

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



**Monday, April 15, 2024
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, April 15, 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: 829 4671 6682 Passcode:124205 . 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 Abraham Jasso with Templo La Hermosa
- 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. Reports and Announcements

1. Announcements

I. Upcoming Events:

April 15 – 20, 2024 - Annual Spring Clean-up & Chipping Week

April 20, 2024 - Tomball Consolidated Recycling Day

Early Voting @ City Hall:

April 22 – 26, 2024 – 7:45 am – 5:00 pm

April 29, 2024 – 7:45 am – 5:00 pm

April 30, 2024 – 7:45 am – 7:45 pm

April 27, 2024 – Rails & Tails Mudbug Festival 11:00 am – 6:00 pm @
the Depot

May 2, 2024 – National Day of Prayer 5:00 pm – 6:00 pm @ Community
Center

May 4, 2024 – Election Day 7:00 am – 7:00 pm @ City Hall

2. Reports by City staff and members of council about items of community interest on which no action will be taken:
- F. 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 April 1, 2024, Regular City Council meeting.
 2. Notice of the General and Special Elections
 3. Approve request from Cancer Kiss My Cooley for City Support and In-Kind Services for the Cancer Kiss My Cooley 5k and Superhero Dash near Paradigm Brewery in Tomball, on Saturday, October 26, 2024, from 6:30 – 11:00 a.m.
 4. Approve request from MAD for Vets for City Support and In-Kind Services for the Freedom 5k Fun Run/Walk in downtown Tomball, on Saturday, October 19, 2024, from 8:00 – 11:00 a.m.
 5. Approve a Professional Services Agreement with Freese & Nichols, Inc. for the design of drainage improvements for North Star Estates, Project Number 2024-10008, for a not-to-exceed amount of \$59,193, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is to be paid from the Capital Improvement Project budget for fiscal year 2023-2024.

G. New Business

1. Discussion and possible action to schedule Special City Council Meeting(s) and workshop(s)
2. Approve Resolution No. 2024-17, a Resolution of the City Council of the City of Tomball, Texas regarding acceptance of an approximately 18.739 acre tract of land located at 16000 Farm to Market 2920, Tomball, TX 77377 into the extraterritorial jurisdiction of the City of Tomball.
3. Approve a donation agreement with the estate of Gilbert and Virginia Freitag for the donation and display of antique train equipment and authorize the City Manager to execute any and all documents related to the donation.
4. Approve Resolution No. 2024-15 - 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.
5. Consideration to Approve **Zoning Case Z24-03**: Request by Ken & Betty Vairin, represented by META Planning & Design, Inc., to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 31.12 acres of land legally described as being portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311 from the Agricultural (AG) to Single Family Residential – 6 (SF-6) zoning. The property is generally located within 22100 block (west side) of Tomball Cemetery Road, within the City of Tomball, Harris County, Texas.

Conduct Public Hearing on **Zoning Case Z24-03**

Adopt, on First Reading, Ordinance No. 2024-07, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (*Zoning*) of the Tomball Code of Ordinances by rezoning approximately 31.12 acres of land legally described as being portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311 from the Agricultural (AG) to Single Family Residential – 6 (SF-6) zoning. The property is generally located within 22100 block (west side) of Tomball Cemetery Road, 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.

6. Consideration to Approve **Zoning Case Z24-04**: Request by Houston Deco Balloons LLC, to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances,

by rezoning approximately 0.87 acres of land legally described as being a portion of Tomball Outlot 286 from Single Family Residential – 20 (SF-20) to Commercial (C) zoning. The property is generally located in the 900 block (North Side) of Agg Road, within the City of Tomball, Harris County, Texas.

Conduct Public Hearing on **Zoning Case Z24-04**

Adopt, on First Reading, Ordinance No. 2024-08, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.87 acres of land legally described as being a portion of Tomball Outlot 286 from Single Family Residential – 20 (SF-20) to Commercial (C) zoning. The property is generally located in the 900 block (North Side) of Agg Road, 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.

7. Approve Resolution 2024-18, a Resolution of the City Council of the City of Tomball, Texas, approving the Utility Rate Study; and Providing an Effective Date.
8. Approve Resolution 2024-19, a Resolution of the City Council of the City of Tomball, Texas, approving and establishing the 2024 to 2028 Utility Rate Plan as approved in the Utility Rate Study; and Providing an Effective Date.
9. 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.

H. 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 11th day of April 2024 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.