

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



**Monday, February 6, 2023  
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, February 6, 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 CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR FEBRUARY 6, 2023, 6:00 PM, AT 401 MARKET STREET, TOMBALL, TEXAS, 77375. 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); +1 646 876 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: 865 1618 5587, Passcode: 456452. 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 Kevin Bowles – Redeemer 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 a 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. February 17, 2023 – Last day to apply for Place on Ballot for the May 6, 2023 General City Election
- II. February 21, 2023 – ***Sam Houston Trailride Reception*** – 12 Noon at the Depot
- III. Tomball Police Department Annual Data Capture Report – 2022 (SB 1074)

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

- I. David Esquivel/Jessica Rogers – Congratulations to Sasha Luna for completing the University of North Texas-Denton Texas Municipal Clerks Certification Program and receiving her Certificate as a Texas Registered Municipal Clerk; Congratulations to Tracylynn Garcia for completing her First Recertification as a Texas Registered Municipal Clerk; Congratulations to Doris Speer for completing her Fourth Recertification as a Texas Registered Municipal Clerk

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 January 13, 2023 Emergency Tomball City Council Meeting and the January 16, 2023 Regular Tomball City Council Meeting
2. Approve a professional services agreement with Inframark, LLC for meter reading services, for a not-to-exceed amount of \$70,000 (RFP 2022-06R), 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.
3. Approve an amendment to the Master Agreement for Treasury Management Services with Wells Fargo Bank, N.A., extending services for a one-year period from April 1, 2023 to March 31, 2024 and authorize the City Manager to execute any and all documents necessary for the extension.

4. Approve a purchase order with Siddons-Martin Emergency Group, LLC (sole source) for engine and pump repairs to Engine 2 (Shop# 15-005) for a not to exceed amount of \$75,000, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents relating the purchase. Funds for vehicle repairs are included in the FY 2022-2023 budget.
5. Approve a contract with B&C Constructors, LP for abatement and repairs of the Tomball Railroad Depot through a 1GPA Contract (Contract No. 19-03DP) for a not-to-exceed amount of \$148,877.23, 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 FY 2022-2023 Budget.

G. New Business

1. Approve Request from Tomball Sister City Organization for City Support and In-Kind Services for the Tomball German Heritage Festival – Depot Plaza and Market Street – Thursday, March 23, 2023, through Sunday, March 26, 2023.
2. Approve Request from Tomball High School Athletic Booster Club (THSABC) City Support and In-Kind Services for the THSABC Scholarship Crawfish Boil at Juergens Park, on Saturday, April 1, 2023 from 4:00-8:00 p.m.
3. Approve Request from Tomball Rotary Club for City Support and In-Kind Services for the ***Tomball Rotary Club Fish Fry*** at Juergens Park, on Friday, April 21, 2023 from 5:00-8:00 p.m.
4. Discussion and recommendation for appointing members to a focus group for the Parks, Trails, and Recreation Master Plan
5. Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Della Casa Pasta, LLC to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the development of a food production facility, located at 1599 Hicks Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is and amount not to exceed \$16,077.00.
6. Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Persimmon Global Logistics to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the development of its corporate headquarters to be located at 1014 Lizzie Lane, Tomball, Texas 77375. The estimated amount of expenditures for such Project is and amount not to exceed \$16,920.00.

7. Approve, on First Reading, Resolution No. 2023-05-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 Hufsmith Kohrville Business Park, 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 development and construction of a multibuilding office/warehouse park to be located on the West side of Hufsmith-Kohrville and Werich Rd, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$122,722.00.
8. Approve, on First Reading, Resolution No. 2023-06-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 Church Holdings, Inc. 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 development and construction of a multibuilding office/warehouse park to be located near the intersection of Hufsmith-Kohrville and Spell Rd. in the City of Tomball, Texas. The estimated amount of expenditures for such Project is an amount not to exceed \$426,639.00.
9. Approve, on First Reading, Resolution No. 2023-07-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 BCS Tomball Main, 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 retail development to be located at the NE corner of SH 249 and FM 2920 Rd, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$123,094.00.
10. Approve, on First Reading, Resolution No. 2023-08-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 STUDIO a28 to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 1431 Graham Drive, Suites 212 and 213, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$4,063.00.

11. 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

Sec. 551.072 – Deliberations regarding Real Property

Sec. 551.087 – Deliberations regarding Economic Development

- 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 2nd day of February, 2023 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer, City Secretary, TRMC, MMC

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](http://www.ci.tomball.tx.us).