

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



**Monday, November 7, 2022
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, November 7, 2022 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 NOVEMBER 7, 2022, 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: 836 7630 8775, Passcode: 290013. 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 Adam McIntosh – St. David’s 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. November 12, 2022 – **Depot Day – a National Model Railroad Month Event** – 10:00 a.m.-4:00 p.m.
- II. November 12, 2022 – **2nd Saturday at the Depot** – 5:45 p.m.-7:35 p.m.
- III. November 18, 2022 – **Light it Up! Tree Lighting – 7:00 p.m.-9:00 p.m.**, at the Depot
- IV. November 19, 2022 – **Holiday Parade** – Downtown – Sponsored by the Greater Tomball Area Chamber of Commerce; 2023 Miss Tomball Event in the Evening – 10:00 a.m.-Noon
- V. December 3, 2022 – **Deck the Depot** – Depot Plaza – 10:00 a.m.-2:00 p.m.
- VI. December 9-11, 2022 – **German Christmas Market** – Depot Plaza and Market Street

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

- I. Katherine Tapscott - Quarterly Investment Report for Period Ending September 30, 2022. The Public Funds Investment Act requires that a report of the City's cash and investments be presented to City Council on a quarterly basis. As of September 30, 2022, the City's cash and investment balances totaled \$67,314,441.
- II. Chrislord Templonuevo – Report on the Success of the **Spooktacular 2nd Saturday at the Depot**
Sasha Smith – Report on the Success of the **Tomball Bluegrass Fall Fest 2022**

F. Old Business

1. Adopt, on Second Reading, Ordinance No. 2022-18, 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 1.44 acres of land legally described as being Lot 1, Block 1 of JTS Subdivision from General Retail (GR) to the Commercial (C) District. The property is located at the southwest corner of the intersection of Medical Complex Drive and the State Highway 249 frontage road, 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.
2. Adopt, on Second Reading, Ordinance No. 2022-38, 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 17.08 acres of land legally described as being all of lots 1,2,3, and 4 of Tomball Business and Technology Park from Single Family Residential -20 (SF-20) to Light Industrial (LI). The property is located within the 1900 block of S. Persimmon Street (east and west sides), 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.
3. Adopt, on Second Reading, Ordinance No. 2022-39, an ordinance of the City of Tomball, Texas, amending the City of Tomball's Comprehensive Plan to update the Major Thoroughfare Plan Map. Removing the proposed east-west extension of Medical Complex Drive which is currently designated as a minor arterial from the Major Thoroughfare Plan Map. Specifically being the segment that is planned to extend approximately 1.05 miles from the western right-of-way boundary of Calvert Road to the southeastern right-of-way boundary of FM 2920 Road, 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.

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 following Meetings:
 - * October 17, 2022 Regular Tomball City Council Meeting
 - * November 1, 2022 Special Tomball City Council Meeting

2. Approve the purchase of budget software from Questica Ltd. for a not-to-exceed amount of \$112,874.81 over a five (5) year term, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. The purchase is included in the FY 2022-2023 Budget.
3. Approve the purchase of four (4) Ford F-150 Crew Cab Trucks from Silsbee Ford through the TIPS USA Automobiles Contract (Contract No. 210907) for a not-to-exceed amount of \$176,841.00, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. These purchases are included in the FY 2022-2023 Budget.
4. Approve the purchase of one (1) Ford F-150 Crew Cab Truck and two (2) Ford Police Interceptors from Silsbee Ford through the TIPS USA (Contract No. 210907) for a not-to-exceed amount of \$130,945.50, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. These purchases are included in the FY 2022-2023 Budget.
5. Approve the purchase of public safety uniforms from Impact Promotional Services, d.b.a Got You Covered Workwear and Uniforms through the BuyBoard Cooperative Purchasing Network (Contract #670-22) for a not-to-exceed amount of \$125,000.00, 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.
6. Approve Supplemental Number One to Gunda Corporation, LLC. for Project Number 2018-10041, Jerry Matheson Park Rebuild for an amount of \$113,530 (total not-to-exceed contract amount of \$147,630), approve the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project was included in the FY 2022-2023 budget.
7. Approve a Professional Services Agreement with Oller Engineering, Inc. for Project Number 2023-10004, design of the Pine Street elevated storage tank rehabilitation for the City of Tomball, for the not-to-exceed amount of \$73,943, approve the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project was included in the FY 2022-2023 budget.
8. Approve a Professional Services Agreement with Freese & Nichols, Inc. for Project Number 2023-10010, East Water Plant design for the City of Tomball, for the not-to-exceed amount of \$2,606,076, approve the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project was included in the FY 2022-2023 budget.

9. Approve a Professional Services Agreement with Freese & Nichols, Inc. for Project Number 2019-10008, FM 2920 Lift Station Improvements for the City of Tomball, for the not-to-exceed amount of \$2,206,200, approve the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project was included in the FY 2022-2023 budget.
10. Approve a Professional Services Agreement with Freese & Nichols, Inc. for Project Number 2023-10003, the preliminary design of the South Wastewater Treatment Plant expansion and associated improvements to the South Wastewater Treatment Plant, for the not-to-exceed amount of \$506,085; approve the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project was included in the FY 2022-2023 budget.
11. Approve a Professional Services Agreement with Gunda Corporation, Inc. for Project Number 2014-10031, FM 2920 Improvement Project for the City of Tomball, for the not-to-exceed amount of \$65,000, approve the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project was included in the FY 2022-2023 budget.
12. Approve an Interlocal Agreement with Harris County for Project Number 2023-10009, Telge Easement Acquisition, for a total amount of \$1,379,163.19, approve the expenditure of funds therefor, and authorize the Mayor to execute the agreement. This project was included in the FY 2022-2023 budget as part of the Certificate of Obligation issuance.
13. Repeal Administrative Policy No. 6, "Auctions Conducted to Dispose of City Property," and Administrative Policy No. 16, "Master Service or Commodity Contracts, Professional Service Contracts, and Change Orders"

H. New Business

1. Approve amendments to Administrative Policy No. 18, Development Policy for Special Financing Districts.
2. Approve amendments to Administrative Policy No. 24, Sports Court Reservation Policy
3. Accept Resignation of Becky Loving, Resident Member 1, of the Tourism Advisory Committee

4. 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. 551.076 – Deliberation regarding Security Devices

I. 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 3rd day of November 2022 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.