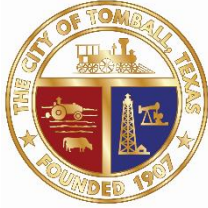


**NOTICE OF REGULAR COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, September 20, 2021
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, September 20, 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.

**MEETING AGENDA AND 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.**

In accordance with Texas Government Code, Sec. 551.127, on a regular, non-emergency basis, Council members may attend and participate in a meeting remotely by video conference. Should such attendance transpire, a quorum of the Council members will be physically present at the location noted above on this agenda.

- 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. Presentations
 - 1. Proclamation - September is ***“Library Card Sign-Up Month” in Tomball***
 - 2. Chief's Citation of Merit - ***Employee of the Quarter Award:***
 - April – June 2021 Recipient: Detective David White;
 - July – September 2021 Recipient: Sergeant Keith Ferguson

F. Reports and Announcements

1. Announcements
 - I. October 8-9, 2021 – **Zomball in Tomball** – 5:00 p.m. – 9:00 p.m. at the Depot – **Lots of Changes!!!!**
October 8 – **DriveBoo at Juergen’s Park** (dusk) - families stay in and “**trick or treat**” from the car
October 9 – **2nd Saturday at the Depot** – 8 p.m.; A Halloween movie & free face painting
 - II. October 16, 2021 – **Bluegrass Tomball** – 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. Mike Baxter – Report on the success of the “**9-11 20th Anniversary Remembrance**”; and **GroovFest 2021**

G. Approval of Minutes

1. Approve the Minutes of the September 7, 2021 Regular Tomball City Council Meeting

H. 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. 2021-31, an Ordinance of the City of Tomball, Texas, finding and determining that public convenience and necessity no longer require the continued existence of an unimproved right-of-way between Magnolia Street and Pine Street, all situated in Block 35 of revised Map of Tomball, Harris County, Texas, and as recorded in Volume 4, page 25 of the Harris County Map Records; vacating, abandoning, and closing said unimproved right-of-way; authorizing the Mayor to execute and the City Secretary to attest, respectively, a Quitclaim Deed conveying said unimproved right-of-way to Scott Gordan Moore, Jr.; providing for severability; and containing other provisions relating to the subject.
2. Adopt, on Second Reading, Ordinance No. 2021-32, an Ordinance of the City of Tomball, Texas, finding and determining that public convenience and necessity no longer require the continued existence of an unimproved right-of-way between South Chestnut Street and South Howard Street, all situated in Block 80 of Revised Map of Tomball, Harris County, Texas, and as recorded in Volume 4,

Page 25 of the Harris County Map Records; vacating, abandoning, and closing said unimproved right-of-way; authorizing the Mayor to execute and the City Secretary to attest, respectively, a Quitclaim Deed conveying said unimproved right-of-way to Grevis Properties, LLC, Kevin and Madonna Edmond and Henry Allee; providing for severability; and containing other provisions relating to the subject.

3. Adopt, on Second Reading, Ordinance No. 2021-33, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2021-2022; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2020-2021 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance

I. New Business

1. Remove from Table for Consideration to Approve Resolution No. 2021-18, a Resolution of the City Council of the City of Tomball, Texas, Accepting for Filing a Landowner Petition Requesting the Dissolution of a Public Improvement District; Calling a Public Hearing to Consider the Dissolution of a Public Improvement District; Authorizing and Directing That Notices of the Public Hearing be given as required by Law; and Providing for an Immediate Effective Date
2. Consideration and Possible Action regarding Termination of Development Agreement for Tomball Heights (TPID 9 – Sydney’s Park)
3. Conduct Public Hearing regarding the Proposed Public Improvement District Number Thirteen (TPID 13) [Proposed Pine Trails Subdivision]
4. Approve Resolution No. 2021-24, a Resolution Making Findings in Connection with the Proposed Public Improvement District Number Thirteen Related to the Advisability of the Improvements, the Nature of the Improvements, the Estimated Cost of the Improvements, the Boundaries of the Proposed District, the Method of Assessment and the Apportionment of Cost between the District and the City as a Whole; and Making Other Findings Related to the District [TPID 13 Pine Trails Subdivision]
5. Approve Resolution No. 2021-25, a Resolution Authorizing the Establishment of the Public Improvement District Number Thirteen in the City of Tomball, Texas; Authorizing Publication of This Resolution, Providing for the Preparation of a Service and Assessment Plan; and Making Other Provisions Related to the Subject [TPID 13 Pine Trails Subdivision]

6. Ratify the FY 2021-2022 Budget and Find that the Proposed Tax Rate of \$0.333339/\$100 DOES EXCEED the No-New-Revenue Tax Rate and WILL Generate More Property Tax Revenue than the FY 2020-2021 Budget
7. Adopt \$0.155782 as the Portion of the Tax Rate to Fund the Interest and Sinking (Debt Service) Fund for Fiscal Year 2021-2022
8. Adopt \$0.177557 as the Portion of the Tax Rate to Fund the Maintenance and Operations (M&O) Fund for Fiscal Year 2021-2022
9. Conduct Public Hearing regarding the Proposed 2021 Tax Rate of \$0.333339/\$100 Assessed Value for the City of Tomball, Texas
10. Adopt, on First Reading, Ordinance No. 2021-34, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.333339/\$100 Value Assessed for the Year 2021 on All Taxable Real and Personal Property Located in the City of Tomball, Texas; Providing for Penalty, Interest, and Additional Penalty on Taxes Not Timely Paid; and Providing Other Matters Relating to the Subject
11. Announce that Final Vote on the 2021 Tax Rate will be held at a Special City Council Meeting on September 27, 2021 at 5:30 p.m.
12. Approve Resolution No. 2021-27, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2021-2022
13. Approve Resolution No. 2021-32, a Resolution of the City Council of the City of Tomball, Texas, for the Designation of Its Representative and Alternate for the Houston-Galveston Area Council 2022 General Assembly
14. Authorize City Manager to Enter into Negotiations with Harris County Emergency Services District #15 for Amendments to the 2018 Interlocal Agreement, to Fund One (1) Battalion Chief Position
15. Approve Change Order 8 for E&P Project Number 2017-10005, Medical Complex Segment 4B, to Durwood Greene Construction Co. for a total amount of \$541,919.00
16. Approve Payment to Gexa Energy for Remainder of Ancillary Charges Rate due to the Winter Storm
17. Authorize City Manager to Execute an Agreement for Professional Services with Oller Engineering, Inc. for E&P Project 2021-10037, South Persimmon Water Line Replacement for \$73,000.00

18. Approve Amendment to Administrative Policy No. 17, entitled “*General Fixed Asset Policy and Procedures*”
19. 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. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager, Assistant City Manager, Fire Chief, Community Development Director, and Finance Director
20. Consideration and Possible Action regarding Amendments to and Extension of the Employment Contract for David Esquivel, City Manager
21. Consideration and Possible Action regarding the Hiring/Employment, Duties and Responsibilities of a Community Development Director
22. Consideration and Possible Action regarding the Hiring/Employment, Duties and Responsibilities of a Fire Chief
23. Consideration and Possible Action regarding the Hiring/Employment, Duties and Responsibilities of an Assistant City Manager

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 16th day of September 2021 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.