

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



**Monday, October 3, 2022
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, October 3, 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 3, 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: 897 6950 0851, Passcode: 023026. 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. Presentations

- * Proclamation – Monday, October 3, 2022 is “***Danny Arriaga-Dedicated Public Servant***” Day
- * Proclamation – Monday, October 3, 2022 is “***Ricky Doerre-Dedicated Public Servant***” Day
- * Proclamation – Monday, October 3, 2022 is “***Jeffrey Williams-Dedicated Public Servant***” Day
- * Proclamation – Tuesday, October 4, 2022 is “***National Night Out 2022***” – at the Depot
- * Proclamation – Thursday, October 6, 2022 is “***German American Day***”
- * Proclamation – Wednesday, October 5, 2022 is “***Tomball Teachers’ Day***”

F. Reports and Announcements

1. Announcements

- I. 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 9:00 a.m.-1:00 p.m.
- II. October 4, 2022 – ***National Night Out*** at the Depot
- III. October 8, 2022 – **Spooktacular 2nd Saturday at the Depot** – 5:00 p.m.-10 p.m.
- IV. October 10, 2022 – **Tomball Police and Fire Pinning Ceremony and Class A Uniform Inspection** at Lone Star College-Tomball, Beckendorf Conference Center – 9:30 a.m.-12:00 p.m.
- V. October 15, 2022 – ***The Big Show***, hosted by the Tomball Rotary at the Depot
- VI. October 22, 2022 – ***Bluegrass and Fall Festival*** at the Depot – 11:00 a.m.-6 p.m.

- VII. November 18, 2022 – ***Light it Up! Tree Lighting – 6:30 p.m.-8:30 p.m.,***
at the Depot
 - VIII. November 19, 2022 – ***Holiday Parade*** – Downtown – Sponsored by the
Greater Tomball Area Chamber of Commerce
 - IX. 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. Sasha Smith – Report on the Success of **2022 GroovFest**
- G. Approval of Minutes
 - 1. Approve the Minutes of the September 19, 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. 2022-20, 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
25.87 Acres of Land Legally Described as Reserve “A” in Maple Group
Subdivision, from Planned Development District 8 (PD-8) to Commercial (C).
The Property is Generally Located at the Northeast Corner of the Intersection of
Holderrieth Road and 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. 2022-27, 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
 - 3. 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

4. Adopt, on Second Reading, Ordinance No. 2022-33, an Ordinance of the City Council of Tomball, Texas, Approving a Service and Assessment Plan and Assessment Roll for Authorized Improvements for the Raburn 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
 5. Adopt on Second Reading Ordinance No. 2022-32, an Ordinance of the City Council of the City of Tomball, Texas, Amending Chapter 30 of the Code of Ordinances, the City of Tomball “Offenses”, by Adding a New Article III, “Catalytic Converters”; Containing Findings and Other Provisions Related to the Subject; Declaring Certain Conduct to be Unlawful; Providing a Penalty; Providing for Severability; Providing for Publication; and Providing an Effective Date
- 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 Special Event/Fireworks Display Application at Boxwood Manor, located at 945 E Hufsmith Rd, Tomball, TX 77375, to be held on Saturday November 12, 2022
 2. Authorize annual purchases exceeding \$50,000 in accordance with the Purchasing and Bidding Policy for Fiscal Year 2021-2022
 3. Repeal, in its entirety, Administrative Policy Number 1, Banner Policy.
- J. New Business
1. Confirm/Appoint/Reappoint Members to the Tomball Regional Health Foundation Board of Directors
 2. Confirm/Appoint/Reappoint Members to the Planning and Zoning Commission
 3. Confirm/Appoint/Reappoint Members to the Tomball Economic Development Corporation Board of Directors
 4. Confirm/Appoint/Reappoint Members to the Tourism Advisory Committee

5. Confirm/Appoint/Reappoint Members to the Board of Adjustments
6. 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
7. Approve and authorize the Chief of Police to execute the Memorandum of Understanding (MOU) between Harris County First Responders which acknowledges that all participating agencies will adhere to the principles of Unified Command during an Active Shooter and Hostile Event, and establishes roles for the Houston Police Department with the City of Houston, the Harris County Sheriff’s Office in unincorporated parts of Harris County, and municipal agencies in incorporated parts of Harris County
8. Approve Request from Tomball Sister City Organization for City Support and In-Kind Services for the ***Tomball German Heritage Festival*** – Depot Plaza and Market Street – Thursday, March 23, 2023, through Sunday, March 26, 2023
9. Adopt on First and Final Reading, Ordinance No. 2022-35, an Ordinance Authorizing the Issuance and Sale of the City of Tomball, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2022; Levying a Tax and Providing for the Security and Payment Thereof; and Enacting Other Provisions Relating Thereto
10. Ratify the FY 2022-2023 Budget and Find that the Proposed Tax Rate of \$0.287248/\$100 DOES NOT EXCEED the No-New-Revenue Tax Rate and WILL Generate More Property Tax Revenue than the FY 2021-2022 Budget
11. Adopt \$0.106865 as the Portion of the 2022 Tax Rate to Fund the Interest and Sinking (Debt Service) Fund for Fiscal Year 2022-2023
12. Adopt \$0.180383 as the Portion of the 2022 Tax Rate to Fund the Maintenance and Operations (M&O) Fund for Fiscal Year 2022-2023
13. Adopt, on First 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

14. Announce the Date for the Final Vote on the 2022 Tax Rate will be at the Regular City Council Meeting on October 17, 2022 at 6:00 p.m.
15. Consideration to Approve Case P22-270: Request by the City of Tomball to amend Section 40-74 (Lots, general provisions) and 40-75 (Minimum Lot Sizes) of the Tomball Code of Ordinances by adding/revising regulations pertaining to lot sizes.
 - * Adopt, on First 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.
16. Consideration to Approve Case P22-267: Request by the City of Tomball to amend Section(s) 40-65 (Streets; specific standards) of the Tomball Code of Ordinance by adding/revising the right-of-way widths for roadway classifications.
 - * Adopt, on First 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.
17. Approve Amendment to Administrative Policy No. 9, entitled “Procurement Policy & Manual” and authorize participation in certain purchasing cooperatives.
18. Approve Amendment to Administrative Policy No. 9.5, entitled “Procurement Card Policy & Procedures”
19. Approve Amendment to Administrative Policy No. 24, entitled "Tennis Court Reservation Policy"
20. Approve a Professional Services Agreement with Freese & Nichols, Inc. for Project Number 2023-10002, Texas Pollutant Discharge Elimination System (TPDES) permit renewal and amendment for the City of Tomball Wastewater Treatment Plants, for the not-to-exceed amount of \$103,000. This project was included in the FY 2022-2023 budget.
21. Approve a Professional Services Agreement with Freese & Nichols, Inc. for Project Number 2023-10001, updates to the Water and Wastewater Master Plan

and Impact Fees, for a not-to-exceed amount of \$365,000. This amount is included in the FY 2022-2023 budget.

22. Approve a Professional Services Agreement with Freese & Nichols, Inc. for on-call GIS, planning, and engineering services for a not-to-exceed amount of \$50,000. This project was included in the FY 2022-2023 Budget.
23. Authorize the City Manager to execute the Recreation Grant Agreement with Texas Parks and Wildlife Department for improvements at Jerry Matheson Park for a total grant amount of \$750,000
24. Adopt, **on First and Only Reading**, Ordinance No. 2022-36, an Ordinance Approving and Authorizing the Issuance and Sale of the City of Tomball Special Assessment Revenue Bonds, (Raburn Reserve Public Improvement District Improvement Area #1); Approving and Authorizing an Indenture of Trust and First other Agreements and Documents in Connection Therewith; Making Findings with to the Issuance of Such Bonds; and Providing an Effective Date
25. Adopt, **on First and Only Reading**, Ordinance No. 2022-37, an Ordinance Approving and Authorizing the Issuance and Sale of the City of Tomball Special Assessment Revenue Bonds, (Raburn Reserve Public Improvement District Improvement Area #2); Approving and Authorizing an Indenture of Trust and First other Agreements and Documents in Connection Therewith; Making Findings with to the Issuance of Such Bonds; and Providing an Effective Date
26. Approve Resolution No. 2022-46, a Resolution of the City Council of the City of Tomball, Texas approving an amended and restated Reimbursement Agreement relating to the Raburn Reserve Public Improvement District – Improvement Area Two (IA2)
27. Approve the purchase of one (1) 2024 Spartan Custom Chassis with Alexis Custom SS Pumper and associated equipment through the Houston-Galveston Area Council Cooperative Purchasing Contract (FS12-19) for a not-to-exceed amount of \$800,000.00, 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.

K. Adjournment

CERTIFICATION

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 29th day of September 2022 by 5:30 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.