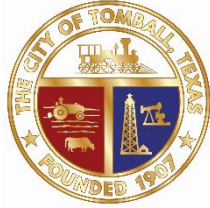


**NOTICE OF REGULAR COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, August 16, 2021
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, August 16, 2021 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 AUGUST 16, 2021, 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); +1 646 876 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: 832 1653 6000, Passcode: 149373. 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 Tim Niekerk – Salem Lutheran 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
 - I. **Tomball City Pool – 2021 Swim Season - Jerry Matheson Park Pool** will be open on Saturday and Sunday only on the weekends of August 21-22, August 28-29, and September 4-5. The pool will be closed every Monday during swim season 2021, except Labor Day (September 6). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
 - II. September 7, 2021 – Second Public Hearing for the Purpose of Adopting the City of Tomball’s Budget for Fiscal Year 2021-2022
 - III. September 10-11, 2021 – “**9-11 20th Anniversary Remembrance**”; an event to remember the events of **9-11** - at the Depot
 - IV. September 18, 2021 – **GroovFest 2021** – 11:00 a.m.-6:00 p.m., at the Depot
 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
 - I. Larissa Roberts – Report on the success of **Tomball Kids Club**
 - II. Luisa Taylor – Quarterly Investment Report for Period Ending June 30, 2021. The Public Funds Investment Act requires that a report of the City's Investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values at the end of the quarter, yield information, and weighted average maturities. On June 30, 2021, the City had total cash and cash equivalents in the amount of \$57,298,396.
- F. Approval of Minutes
1. Approve the Minutes of the August 2, 2021 Special Tomball City Council Meeting, the August 2, 2021 Regular Tomball City Council Meeting, and the August 6, 2021 Special Tomball City Council Meeting

G. Public Hearing

1. Conduct First Public Hearing for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2021-2022

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 Tomball Economic Development Corporation (TEDC) Fiscal Year 2021-2022 Budget.
2. Approve Interlocal Agreement between the City of Tomball and Tomball Independent School District (TISD), Affording the Tomball Police Department the Ability to Assign Nine (9) Student Resource Officers (SROs) to TISD Campuses
3. Approve Interlocal Agreement between the City of Tomball and Tomball Independent School District, Affording the Tomball Police Department the Ability to Provide Police Services on a Contractual Basis for Specialized Events Occurring Before, During and After Normal Campus Hours

I. New Business

1. Presentation of the Annual Financial Report for Fiscal Year ending September 30, 2020
2. Discussion regarding the installation of Inclusive Play Structure at Juergens Park, in cooperation with the Munson family and Chick-fil-a, inspired by Louie's Together Playground
3. Consideration and possible action to approve, as a Project of the Tomball EDC, an agreement with Dicar, Inc. to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation and development of its corporate headquarters facility on approximately 5.0 acres of land, located at 0 Hufsmith-Kohrville Road, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$71,181.00.
4. Approve, on First Reading, Resolution No. 2021-21-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 Beefy Marketing, LLC, to make direct incentives to, or expenditures for, rental assistance for new or expanded enterprise to be located at 944 Village Square Drive, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$6,000.00.

5. Approve, on First Reading, Resolution No. 2021-22-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 Jonah's Movers, 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 23,000 square foot office/warehouse facility to be located at 0 Theis Lane, Tomball, Texas. The estimated amount of expenditures for such Project is \$26,925.00.
6. Approve Resolution No. 2021-26, a Resolution of the City of Tomball, Texas, Authorizing and Approving the Calendar Year 2021 Annual Service and Assessment Plan (SAP) Update for Raburn Reserve Public Improvement District Number 10 (PID 10)
7. Consideration to Approve **Zoning Case P21-253**: Request by Louis Smulders to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land legally described as Reserve A Block 3 Pine Meadows, from the Single-Family 6 District to the Commercial District. The property is generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas.
 - Conduct Public Hearing on **Zoning Case P21-253**
 - Adopt, on First Reading, Ordinance No. 2021-25, 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 2.00 acres of land legally described as Reserve A block 3 Pine Meadows, from the Single-Family 6 District to the Commercial District, said property being generally located at the southwest corner of Theis Lane and South Cherry Street, 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.
8. Consideration to Approve **Zoning Case P21-308**: Request by Kathryn Parker with META Planning + Design LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by amending Planned Development (PD-14)

District. The property is approximately 95.4 of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, and Wood Leaf Reserve Section 1, generally located on the south side of Theis Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P21-308**
 - Adopt, on First Reading, Ordinance No. 2021-30, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by amending Planned Development (PD-14) District. the property is approximately 95.4 acres of land, legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, PT Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, PT Tract 21A (AG-use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, and Wood Leaf Reserve Section 1; within the City of Tomball, Harris County, Texas; said property being generally located on the south side of Theis Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street; 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.
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
 - Sec. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property
 - Sec. 551.087 – Deliberations Regarding Economic Development

J. 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 12th day of August 2021 by 6:00 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.