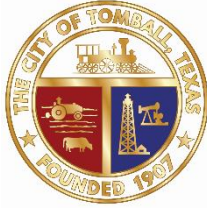


**NOTICE OF REGULAR COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Tuesday, September 6, 2022
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Tuesday, September 6, 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 TUESDAY, SEPTEMBER 6, 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: 841 3319 8201, Passcode: 625113. 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 Brandon Guindon – Real Life Ministries
- 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. September 10, 2022 – **2nd Saturday at the Community Center**
- II. September 10 thru September 11, 2022 – **“9-11 21st Anniversary Remembrance”**; an event to remember the events of **9-11** - at the Depot (*Spot lights lighting ceremony on September 10th at 7:45 p.m., 9/11 Remembrance Ceremony is on September 11th at 8 a.m.*)
- III. September 17, 2022 – **GroovFest 2022** – 11:00 a.m. – 6:00 p.m. at the Depot
- IV. September 24, 2022 – **Fiesta de Tomball** – 11:00 a.m. – 6:00 p.m. at the Depot – **Postponed to 2023**
- V. October 4, 2022 – **12th Annual Economic Outlook Luncheon**, sponsored by the Tomball Economic Development Corporation, at LSC – Tomball – Beckendorf Conference Center, 30555 Tomball Parkway, from 10:00 a.m.- 12:00 p.m.
- VI. October 4, 2022 – **National Night Out** at the Depot
- VII. October 8, 2022 – **Spooktacular 2nd Saturday at the Depot** – 5:00 p.m.- 10 p.m.
- VIII. October 10, 2022 – **Formal Public Safety Inspection** – Lone Star College-Tomball, Beckendorf Conference Center
- IX. October 15, 2022 – **The Big Show**, hosted by the Tomball Rotary at the Depot
- X. October 22, 2022 – **Bluegrass and Fall Festival** at the Depot – 11:00 a.m.-6 p.m.

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

F. Approval of Minutes

1. Approve the Minutes of the following Meetings:
 - * August 15, 2022 Special Joint Tomball City Council and Tomball Economic Development Corporation Meeting
 - * August 15, 2022 Special Tomball City Council Meeting
 - * August 15, 2022 Regular Tomball City Council Meeting
 - * August 18, 2022 Special Tomball City Council Meeting

G. 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. Approve, on Second Reading, Resolution No. 2022-37-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 Clearhope Counseling & Wellness Center, LP, to make direct incentives to, or expenditures for, rental assistance for new or expanded enterprise to be located at 1431 Graham Drive, Suite 130, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$6,875.00.
2. Approve, on Second Reading, Resolution No. 2022-38-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 Della Casa Pasta LLC, to make direct incentives to, or expenditures for, rental assistance for new or expanded enterprise to be located at 1599 Hicks St. Suite 2, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$6,520.00.
3. Adopt, on Second Reading, Ordinance No. 2022-19, 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 0.40 Acres of Land Legally Described as being All of Lots 11, 12 and the North ½ of Lot 10 in Block 2 of Main Street Addition from Single Family Residential (SF-6) to Old Town & Mixed Use (OT&MU). The property is located at 201 Holderrieth Boulevard, 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

4. Adopt, on Second Reading, Ordinance No. 2022-23, an ordinance of the City of Tomball, Texas, amending Section(s) 40-28 (*Application for Preliminary Plat Approval*) and 40-30 (*Application for Final Plat Approval*) of the Tomball Code of Ordinances by revising the Plat Review Application Submission Deadline(s)
5. Adopt, on Second Reading, Ordinance No. 2022-25, an Ordinance of the City of Tomball, Texas, Amending Section(s) 50-33 (*Board of adjustments*) and 50-34 (*Amendments to zoning chapter and districts, administrative procedures, and enforcement*) of the Tomball Code of Ordinances by Increasing the Required Notification Area for Public Hearings
6. Adopt, on Second Reading, Ordinance No. 2022-27, an Ordinance of the City Council of Tomball, Texas, approving the Service and Assessment Plan for the City of Tomball Public Improvement District Number Thirteen, (PID 13), Pine Trails Subdivision
7. Adopt, on Second Reading, Ordinance No. 2022-28, an Ordinance of the City Council of Tomball, Texas, Levying the Assessment against properties within the City of Tomball Public Improvement District Thirteen (PID 13), Pine Trails Subdivision

H. New Business

1. Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2022-2023 Budget
2. Conduct Public Hearing for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2022-2023
3. Adopt, on First Reading, Ordinance No. 2022-29, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2022-2023; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2021-2022 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance
4. Approve Resolution No. 2022-31, a Resolution of the City of Tomball, Texas, Adopting and Ratifying the City of Tomball's Investment Policy, as set forth in the City's Administrative Policy No. 13, entitled "Investment Policy"

5. Call Employee Benefits Trust Board to Order and Receive recommendation from City Staff regarding renewal of contracts for Medical/RX Dental, Life AD&D, and Long-Term Disability benefits for City employees and retirees and make recommendation to City Council regarding approval of contracts
6. Approve renewal contracts for Medical/RX Dental, Life AD&D, and Long Term Disability benefits for City employees and retirees with Blue Cross Blue Shield (BCBS), Cigna Health and New Your Life, respectively
7. Conduct Public Hearing of the City Council of the City of Tomball to consider proposed Levy of Assessments for authorized improvements within Improvement Area #1 (IA1) in Wood Leaf Reserve in the City of Tomball, Public Improvement District Number Eleven (PID 11), established by City Council Resolution No. 2020-04
8. Adopt, on First Reading, Ordinance No. 2022-31, an Ordinance of the City Council of Tomball, Texas, Approving a Service and Assessment Plan and Assessment Roll for Authorized Improvements for the Wood Leaf Reserve 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
9. Adopt Resolution No. 2022-40, a Resolution Approving the Distribution of a Preliminary Limited Offering Memorandum for its Special Assessment Revenue Bonds, Series 2022 (Wood Leaf Reserve Public Improvement District Number 11, Improvement Area #1)
10. Consideration to reject all bids received for Request for Proposal (RFP) No. 2022-06 – Meter Reading Services and rebid the project.
11. Receive a presentation, hold a discussion, and give direction regarding a development at the northwest corner of FM 2978 and FM 2920, behind the existing Jack in the Box and 7-11 convenience store.
12. Consideration to approve Zoning Case P22-269, request by the City of Tomball to amend Chapter 40, Article III (Subdivision Design Standards) of the Tomball Code of Ordinance by adding sections to address driveway approaches and related requirements to include separation requirements and access management standards.

- * Adopt, on First Reading, Ordinance No. 2022-22, an ordinance of the City of Tomball, Texas amending its Code of Ordinances by adding Section 40-81 (Driveway and Access Management) to Article III, Design Standards of Chapter 40, Subdivisions; 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.
- 13. Review, Recommend, and Approve Amendments to the Board & Commissions and Tourism Advisory Committee Applications and the Boards and Commissions Handbook, as Recommended by City Council
- 14. Appoint City Council Members as Liaisons to City-Appointed Boards, Commissions and Committees
- 15. 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 a Public Officer or Employee – City Manager
- 16. Consideration and Possible Action regarding Amendments to and Extension of the Employment Contract for David Esquivel, City Manager

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 1st day of September 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.