

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



**Monday, December 21, 2020
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, December 21, 2020 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.

IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR DECEMBER 21, 2020, 6:00 PM, AT 401 MARKET STREET, TOMBALL, TEXAS, 77375. IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED "SOCIAL DISTANCING") TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19), THERE WILL BE LIMITED PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE. THIS MEETING AGENDA AND THE AGENDA PACKET ARE POSTED ONLINE AT:

[HTTPS://TOMBALLTX.GOV/ARCHIVE.ASPX?AMID=38](https://tomballtx.gov/archive.aspx?amid=38); A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.

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); +1 646 558 86563 US (New York); +1 301 715 8592 US (DC); +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 9128 US (San Jose); or +1 253 215 8782 US (Tacoma) - Meeting ID:824 6370 7183 Passcode:462452. 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 Kenny Rodgers, Anointed Faith Family Church, Tomball
- 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. Real Life Ministries Texas (Senior Pastor Brandon Guindon & Executive Pastor Tommy Roberson). Donation to Tomball Legacy Fund, Paces 4 Pink Annual Breast Cancer Fundraiser.
 2. Joseph Martinez, Minister at Light of the World Church, donation to Public Works Department of trees at Broussard Park celebrating the sixth anniversary of the Church's opening.
- F. Reports and Announcements
1. Announcements
 - I. December 24-25, 2020 – **Christmas Holidays** – City offices closed
 - II. January 1, 2021 – **New Year's Day Holiday** – City offices closed
 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
- G. Approval of Minutes
1. Approve the Minutes of the December 7, 2020 Regular Tomball City Council Meeting.
- H. Old Business
1. Approve, on Second Reading, Resolution No. 2020-40-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 Agreement by and between the Corporation and the City of Tomball to make direct incentives to, or expenditures for, improvements to Jerry Matheson Park located at 1240 Ulrich Rd., Tomball, Texas 77375, as authorized under Sections 505.152 and 505.154 of the Texas Local Government Code. The estimated amount of expenditures for such Project is \$300,000.00.

I. New Business

1. Open Public Hearing of the City of Tomball, Texas to consider the advisability of the creation of a Public Improvement District to make certain improvements over certain property located within the City (TPID 11, Wood Leaf Reserve)
2. Consideration to approve **Zoning Case P20-321**: Request by Trung Le and Sandy Pham to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas.
 - Conduct Public Hearing on **Zoning Case P20-321**
 - Adopt, on First Reading, Ordinance No. 2020-35, 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 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District, said property being generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas; 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.
3. Consideration to approve **Zoning Case P20-332**: Request by 7Gen Planning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District. The property is generally located on the east side of Cherry Street, across from the Cherry Pines Subdivision, within the City of Tomball, Harris County, Texas.
 - Conduct Public Hearing on **Zoning Case P20-332**
 - Adopt, on First Reading, Ordinance No. 2020-36, 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 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District, said property being generally located on the east side of Cherry Street, across from the Cherry Pines subdivision, within the City of Tomball, Harris County, Texas; 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.

4. Consideration to approve **Zoning Case P20-338**: Request by David Weekly Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13.4 acres of land legally described as Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District. The property is generally located on the south side of Brown Road between SH 249 and Quinn Road, within the City of Tomball, Harris County, Texas.
 - Conduct Public Hearing on **Zoning Case P20-338**
 - Adopt, on First Reading, Ordinance No. 2020-37, 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 13.4 acres of land legally described tracts 17H, 17J, 17H-1, 17H-2, 17J-1 abstract 34 J house, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District, said property being generally located on the south side of Brown Road between SH 249 and Quinn Road, within the City of Tomball, Harris County, Texas; 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.
5. Approve Resolution No. 2020-44, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Date, Time, and Place for Public Hearing at which all Interested Parties shall have an Opportunity to be heard; Providing for Publication of Notice of Such Public Hearing; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (*Being a 3.119-Acre (138,840 Square Feet) Tract or Parcel of Land Situated in the Elizabeth Smith Survey, A-70, Harris County, Texas, Being out of Unrestricted Reserve "C" of the Final Plat of Tomball Greens, as Recorded under Film Code No. 440128 of the Map Records of Harris County, Texas, also Being Out and Part of a 5.00 Acre Tract Described in Deed Recorded under Clerk's File No. Z331045 of the Real Property Records of Harris County, Texas*) [11234 Spell Road, HCAD 1207880000010]
6. Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Power Now, LLC to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation of its corporate headquarters to 215 South Persimmon Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$45,000.00.

7. 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 that the Attorney's Duty Requires to be Discussed in Closed Session

J. 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 17th day of December 2020 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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.