for 4 Ford Police Interceptor Units through the TIPS Purchasing (Contract TIPS USA #210907 AUTOMOBILES) for a not-to-exceed amount of \$205,479.00 authorize the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the expenditure. This amount is included in the FY 2024-2025 budget.
10. Approve an agreement with Waukesha-Pearce Industries Inc., for two PC35MR-5 Hydraulic Excavators through the BuyBoard Cooperative Purchasing (Contract #424-13) for a not-to-exceed amount of \$122,300 authorize the expenditure of funds therefor and authorize the City Manager any and all documents related to the expenditure. This amount is included in the FY 2024-2025 budget.
11. Approve an agreement with Deere & Company and King Ranch Ag & Turf for two zero turn mowers, and one UTV/Gator through a BuyBoard Contract (Contract No.706-23) for a not-to-exceed amount of \$57,708.88 authorize the expenditure of funds therefor, and authorize the City Manager any and all documents related to the expenditure. This amount is included in the FY 2024-2025 budget.

I. New Business

1. Presentation, discussion, and direction for the proposed North Sycamore Parking Lot project.
2. Approve Resolution No. 2024-35, A Resolution Of The City Council Of The City Of Tomball, Texas, Declaring The Intention To Institute Proceedings To Annex Certain Territory; Describing Such Territory; Setting November 4, 2024 At 6 O'clock Pm As The Date And Time For Public Hearing At Which All Interested Parties Shall Have An Opportunity To Be Heard; Providing For Publication Of

Notice Of Said Public Hearing; Directing Preparation Of A Municipal Service Plan For The Territory Proposed To Be Annexed (Being 11.40 Acres; 16000 FM 2920; HCAD 0402200010065 (496,734 Square Feet) Tract Of Land. Providing For Notice Of Said Public Hearings; And Providing For Severability.

3. Approve Resolution No. 2024-36, A Resolution Of The City Council Of The City Of Tomball, Texas, Declaring The Intention To Institute Proceedings To Annex Certain Territory; Describing Such Territory; Setting November 4, 2024 At 6 O'clock Pm As The Date And Time For Public Hearing At Which All Interested Parties Shall Have An Opportunity To Be Heard; Providing For Publication Of Such Notice Of Said Public Hearing; Directing Preparation Of A Municipal Service Plan For The Territory Proposed To Be Annexed (Being 4.339 Acres; 16000 FM 2920; HCAD 0402200010065 (189,008 Square Feet) Tract Of Land And Providing For Severability.
4. Approve, on First Reading, Resolution No. 2024-33-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and Kara Miles Hair (KMH Studio), LLC to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 22525 Hufsmith-Kohrville Road, Bldg. 1-Suite 1-C, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$10,000.00.
5. Conduct a public hearing and consideration to approve **Zoning Case Z24-013**: Request by Tim Littlefield, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 5.006 acres of land legally described as being Outlot 281 of the corrected map of Tomball Outlots from Light Industrial (LI) to the Commercial (C) zoning district. The property is located in the 1000 block (west side) of South Persimmon Street, within the City of Tomball, Harris County, Texas.

Adopt, on First Reading, Ordinance No. 2024-27, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 5.001 acres of land legally described as being Outlot 281 of the Corrected Map of Tomball Outlots, from the Light Industrial District to the Commercial District, within the city of Tomball, Harris County, Texas; 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.

6. Authorize annual purchases exceeding \$50,000 in accordance with the Purchasing and Bidding Policy for Fiscal Year 2023-2024.

7. Ratify the FY 2024-2025 Budget and Find that the Proposed Tax Rate of \$0.336365/\$100 EXCEEDS the No-New-Revenue Tax Rate and WILL Generate More Property Tax Revenue than the FY 2023-2024 Budget.
8. Adopt \$0.145703 as the Portion of the 2024 Tax Rate to Fund the Interest and Sinking (Debt Service) Fund for Fiscal Year 2024-2025
9. Adopt \$0.190662 as the Portion of the 2024 Tax Rate to Fund the Maintenance and Operations (M&O) Fund for Fiscal Year 2024-2025
10. Conduct Public Hearing regarding the Proposed 2024 Tax Rate of \$0.336365/\$100 Assessed Value for the City of Tomball, Texas
11. Adopt, on First Reading, Ordinance No. 2024-32, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.336365/\$100 Value Assessed for the Year 2024 on All Taxable Real and Personal Property Located in the City of Tomball, Texas; Providing for Penalty, Interest, and Additional Penalty on Taxes Not Timely Paid; and Providing Other Matters Relating to the Subject
12. 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. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session

J. 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 4th day of October 2024 by 6:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Tracylynn Garcia, TRMC, MMC, CPM
City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (281) 290-1019 for further information.
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