

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



**Monday, November 21, 2022
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, November 21, 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 NOVEMBER 21, 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>

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: 882 5810 4061, Passcode: 615310. 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 David Hinkle – Tomball Bible 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 Al Gerhardt, Tomball Lions Club - \$1000.00 donation each to Fire and Police Departments for annual Christmas Programs
- Presentation by Hyacinth Battery Energy Storage

F. Reports and Announcements

1. Announcements

- I. November 24-25, 2022 – **Thanksgiving Holidays** – City offices closed
- II. December 3, 2022 – **“Holiday Heroes”** – hosted by members of the Tomball Police, Fire and Public Works Department, in collaboration with Northwest Community Health (EMS) – Breakfast and One-on-One Shopping for the Christmas Holiday – 8:00 a.m. at the Community Center
- III. December 3, 2022 – **Deck the Depot** – Depot Plaza – 10:00 a.m.-2:00 p.m.
- IV. December 9 and 10, 2022 – Spring Creek County Historical Association’s **Annual Candlelight Tour** and **Holiday Open House** – 6:00 p.m.-9:00 p.m. at the Tomball Museum Center
- V. December 9-11, 2022 – **German Christmas Market** – Depot Plaza and Market Street
- VI. December 23 and December 26, 2022 – **Christmas Holidays** – City offices closed
- VII. January 2, 2023 – **New Year’s Day Holiday** – City offices closed

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 the **Depot Day** and the **Light it Up! Tree Lighting** at the Depot

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. 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. 2022-38, 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.
3. Approve, on Second Reading, Resolution No. 2022-50-TEDC, a Resolution of the City Council of the City of Tomball, Texas Authorizing and Approving, as a Project of the Tomball Economic Development Corporation, an Economic Development Incentive between the City of Tomball (the “City”), Tomball Economic Development Corporation (the “TEDC”), and Costco Wholesale Corporation (“Costco”), to Expend Funds in Accordance with an Economic Development Incentive Agreement to promote new and expanded business development associated with the construction of a Costco retail facility and fueling station on approximately 25.88 acres of land situation at the northeast corner of the intersection of Holderrieth Road and State Highway 249 Frontage Road in the City of Tomball, Texas; Containing other Provisions relating to the Subject; and Providing for Severability.

H. 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 Minutes of the following Meetings:
 - November 7, 2022 Special Tomball City Council Meeting
 - November 7, 2022 Special Joint Tomball City Council-TEDC Meeting
 - November 7, 2022 Special Tomball City Council Meeting
2. Approve a Professional Services Agreement with Engineered Utility Solutions, Inc. for Project Number 2022-10011, Gas Master Plan, for a not-to-exceed amount of \$115,000, authorize the expenditure of funds therefor, and authorize

the City Manager to execute the agreement. This amount is included in the FY 2022-2023 budget.

3. Approve a Professional Services Agreement with Mosaic Public Partners for executive search services for the position of Human Resources Director for the not-to-exceed amount of \$27,000, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount was included in the FY 2022-2023 budget.
4. Approve the purchase of two (2) Ford F-250 Crew Cab Trucks from Rush Truck Center through the Buyboard purchasing cooperative contract (Contract #601-19) for a not-to-exceed amount of \$102,052.00, 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.
5. Approve an agreement with Shane Griffin Power & Electrical Services, LLC for electrical contractor services for Fiscal Year 2023, for a not-to-exceed amount of \$75,000 (RFP 2022-10R), authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is included in the FY 2022-2023 budget.
6. Approve the expenditure of \$56,700 for Incode software support and maintenance from Tyler Technologies, Inc. and authorize the City Manager to execute any and all documents related to the expenditure. This expenditure is included in the FY 2022-2023 Budget.
7. Approve the expenditure of \$52,350 for computer aided dispatch software support from CentralSquare Technologies, LLC and authorize the City Manager to execute any and all documents related to the expenditure. This expenditure is included in the FY 2022-2023 Budget.

I. New Business

1. Receive a presentation on iChoosr regarding the Texas Power Switch Program, and provide staff direction.
2. Consideration to Approve Case P22-354: Request by the City of Tomball to amend Section(s) 50-116 (*Supplemental Regulations*) of the Tomball Code of Ordinances by revising standards pertaining to subsection (j) (*Site Development Standards for Mobile Food Courts*).
 - * Conduct Public Hearing on **Zoning Case P22-354**
 - * Adopt, on First Reading, Ordinance No. 2022-40, an ordinance of the City of Tomball, Texas, amending Section(s) 50-116(j) (*Site Development*

Standards - Mobile Food Courts) Chapter 50 (Zoning) of the Tomball Code of Ordinances by revising the standards governing mobile food vendors located within mobile food courts, 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.

3. 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

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 17th day of November 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.