

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



**Monday, April 5, 2021
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, April 5, 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 APRIL 5, 2021, 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: 889 0244 0463, Passcode: 875023. 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 Brandon Guindon – Real Life Ministries
- 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. Reports and Announcements
 - 1. Announcements
 - I. April 17, 2021 - **Tomball High School Athletic Booster Club (THSABC) Crawfish Bowl** - 4:00 p.m.-8:00 p.m. at the Depot
 - II. April 19-24, 2021 – **Tomball Annual Spring Clean-Up and Chipping Week**
 - III. April 24, 2021 – **Tomball Consolidated Recycling Day** – Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
 - IV. April 24, 2021 – **Tomball Rotary “Drive thru Fish Fry”** at Juergens Park
 - V. May 1, 2021 – **Rails & Tails Mudbug Festival** – 11 a.m.–8:00 p.m. at the Depot
 - VI. May 6, 2021 - **Texas Deuce Days Opening Day Meet and Greet** at the Depot on May 6, 2021 from 3:00 p.m.-8:00 p.m.
 - 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
- F. Approval of Minutes
 - 1. Approve the Minutes of the March 15, 2021 Regular Tomball City Council Meeting and the March 20, 2021 Special Tomball City Council Meeting
- G. Old Business
 - 1. Adopt, on Second Reading, Ordinance No. 2021-03, An Ordinance Of The City Of Tomball, Texas, Extending The City Limits Of Said City To Include All Of The Territory Within Certain Limits And Boundaries And Annexing To The City Of Tomball All Of The Territory Within Such Limits And Boundaries; Approving A Service Plan For All Of The Area Within Such Limits And Boundaries; Containing Other Provisions Relating To The Subject; And Providing A Savings And Severability Clause (Being A Tract Or Parcel Containing 6.5681 Acres Of

Land Known As Tracts 1 & 2 Out Of That Certain Call 40.1148 Acre Tract Of Land Situated In The John M. Hooper Survey, A-375 In Harris County, Texas, Said 40.1148 Acre Tract Being That Same Tract Of Land As Described In A Deed Filed For Record Under Harris County Clerk's File No. F41707.2 (13810 Windy Meadow Rd Hcad 04304100000055)]

2. Adopt, on Second Reading, Ordinance No. 2021-04, an Ordinance of the city of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by establishing the zoning district of approximately 6.5681 acres of land, legally described as Tract 12 Abstract 375 J M Hooper, within the city of Tomball, Harris County, Texas, as Commercial District; said property being generally located at the southwest corner of SH 249 and Alice Road; 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.
3. Adopt, on Second Reading, Ordinance No. 2021-07, 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 13.4 acres of land, legally described as tracts 17H, 17J, 17H-1, 17H-2, 17J-1 abstract 34 J House, within the city of Tomball, Harris County, Texas, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Planned Development (PD-16) District; said property being generally located on the south side of Brown Road between SH 249 and Quinn Road; 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. Adopt, on Second Reading, Ordinance No. 2021-09, 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 5 acres of land legally described Lot 280 Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District, said property being generally located on the east side of Pitchford Road at 1333 Pitchford 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.
5. Adopt, on Second Reading, Ordinance No. 2021-10, 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 2.844

acres of land legally described tracts 467A, 467B & 468A Tomball Outlots, from the Agricultural District to the Commercial District, said property being generally located on the east side of Hufsmith-Kohrville Road at 22828 Hufsmith-Kohrville 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.

6. Adopt, on Second Reading, Ordinance No. 2021-12, an Ordinance of the city of Tomball, Texas amending its Code of Ordinances by amending Section 50-112, Off-street parking and loading requirements, of Article IV, Development Standards, of Chapter 50, Zoning; 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

1. Approve the Extension of the Current Depository Contract between the City of Tomball and Wells Fargo through March 31, 2023.
2. Approve, on First Reading, Resolution No. 2021-13-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and DunnCo Properties II, Ltd to make direct incentives to, or expenditures for, assistance with infrastructure costs required or suitable for the promotion of new or expanded business enterprise related to the construction of a 5,225 square foot commercial facility to be located at 14635 FM 2920 Rd., Tomball, Texas 77377. The estimated amount of expenditures for such Project is \$54,760.00.
3. Approve, on First Reading, Resolution No. 2021-14-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and B. Smittys, LLC to make direct incentives to, or expenditures for, assistance with infrastructure costs required or suitable for the promotion of new or expanded business enterprise related to the construction of a 8,000 square foot commercial facility to be located at 22621 Hufsmith-Kohrville Rd., Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$30,301.00.
4. Approve Resolution No. 2021-15, a Resolution of the City Council of the City of Tomball, Texas, Sponsoring the July 4th Celebration, to be Held in Tomball on

Sunday, July 4, 2021, Closing State Highway Business 249 from Hicks Street to the North Entrance to the Kroger Parking Lot from 12:00 PM until 11:00 PM, and Authorizing the City Manager to Issue a Letter to TxDOT Requesting the Closure of the Designated Portion of State Highway Business 249

5. Authorize the City Manager to Execute a Letter to TxDOT Requesting the Use of the Detention Pond behind Lowe's for the Purpose of Launching the July 4th Fireworks Display
6. Discussion and Possible Action/Direction from Council regarding Amendments to Chapter 32 and Chapter 48 of the Code of Ordinances, regarding Application Requirements for Peddlers/Solicitors, Taxi Driver, and Tow Truck Driver Permits
7. Discussion and possible action regarding the amendment of City of Tomball drainage design standards to comply with Harris County's minimum drainage standards
8. Approve Resolution No. 2021-16, a Resolution of the City of Tomball, Texas, amending authorized signatories for Contractual and Financial documents pertaining to the 2016 GLO Community Development Block Grant – Disaster Recovery (CDBG-DR) Program, Contract #19-076-029-B386.
9. 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. 074 – Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – Interim City Manager, Interim Assistant City Manager
10. Appoint David Esquivel as Interim City Manager and Confirm Jeff Bert as Interim Assistant City Manager/Police Chief

I. 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 1st day of April 2021 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.