

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



**Tuesday, September 05, 2023
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Tuesday, September 05, 2023 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: 861 4104 2145 Passcode: 259214. 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 Reverend Dr. Dave Mason - First Presbyterian 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. Reports and Announcements
 1. Announcements
 - **Upcoming Events:**
 - September 9 - Second Saturday 5:00 - 9:00 p.m. @ Depot
 - September 11 - 9/11 Remembrance 8:30 – 9:30 a.m.
 - September 14 - Mayor's Kaffeeklatsch 8:30 -10:00 a.m. @ Administrative Services Training Room

- September 16 - Freedom 5k Ruck March 8:00 a.m. – 12:00 p.m.
- September 18 – Special Joint City Council and TEDC meeting
- September 23 - GroovFest 11:00 a.m. – 6:00 p.m. @ Depot
- September 27- Tomball HS Homecoming Parade 6:00 – 8:00 p.m. @ Depot & Main St.
- September 30 - Tomball Museum Classic Car Day 10:00 a.m. – 2:00 p.m. @ Tomball Museum

F. Old 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. Adopt, on Second Reading, Ordinance No. 2023-23, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 10 acres of land legally described as being part of Lots 372 & 373 of Tomball Outlots from Single-Family 20 Estate (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.
2. Adopt, on Second Reading, Ordinance No. 2023-28, an Ordinance of the City of Tomball, Texas amending its Code of Ordinances by amending Chapter 4, Alcoholic Beverages, by adding a new Section 4-3, Variance procedures; 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.

G. 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 August 21, 2023, Special and Regular Tomball City Council Meetings.
2. Approve Resolution No. 2023-39, a Resolution of the City of Tomball, Texas, Adopting and Ratifying the City of Tomball’s Investment Policy, as set forth in the City’s Administrative Policy No. 13, entitled “Investment Policy”.

3. Consideration to approve an amendment to a Professional Services Agreement with Freese & Nichols, Inc. for on-call GIS, planning, and engineering services for an amount of \$100,000 (contract total not to exceed amount of \$250,000).
4. Approve an agreement with Hayden Paving, Inc. for the restriping of Medical Complex Drive (BuyBoard Contact No. 700-23), for a not-to-exceed amount of \$49,798, 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 2022-2023 budget.
5. Approve an agreement with Hancock Pool Services, Inc. for repairs to the swimming pool at Jerry Matheson Park (BuyBoard Contract No. 701-23), for a not-to-exceed amount of \$94,050, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is included in the FY 2022-2023 budget as a Capital Improvement Project.
6. Approve an agreement with All Play, Inc. for the purchase and installation of a new playground structure at MLK Jr., Park (BuyBoard Contract No. 679-22), for a not-to-exceed amount of \$78,611, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is included in the FY 2022-2023 budget as a Capital Improvement Project.

H. New Business

1. Conduct Public Hearing and Adopt, on First Reading, Ordinance No. 2023-29, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2023-2024; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2022-2023 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance
2. Approve Resolution No. 2023-40 A Resolution of The City Council of The City of Tomball, Texas, Appointing Members to The Charter Review Commission And Designating The Chairman Of The Commission.

I. 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 1 day of September 2023 by 6:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Tracylynn Garcia, TRMC, CMC, CPM
City Secretary

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.