

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



**Monday, December 19, 2022  
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, December 19, 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 DECEMBER 19, 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: 818 1738 3449, Passcode: 152378. 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 Kenny Rodgers, Anointed Faith Family 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

1. Proclamation – December 19, 2022 is “***Salute to the Tomball Depot Museum Volunteers” Day***
2. Receive a presentation regarding the proposed design alternatives and feedback received for the FM 2920/Main Street reconstruction project.
3. Receive a presentation on the status of the Alley Reconstruction Project, and provide staff direction.
4. Receive a presentation regarding the City of Tomball website redesign project.

F. Reports and Announcements

1. Announcements

- I. December 23 and December 26, 2022 – **Christmas Holidays** – City offices closed; garbage pickup will not be affected
- II. January 2, 2023 – **New Year’s Day Holiday** – City offices closed; garbage pickup will not be affected
- III. January 3, 2023 – **City Council Meeting** will be held on Tuesday, due to New Year’s Day Holiday

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

G. Old Business

1. 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.

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 December 5, 2022 Regular Tomball City Council Meeting
2. Approve Request from Tomball HS Athletic Booster Club for City Support and In-Kind Services for the ***Tomball HS Athletic Booster Club Crawfish Boil*** in downtown Tomball, on Saturday, April 1, 2023
3. Approve Supplemental Number Two, amending the Professional Services Agreement with Gunda Corporation, LLC for Project Number 2017-10033, Alley Improvement Project, for the amount of \$57,320 (making the total not-to-exceed contract amount \$305,819); approve the expenditure of funds therefor; and authorize the City Manager to execute the agreement. This project was included in the FY 2022-2023 budget.
4. Approve a Professional Services Agreement with Four and One, LLC, for Project Number 2023-10013, Parks, Recreation, and Trail System Master Plan for a not-to-exceed amount of \$149,600, 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.
5. Approve the purchase of SmartGov Subscriptions (permitting software) from Brightly Solutions, Inc. for year one implementation and annual subscription in the amount of \$41,619.65 of the total contract amount of \$153,393.27, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. The purchase is included in the FY 2022-2023 Budget.

I. New Business

1. Appoint Resident Position 2 Member to the Tourism Advisory Committee
2. Appoint Member to Vacant/Unexpired Alternate 4 Position of the Board of Adjustments, for Term expiring March 2, 2023
3. Consideration to approve **Zoning Case P22-350**: Request by Zion Woods LLC, represented by Blue Kite Building Group, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 22.84 acres of land out of the Joseph Miller Survey, Abstract Number 50, from Agricultural (AG) district to

a Planned Development (PD) district to promote single-family residential development. The property is generally located within the 12700 block (north side) of Zion Road, within Harris County, Texas.

Conduct Public Hearing on **Case P22-350**

Adopt, on First Reading, Ordinance No. 2022-41, 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 22.84 acres of land out of the Joseph Miller Survey, Abstract Number 50, from Agricultural (AG) district to a Planned Development (PD) district to promote single-family residential development. The property is generally located within the 12700 block (north side) of Zion Road, within 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. **Consideration to approve Zoning Case P22-367:** Request by Colleen Pye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 0.32 acres of land legally described as being all of Lots 41, 42, 43, and 44 in Block 72 of the Revised Map of Tomball from Single Family Residential – 6 (SF-6) to Old Town & Mixed Use (OT & MU). The property is located at 329 Texas Street, within the City of Tomball, Harris County, Texas.

Conduct Public Hearing on **Case P22-367**

Adopt, on First Reading, Ordinance No. 2022-42, 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 0.32 acres of land legally described as being all of Lots 41, 42, 43, and 44 in Block 72 of the Revised Map of Tomball from Single Family Residential – 6 (SF-6) to Old Town & Mixed Use (OT & MU). The property is located at 329 Texas Street, 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.

5. **Consideration to approve Case P22-394:** Request by the City of Tomball to amend Section(s) 50-2 (*Definitions*) and Section 50-82 (*Use Regulations (Charts)*), Subsection (b) (*Use Charts*) of the Tomball Code of Ordinances by adding/revising standards pertaining to “Market, open air, flea”.

Conduct Public Hearing on **Case P22-394**

Adopt, on First Reading, Ordinance No. 2022-43, an Ordinance of the City of Tomball to amend Section(s) 50-2 (*Definitions*) and Section 50-82 (*Use Regulations (Charts)*), Subsection (b) (*Use Charts*) of the Tomball Code of Ordinances by adding/revising standards pertaining to “Market, open air, flea”; 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.

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. 551.072 – Deliberation regarding Real Property
  - 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 15th day of December 2022 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Tracylynn Garcia, Assistant City Secretary, TRMC, CMC

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).