

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



**Monday, June 21, 2021
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, June 21, 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 21, 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: 897 4187 8921, Passcode: 653081**. 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 Bill Rasco – Spring Creek Church of Christ
- 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 – June 21, 2021 is ***“HCA Houston Healthcare Tomball CEO Robert Marmmerstein and Team: Winter Storm Uri Heroes” Day***
- F. Reports and Announcements
 - 1. Announcements
 - I. **Tomball City Pool – 2021 Swim Season - Jerry Matheson Park Pool** will be 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 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.
 - II. **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. Tomball Kids Club began 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.
 - III. 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)
 - IV. July 10, 2021 – **2nd Saturday at the Depot**
 - V. August 6, 2021 – **49th Annual Tomball Night, Parade of Lights, and Health & Wellness Expo**
 - 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 June 7, 2021 Special Tomball City Council and Tomball Economic Development Corporation Meeting and the Minutes of the June 7, 2021 Regular Tomball City Council Meeting

H. Old Business: Tabled Items (*Remove from Table*)

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 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. Ratify Approval of Payment Option to GEXA Energy for Increased Ancillary Charges Rate due to the Winter Storm
2. Adopt, on Second Reading, Ordinance 2021-19, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, Section 44-164, Parking Restricted on Certain Streets, of 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 the North Side of FM 2920 beginning approximately 150 Feet East of Tomball Cemetery Road, Extending East approximately 885 Feet to approximately 1,560 Feet West of Park Road; Providing a Penalty in an Amount Not to Exceed \$200 for Each

Violation Hereof; and Providing for Severability; and Making Findings Related Thereto.

3. Adopt, on Second Reading, Ordinance No. 2021-20, an Ordinance of the City of Tomball, Texas Amending Its Code of Ordinances by Amending Section 32-45, Fingerprints, Photographs, of Article II, Permits, of Chapter 32, Peddlers and Solicitors, to Require Fingerprinting and Background Checks through the Federal Bureau of Investigations and the Texas Department of Public Safety; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof; Providing for Severability, Making Findings of Fact; and Providing for Other Related Matters
4. Adopt, on Second Reading, Ordinance No. 2021-21, an Ordinance of the City of Tomball, Texas, Amending Its Code of Ordinances by Amending Chapter 48, Vehicles For Hire, to Delete Article II, Taxicabs, in Its Entirety; Amending Section 48-177 Tow Truck Company Application, Renewal, of Division 2, Tow Truck Company License, of Article II Tow Trucks and Tows, to Remove the Requirement of a Tow Truck Company to Provide a Background Check on Its Drivers; Amending Section 48-192, Application, of Division 3 Tow Truck Driver's Permit; of Article III, Tow Trucks and Tows; to Require Fingerprinting and Background Checks through the Federal Bureau of Investigations and the Texas Department of Public Safety; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof; Providing for Severability, Making Findings of Fact; and Providing for Other Related Matters.
5. Adopt, on Second Reading, Ordinance No. 2021-22, an Ordinance of the City of Tomball, Texas amending its Code of Ordinances by amending Section 10-445, General Standards, and Section 10-446, Specific Standards, of Division 3, Provisions for Flood Hazard Reduction, of Article VIII, Flood Damage Prevention of Chapter 10, Buildings and Building Regulations; 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.

J. New Business

1. Appoint/Reappoint Members to the Tomball Economic Development Corporation Board of Directors for Terms Expired as of May 31, 2021
2. Consideration to approve Zoning Case P21-257: Request by HistoryMaker Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 19.33 acres of land legally described as Tracts 14H, 14H-1, 14H-1A, 14H-1B, 14H-2 & 14H-3 (AG-USE) and Tract 14H-4 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Planned Development

(PD-17) District. The property is generally located on the north side of Holderrieth Road at 11922 Holderrieth Road, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on Zoning Case P21-257
 - Adopt, on First Reading, Ordinance No. 2021-17, 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 19.65 acres of land legally described as Tracts 14H, 14H-1, 14H-1A, 14H-1B, 14H-2 & 14H-3 (AG-USE) and Tract 14H-4 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Planned Development (PD-17) District, said property being generally located on the north side of Holderrieth Road at 11922 Holderrieth 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.
3. Review City Strategic Plan FY 2020 – FY2022
 4. Approve Contract for Dispatch System with Northwest Communications, Inc, in the amount of \$172,359.69 and authorize the Interim City Manager to execute the necessary documents.
 5. Approve a contract with B&C Constructors for the replacement of the HVAC system at the Community Center for Room A in the amount of \$75,192.48, to be completed through a 1GPA contract,
 6. Award Purchase of One (1) Rubber Tire Front Loader in the Amount of \$149,950.00 to Waukesha-Pearce Industries, LLC, through a State Buyboard Cooperative Purchasing Contract
 7. 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
 - 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 17th day of June 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.