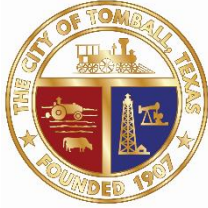


**NOTICE OF REGULAR COUNCIL MEETING  
CITY OF TOMBALL, TEXAS**



**Monday, May 17, 2021  
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, May 17, 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.

**IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR JUNE 1, 2020, 6:00 PM, AT 401 MARKET STREET, TOMBALL, TEXAS, 77375. IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED "SOCIAL DISTANCING") TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19), THERE WILL BE LIMITED PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE. 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: 896 6865 3560, Passcode: 876604**. 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 Kevin Bowles - Redeemer 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
- Presentation by Jonathan Campbell, Executive Director, **Southeast Texas Housing Finance Corporation (SETH)**
  - Proclamation – May 16-22, 2021 is “**National Public Works Week – Tomball, Texas**”
  - Proclamation – May 16-22, 2021 is **Northwest Community Health, and National Emergency Medical Services Week - "This is EMS: Caring for Our Communities" - Tomball, Texas**
  - Chief's Citation of Merit - *Employee of the Quarter Award*: January – March 2021 Recipient: Corporal Stephen Clough
- F. Reports and Announcements
1. Announcements
    - I. June 4-6, 2021 – **Tomball German Heritage Festival** – at the Depot
    - II. **Tomball City Pool – 2021 Swim Season - Jerry Matheson Park Pool** will be open Memorial Weekend, May 29-31, then will reopen on June 1 and will operate with normal hours through August 15. The pool will be open on Saturday and Sunday only on the weekends of August 21-22, August 28-29, and September 4-5. The pool will be closed every Monday during swim season 2021, except Memorial Day (May 31), July 4th, and Labor Day (September 6). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
    - III. **TOMBALL KID'S CLUB – Activities: Tuesdays and Thursdays, June 15 through July 22, 2021** from 10:30 a.m. to 12:30 p.m., at **Juergen's Park, 1331 Ulrich Road, Tomball, Texas 77375**. Phone number: 281-351-5484; Website: [www.tomballtx.gov](http://www.tomballtx.gov). Tomball Kids Club got its start a decade ago as a free offering for local school-aged children. Games & educational activities are offered, each day offers something new. We provide a free meal to all children in attendance, and parents **MUST** stay with their children. **Tomball Kid's Club** is not a drop-off camp.
    - IV. June 19, 2021 – **Tomball Honky Tonk Chili Challenge Festival** – 11:00 a.m.-6:00 p.m. at the Depot

V. July 4, 2021 – **July Fourth Celebration & Street Fest** – 6:00 p.m.-10:00 p.m. at Four Corners (Business SH 249 at FM 2920)

VI. July 10, 2021 – **2<sup>nd</sup> Saturday at the Depot**

VII. August 6, 2021 – **Tomball Night**

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

G. Approval of Minutes

1. Approve the Minutes of the May 3, 2021 Regular Tomball City Council Meeting and the May 10, 2021 Special Tomball City Council Meeting

H. Old Business: Tabled Items

1. Adopt on First Reading, Ordinance No. 2021-05, An Ordinance Of The City Council Of Tomball, Texas, Approving The Service And Assessment Plan For The City Of Tomball Public Improvement District Number Nine (*Tomball Heights, aka Sydney's Park*)
2. Adopt on First Reading, Ordinance No. 2021-06, An Ordinance Of The City Council Of Tomball, Texas, Levying an Assessment Against Section One Properties Within The City Of Tomball Public Improvement District Number Nine (Tomball Heights Subdivision); And Making Certain Findings Related Thereto (*Sydney's Park*)
3. 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

I. Old Business

1. Adopt, on Second Reading, Ordinance No. 2021-18, an Ordinance amending the Code of Ordinances, Section 44-164, Parking Restricted on Certain Streets, Division 2, prohibited. Restricted on certain streets, of Article V, stopping, standing and parking, of Chapter 44, Traffic and Vehicles, establishing a "No Parking, Stopping or Standing" zone on Buckingham Drive beginning at the intersection of Quinn Road and extending through its entirety approximately five hundred thirty (530) feet; providing a penalty in the amount not to exceed \$200

for each violation hereof; and providing for severability; and making finds related thereto.

J. New Business

1. Approve Request by Concordia Lutheran High School for In-Kind Services from Police, Fire and Public Works for the Annual 5k Fun Run at the Depot on June 26, 2021
2. Consideration to approve **Zoning Case P21-169**: Request by Prakash Patel for a Conditional Use Permit to operate a mini warehouse / self-storage facility at 601 Malone Street. The property is approximately 0.3214 acres, legally described as Lot 1 Block 1 Patel Plaza, within the City of Tomball, Harris County, Texas, generally located at the northwest corner of Malone Street and Magnolia Street, within the City of Tomball, Harris County, Texas, and is zoned Old Town & Mixed Use District.
  - Conduct Public Hearing on **Zoning Case P21-169**
  - Adopt, on First Reading, Ordinance No. 2021-15, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by granting a Conditional Use Permit (CUP) to Prakash Patel to operate a “Mini warehouse / self-storage” facility at 601 Malone Street; said properties being approximately 0.3214 acres of land legally described as Lot 1 Block 1 Patel Plaza, within the City of Tomball, Harris County, Texas, generally located at the northwest corner of Malone Street and Magnolia Street, and is zoned Old Town & Mixed Use District; providing requirements and conditions for this cup; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed \$2,000 for violations hereof; and providing for severability.
3. Consideration to approve **Zoning Case P21-168**: Request by Southwest Momentum Properties LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.208 acres of land legally described as Tracts 81 81A 89A & 90D Tomball Outlots, from the Agricultural District to the Commercial District. The property is generally located at the southwest corner of East Hufsmith Road and Hospital Road, within the City of Tomball, Harris County, Texas.
  - Conduct Public Hearing on **Zoning Case P21-168**
  - Adopt, on First Reading, Ordinance No. 2021-16, 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

3.208 acres of land legally described as Tracts 81 81A 89A & 90D Tomball Outlots, from the Agricultural District to the Commercial District, said property being generally located at the southwest corner of East Hufsmith Road and Hospital Road, within the City of Tomball, Harris County, Texas; providing for the amendment of the Official Zoning Map of the City; 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. Approve Resale Deed for Property acquired by Tax Suit in Cause No. 1998-28228, styled City of Tomball vs. Warren, Cal; said Property being described as: Lot 22, Block 85, Tomball, Located in Harris County, Texas, and being more particularly described Volume 418, Page 98 of the Real Property Records of Harris County, Texas (HCAD Account No. 035-277-085-0022)
5. Approve purchase of playground equipment from Kompan, Inc. for Jerry Matheson Park totaling \$661,759.26 through Texas BuyBoard Contract Number 592-19
6. Award Contract for Project No. 2021-01 for the 2021 Asphalt and Concrete Street Improvements, to Hayden Paving, Inc., in the Amount of \$110,010.00
7. Approve Payment Option to Gexa Energy for Increased Ancillary Charges Rate due to the Winter Storm
8. 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

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 May 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](http://www.ci.tomball.tx.us).