

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



**Monday, April 17, 2023  
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, April 17, 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.

**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: 913 738 3458 Passcode: 103650 . 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 – 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 on the progress of the Parks, Recreation, and Trails System Master Plan.

F. Reports and Announcements

1. Announcements

- April 21, 2023 – Tomball Rotary Fish Fry at Juergens Park
- April 17-22, 2023 – Tomball Annual Spring Clean-Up and Chipping Week
- April 22, 2023 – Tomball Consolidated Recycling Day – Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
- April 25, 2023 – Parks Master Plan Open House – Tomball Community Center 6-8 pm
- May 4, 2023 – National Day of Prayer – Tomball Community Center 6-7 pm

- II. Recognition of Building Department Inspector Christopher Plummer for passing the State Plumbing exam.

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

G. Old Business

1. Adopt, on Second Reading, Ordinance Number 2023-06, an Ordinance of the City Council of Tomball, Texas, Approving a Service and Assessment Plan and Assessment Roll for Authorized Improvements for the Seven Oaks 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 for Penalties and Interest on Delinquent Assessments; Providing for Severability and Providing an Effective Date. The proposed Service and Assessment Plan complies with the requirements of the approved Development Agreement as approved by City Council on August 15, 2022.

2. Adopt on Second Reading Ordinance No. 2023-08, An Ordinance Of The City Of Tomball, Texas Amending Section 48-139 Of Its Code Of Ordinances, Storage Lot Requirements, Of Division 1, Generally, Of Article III, Tow Trucks And Tows, Of Chapter 48, Vehicles For Hire, By Allowing Wrecker Storage Lots To Be Located Within The City, Its Extraterritorial Jurisdiction Or Within Five (5) Miles Of The Extraterritorial Jurisdiction Of The City; Containing findings and Other Provisions Relating To The Subject; Declaring Certain Conduct To Be Unlawful; Providing A Penalty In An Amount Not To Exceed \$2,000.00 For Each Violation Of This Ordinance With Every Day Constituting A New Violation; Providing For Severability; Providing for Publication; and Providing An Effective Date.
- 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 April 3, 2023, Regular City Council Meeting
  2. Approve Resolution No. 2023-22, a Resolution of the City Council Of The City Of Tomball, Texas, Sponsoring The City's Annual July 4th Celebration, To Be Held In Tomball On July 4th Of Each Year Closing State Highway Business 249 From Hicks Street To The North Entrance To The Kroger Parking Lot From 12:00 P.M. Until 11:00 P.M., And Authorizing The City Manager To Issue A Letter To TxDOT Requesting The Closure Of The Designated Portion Of State Highway Business 249.
  3. Approve for the purchase of network switches from Waypoint Business Solutions through the Choice Partners Cooperative for a not-to-exceed amount of \$43,399.80, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. The purchases are included in the FY 2022-2023 Budget.
  4. Approve a Professional Services Agreement with Willdan Financial Services, Administrative Contract Number 0000-10089, Utility Rate Study, for a not-to-exceed amount of \$45,000 (RFP 2023-096), 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.
  5. Approve Resolution No. 2023-23, a Resolution of the City Council of the City of Tomball, Texas approving the Amended and Restated Reimbursement Agreement for the Seven Oaks Public Improvement District Number 14.

6. Approve a contract with Landmark Structures I, LP for the construction of the Grand Parkway Elevated Storage Tank for E&P Project 2021-10053 (Bid 2023-03) for a not-to-exceed amount of \$5,178,000, authorize the expenditure of funds therefor, and authorize the City Manager to execute contract. The amount is included in the Fiscal Year 2022-2023 budget.

I. New Business

1. Discussion, direction, and possible action regarding Legislative Items at the 2023 Texas Legislative Session.
2. Approve request from Tomball Rotary Club for City Support and In-Kind Services for the Tomball Rotary Annual Big Show at the Depot in downtown Tomball, on Saturday, October 14, 2023
3. Authorize the donation of obsolete firefighting nozzles, adapters, various equipment and uniforms to the East Texas Mutual Aid Association.
4. Approve Resolution No. 2023-25, a Resolution of the City of Tomball, Texas, amending sections of the Master Fee Schedule for Fiscal Year 2022-2023.
5. Appoint members to position 1, 3 and alternate position 2 and 4 to the Board of Adjustment (BOA) for a two-year term expiring March 2, 2025.
6. Appointment of Member to the Capital Improvement Advisory Committee (CIPAC).
7. Discussion and possible direction regarding any changes to Chapter 18 Environment - Article IV Noise Ordinance.
8. 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 closes session.
  - Sec. 551.072 – Deliberations regarding Real Property
  - Sec. 551.076 – Deliberations regarding Security Devices

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 13th day of April 2023 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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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. Please contact the City Secretary's office at (281) 290-1019 or FAX (281) 351-6256 for further information.