

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



**Monday, October 17, 2022  
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, October 17, 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 OCTOBER 17, 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: 850 3910 7276, Passcode: 286065. 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 Greg Sipe - Church 1:37
- 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 by Mayor Klein Quinn: Proclamation – October 2022 is **“Chiropractic Health Month”**
2. Presentation by Tomball Regional Health Foundation of a Grant, in the Amount of \$19,902.38 to the Tomball Fire Department and the Tomball Police Department, to Purchase Go-Bags Containing Emergency Medical Supplies

F. Reports and Announcements

1. Announcements

- I. October 22, 2022 – **Bluegrass and Fall Festival** at the Depot – 11:00 a.m.-6 p.m.
- II. November 18, 2022 – **Light it Up! Tree Lighting – 6:30 p.m.-8:30 p.m.**, at the Depot
- III. November 19, 2022 – **Holiday Parade** – Downtown – Sponsored by the Greater Tomball Area Chamber of Commerce
- IV. December 3, 2022 – **Deck the Depot** – Depot Plaza

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

- I. Assistant Court Clerk Carlos Vera of the Tomball Municipal Court in Tomball TX has completed all the requirements for Level 1 of the Texas Court Clerk Certification program Awarded on 7/11/2022
- II. Jeff Bert/Joe Sykora – Report on the Success of the **Tomball Police and Fire Pinning Ceremony and Class A Uniform Inspection**

G. Approval of Minutes

1. Approve the Minutes of the following Meetings:

- \* October 3, 2022 Tomball City Council Meeting – 4 p.m.
- \* October 3, 2022 Tomball City Council Meeting – 5 p.m.
- \* October 3, 2022 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. 2022-30, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.287248/\$100 Value Assessed for the Year 2022 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
  2. Adopt, on Second Reading, Ordinance No. 2022-21, an ordinance of the City of Tomball, Texas, amending Section(s) 40-74 (Lots, general provisions) and 40-75 (Minimum Lot Sizes) of the Tomball Code of Ordinance by adding/revising regulations pertaining to lot sizes; providing for 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. 2022-24, an ordinance of the City of Tomball, Texas, amending Section(s) 40-65 (Streets; specific standards) of the Tomball Code of Ordinance by adding/revising the right-of-way widths for roadway classifications; providing for 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
- I. 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 Purchase of the Verity Voting 2.5 System election equipment from Hart Intercivic through the Buyboard Purchasing Cooperative (Contract No. 622-20) for a not to exceed amount of \$63,543.09, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This purchase was included in the FY 2022-2023 Budget.
  2. Approve Resolution No. 2022-49, a Resolution and Order of the City Council of the City of Tomball, Texas, Approving the Hart Intercivic Verity Voting 2.5 System Equipment for Elections Held by the City of Tomball; and Providing for an Effective Date. This item is budgeted in FY 2022-23.

3. Approve the purchase of one (1) PC35MR-5 Excavator and associated attachments from Waukesha-Pearce Industries, LLC through the Houston-Galveston Area Council Cooperative Purchasing Contract (Contract No. EM06-19) for a not-to-exceed amount of \$60,100.00, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This purchase is included in the FY 2022-2023 Budget.
4. Approve the purchase of one (1) Vermeer BC1000XL Chipper from Vermeer Texas-Louisiana through the BuyBoard Contract (Contract No. 597-19) for a not-to-exceed amount of \$54,303.00, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This purchase is included in the FY 2022-2023 Budget.
5. Approve the purchase of one (1) John Deere 6105E Cab Tractor from Brookside Equipment Sales through the Sourcewell Ag Tractors Contract (Contract No. 110719-JDC PG 1P CG 70) for a total amount of \$72,899.20. This purchase is included in the FY 2022-2023 Budget.
6. Approve the purchase of two (2) F-250 Crew Cab Trucks from Chastang Ford through the BuyBoard purchasing contract (Contract No. 601-19) for a not-to-exceed amount of \$117,204, 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.

J. New Business

1. Approve Request from Concordia Lutheran High School for City Support and In-Kind Services for the *Annual Cruisin' Crusaders 5K Run/Walk* in downtown Tomball, on Saturday, February 11th, 2023
2. Approve Resolution Number 2022-47, a Resolution of the City Council of the City of Tomball, Texas approving a Reimbursement Agreement relating to the Winfrey Estates Public Improvement District Number 12
3. Approve Resolution Number 2022-48, a Resolution of the City Council of the City of Tomball, Texas approving a Reimbursement Agreement relating to the Seven Oaks Public Improvement District Number 14
4. Consideration to Approve Zoning Case P22-213: Request from Yuna Holdings, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning 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, within the City of Tomball, Harris County, Texas.

- \* Conduct Public Hearing on **Zoning Case P22-213**
  - \* Adopt, on First 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.
5. Consideration to Approve Zoning Case P22-309: Request from Tomball Economic Development Corporation and Tortuga Operating Company to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 17.08 acres of land legally described as being all of Lots 1, 2, 3, and 4 of Tomball Business and Technology Park, Section 2 from Single Family Residential – 20 (SF-20) to Light Industrial (LI). The properties are located within the 1900 block of S. Persimmon Street (East and West side), within the City of Tomball, Harris County, Texas.
- \* Conduct Public Hearing on **Zoning Case P22-309**
  - \* Adopt, on First 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
6. Consideration to Approve Zoning Case P22-310: Request by 28121 Calvert, LLC, represented by Louis Smith to amend 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, within Harris County, Texas.**

- \* Conduct Public Hearing on **Zoning Case P22-310**
  - \* Adopt, on First 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.
7. Confirm/Appoint/Reappoint Member to Director Position 7 for the 2022 Tomball Legacy Fund, Inc. Board of Directors as Required under Sec. 4.02, Bylaws
  8. Discussion and Possible Action regarding Developing a Project for a Future Downtown Tomball Advisory Committee

K. 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 13th day of October 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](http://www.ci.tomball.tx.us).