

NOTICE OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, June 17, 2024
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, June 17, 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: 868 6515 8392 Passcode: 703036. 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 David Hinkle with Tomball Bible Church
- 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. Presentation to Congressman Wesley Hunt
- F. Reports and Announcements
 - 1. Announcements

I. Upcoming Events:

July TBD – Comprehensive Plan Focus Group Meeting #4 @ City Hall

July 4, 2024 – July 4th Celebration & Street Fest 4 p.m. to 9 p.m. @
Business 249

July 12, 2024 – Kids Club 8 a.m. to 10 a.m. @ Matheson Park Pool

2024 Swim Season (Jerry Matheson Park Pool)

REGULAR SEASON HOURS (Tuesday, May 28 to Sunday, August 11)

Monday – Closed

Tuesday through Friday – 10 a.m. to 6 p.m.

Saturday and Sunday – Noon to 8 p.m.

END OF SEASON HOURS (Weekends only)

August 17 and 18 – Noon to 8 p.m.

August 24 and 25 – Noon to 8 p.m.

August 31 and September 1 – Noon to 8 p.m.

September 2 – 10 a.m. to 6 p.m.

G. Old Business

1. Approve, on Second Reading, Resolution No. 2024-24-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 Keep It Simple and Pink, LLC to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 103 W. Main Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$10,000.00.
2. Approve, on Second Reading, Resolution No. 2024-25-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 TCG Capital, 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 expansion of a sports facility located at 19220 Theis Ln., Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$26,750.00.

3. Adopt, on Second Reading, Ordinance 2024-17, an Ordinance of the City of Tomball, Texas amending its Code of Ordinances by amending Chapter 18-Environment, Article IV.-Noise, by deleting Section 18-192.-Maximum sound levels and modifying Section 18-195.-Defenses; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof; providing for severability, 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 the Minutes of the June 3, 2024, Regular City Council meeting.
2. Consider approval of an agreement by and among the City of Tomball, Tomball Tax Increment Reinvestment Zone No. 3, and the Tomball Business Improvement District No. 1 for the disbursement of tax increment funds in accordance with the Tomball Tax Increment Reinvestment Zone No. 3 Project and Finance Plans.
3. Approve request from Greater Tomball Area Chamber of Commerce for City Support and In-Kind Services for the 52nd annual Tomball Night on Market St and around downtown Tomball, on Friday, August 2, 2024.
4. Approve Resolution No. 2024-26, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 52nd annual Tomball Night event parade, to be held in Tomball, on Friday, August 2, 2024.
5. Approve a service agreement renewal with Cypress Holiday Decorating Concepts for holiday lighting services for Fiscal Year 2025, for a not-to-exceed amount of \$57,971.55 (RFP 2023-11), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. These expenditures will need to be included in the Fiscal Year 2024-2025 Budget.

I. New Business

1. Presentation and discussion regarding Lizzie Lane drainage improvements.
2. Discussion and Possible action regarding TEDC Board Policy and Guidelines and possible Board Member appointments.
3. Approve the Engagement Letter with Weaver and Tidwell, L.L.P. for the Independent Audit of the City's Financial Statements for Fiscal Year Ending September 30, 2024.
4. Conduct Public Hearing of the City Council of the City of Tomball to consider proposed Levy of Assessments for authorized improvements within Improvement Area #2 (IA2) in Wood Leaf Reserve in the City of Tomball, Public Improvement District Number Eleven (PID 11), established by City Council Resolution No. 2020-04.
5. Adopt, on First Reading, Ordinance Number 2024-18, an Ordinance of the City Council of Tomball, Texas, Approving a Service and Assessment Plan and Assessment Roll for Improvement Area #2 Projects for the Wood Leaf Reserve Public Improvement District (the "District"); Making a Finding of Special Benefit to Certain Property in the District; Levying Assessments against Certain Property within the District and Establishing a Lien on Such Property; Providing for Payment of the Assessment in Accordance with Chapter 372, Texas Local Government Code, as Amended; Providing for the Method of Assessment and the Payment of the Assessments; Providing Penalties and Interest on Delinquent Assessments; Providing for Severability and Providing an Effective Date.
6. Conduct a public hearing and consideration to approve **Ordinance Amendment OAM24-01**: Request by the City of Tomball to amend Chapter 50 – Article III (*District Regulations*) by adding Section 50-70.1 – Single-Family Residential District-7.5 (SF-7.5) zoning classification and subsequent district standards. Modifying Section 50-82 (*Use regulations (charts)*). Modifying Section 50-112 (*Off street parking and loading requirements*) adding parking regulations within the Single-Family Residential – 7.5 District.

Adopt, on First Reading, Ordinance No. 2024-13, an Ordinance of the City of Tomball, Texas, amending Chapter 50 – Article III (*District Regulations*) by adding Section 50-70.1 – Single-Family Residential District SF-7.5 (SF-7.5) zoning classification and subsequent district standards. Modifying Section 50-82 (*Use regulations (charts)*). Modifying Section 50-112 (*Off street parking and loading requirements*) adding parking regulations within the Single-Family Residential – 7.5 District; 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.

7. Conduct a public hearing and consideration to approve **Ordinance Amendment OAM24-02**: Request by the City of Tomball to amend Section(s) 50-2 (*Definitions*) and Section 50-82 (*Use regulations (charts)*) of the Tomball Code of Ordinances by adding standards pertaining to “Boarding Home Facility”.

Adopt, on First Reading, Ordinance No. 2024-14, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by amending Sections 50-2 (*Definitions*) and Section 50-82 (*Use regulations (charts)*) of the Tomball Code of Ordinances by adding standards pertaining to “Boarding Home Facility”; providing for 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. Conduct a public hearing and consideration to approve **Zoning Case Z24-08**: Request by CHTA Development, Inc. to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by amending Planned Development District – 15 which governs 33.386 acres of land legally described as being Winfrey Estates to reduce the required building setback in the rear yard from 14-feet to 9-feet. The property is generally located on the west side of FM 2978 at Winfrey Lane, within the City of Tomball, Harris County, Texas.

Adopt, on First Reading, Ordinance No. 2024-15, an Ordinance of the City of Tomball, Texas, amending Chapter 50 – Article III (*District Regulations*) by amending Chapter 50 (Zoning) of the Tomball Code of Ordinances, by amending Planned Development District – 15 which governs 33.386 acres of land legally described as being Winfrey Estates to reduce the required building setback in the rear yard from 14-feet to 9-feet. The property is generally located on the west side of FM 2978 at Winfrey Lane, within the City of Tomball, Harris County, Texas; 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. Conduct a public hearing and consideration to approve **Zoning Case Z24-09**: Request by Tomball Hospital Authority D/B/A Tomball Regional Health Foundation, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 5.552 acres of land legally described Tracts 12B & 12C of the William Hurd Survey, Abstract 378 from the Agricultural (AG) District to General Retail (GR) District. The property is generally located within the 1300 block (north side) of Medical Complex Drive, within the City of Tomball, Harris County, Texas.

Adopt, on First Reading, Ordinance No. 2024-16, an Ordinance of the City of Tomball, Texas, amending Chapter 50 – Article III (*District Regulations*) by rezoning approximately 5.552 acres of land legally described Tracts 12B & 12C of the William Hurd Survey, Abstract 378 from the Agricultural (AG) District to General Retail (GR) District. The property is generally located within the 1300 block (north side) of Medical Complex Drive, within the City of Tomball, Harris County, Texas; 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.

10. 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 13th day of June 2024 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Tracylynn Garcia, TRMC, CMC, CPM
City Secretary

<p>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.</p>
