

**NOTICE OF SPECIAL CITY COUNCIL - WORKSHOP
CITY OF TOMBALL, TEXAS**



**Monday, January 06, 2025
5:00 PM**

Notice is hereby given of a Special meeting of the Tomball City Council, to be held on Monday, January 06, 2025 at 5:00 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 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: 884 8128 4641 Passcode: 498351. 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. 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.]*

C. General Discussion

1. Presentation and discussion regarding the Current (2019) Future Land Use Map and proposed changes in the Draft Future Land Use Map.
2. Adopt on First Reading, Ordinance No. 2024-42, an Ordinance of the City of Tomball, Texas adding Section 44-67, Article 3, Operation of vehicles, engine brake prohibited, prohibiting the use of motor engine brakes (also known as “Jake Brakes”) within the City limits; containing findings and other provisions relating to the subject; declaring certain conduct to be unlawful; providing a penalty in an amount not to exceed \$2,000.00 for each violation of this Ordinance with every

day constituting a new violation; providing for severability; providing for publication; and providing an effective date.

D. Proposed January 20, 2025, Agenda Items

1. Adopt Resolution Number 2025-01, a Resolution Approving the Distribution of a Preliminary Limited Offering Memorandum for its Special Assessment Revenue Bonds, Series 2022 (Raburn Reserve Public Improvement District Number 10, Improvement Area #3).

E. Future Workshop Items

1. Discuss amendments to Council reimbursement policy.
2. Discuss Council ethics policy.
3. Discuss Council Rules & Procedures

F. 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 3rd day of January 2025 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Tracylynn Garcia, TRMC, MMC, CPM
City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1019 for further information.

City Council Meeting Agenda Item Data Sheet

Meeting Date: January 6, 2025

Topic:

Presentation and discussion regarding the Current (2019) Future Land Use Map and proposed changes in the Draft Future Land Use Map.

Background:

The Draft Future Land Use Map was developed through feedback received by the Comprehensive Plan Focus Group Members which were appointed by City Council on November 6, 2023.

Origination: Mayor Klein Quinn

Recommendation:

Party(ies) responsible for placing this item on agenda: Craig T. Meyers, P.E.

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

INTRODUCTION

This chapter provides a detailed description of the proposed Future Land Use Map (FLUM) and categories that will guide land use, budgeting, and development decisions as Tomball continues to grow. The FLUM is developed using the analysis of existing conditions presented in Chapter 1, community vision and goals outlined in Chapter 2, and assessment of economic trends and conditions presented in Chapter 5.

The primary purpose of the FLUM is to facilitate responsible and strategic growth, while simultaneously preserving the distinctive character of the City and enhancing overall quality of life. The arrangement of land use plays a significant role in influencing various functions within the City, including connectivity and mobility, access to recreational spaces, public health and safety, and availability of essential services. These interrelated factors collectively contribute to the establishment of a high quality of life, which is essential for enabling residents to age in place comfortably and for attracting young families to the area.

THIS CHAPTER PROVIDES:

- Future Land Use Map
- Future Land Use Category Descriptions
- Old Town Development
- Focus Areas
- Population Projections and Growth Scenarios

WHAT WE HEARD

Most Desired Land Uses



Favorite Developments in Tomball



Priorities for Old Town



Other Comments



FUTURE LAND USE

FUTURE LAND USE VS ZONING

The FLUM is different from the zoning map in that it does not directly affect the regulation of land within the city limits or the ETJ. Rather, it should be seen as a guiding document for determining appropriate land uses and development types. It should be used by the City to guide decisions on proposed zoning and development standards. The following table shows a side-by-side comparison of the purposes, uses, and considerations of the FLUM and the zoning map.

FUTURE LAND USE MAP	ZONING MAP
Purposes	
<ul style="list-style-type: none"> ▪ Outlook for the future use of land and the character of development in the community. ▪ Macro-level, general development plan. 	<ul style="list-style-type: none"> ▪ Basis for applying unique land use regulations and development standards in different areas of the City. ▪ Micro-level, site-specific focus.
Uses	
<ul style="list-style-type: none"> ▪ Guidance for City zoning and related decisions (zone change requests, variance applications, etc.). ▪ Baseline for monitoring the consistency of actions and decisions with the City's adopted Comprehensive Plan. 	<ul style="list-style-type: none"> ▪ Regulating development as it is proposed, or as sites are proposed for the future (by the owner or the City) with appropriate zoning.
Inputs and Considerations	
<ul style="list-style-type: none"> ▪ Inventory of existing land uses in the City. ▪ Developing better area character and identity as a core planning focus along with basic land uses. ▪ The map includes a notation required by Texas Local Government Code Section 213.005: "A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries". 	<ul style="list-style-type: none"> ▪ FLUM is referred to for general guidance. ▪ Other community objectives, such as economic development, redevelopment, flood prevention, etc. ▪ Zoning decisions should be consistent with the Comprehensive Plan.

FUTURE LAND USE MAP AND CATEGORIES

The FLUM includes proposed land uses for both the city limits and the ETJ. The proposed FLUM contains 12 land use categories. The following pages provide descriptions of the purpose and nature of each land use category, including suitable land uses, relevant factors to consider, and the recommended levels of density, intensity, and scale of development associated with each category.

Intent and Character

This subsection provides a general description of the intent and intended character of development.

Appropriate Land Use

This subsection provides guidance on the primary and, in many cases, secondary uses which may be appropriate in certain areas of the City and to update zoning district regulations.

Considerations

This subsection provides guidance on proposed locations and development qualifiers which may be appropriate during zoning requests, development approvals, as well as during subsequent updates to the City's regulations.

Compatible Zoning Districts

The compatible zoning districts provide guidance on which zoning districts are most compatible with each land use category based on typical or desired land uses within the district and similar development patterns. This list should not be viewed as exclusive and context of the area should be taken into consideration when making zoning decisions.

Density, Intensity, and Scale

The recommended density, intensity (i.e., lot coverage), and scale for development in each land use category are located beneath the visual representations. Density is represented as dwelling units per acre (DUA) and should be referenced when considering land use decisions with new or redeveloped housing components. Intensity and scale should be considered based on a proposal's relationship to nearby residences and structures. For example, if immediately adjacent to a neighborhood, consideration may be given to limiting the scale of non-residential structures. Scale is referenced in stories, with one story being approximately 12 to 14 feet in height.

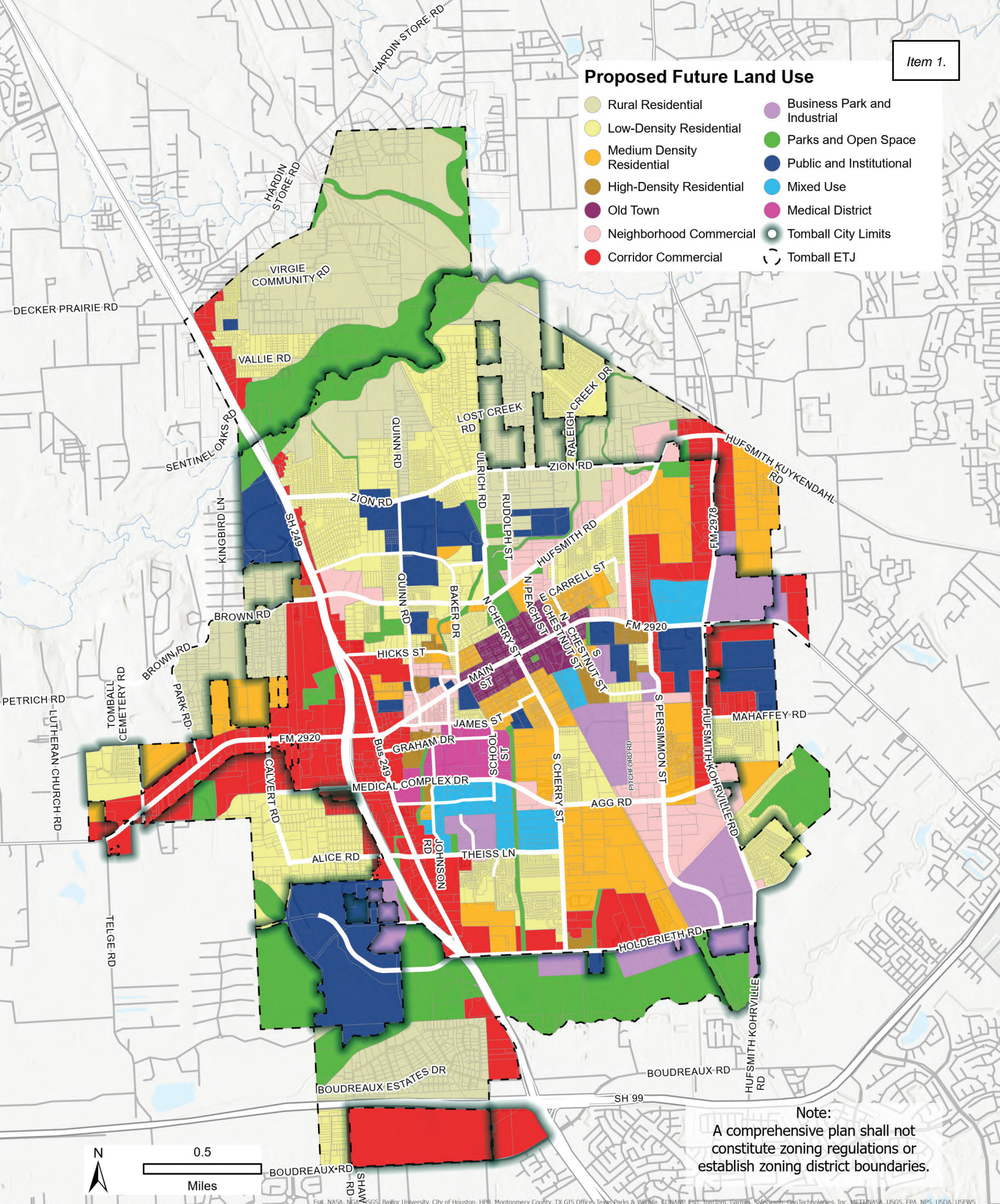
Density	Scale
The density for each category is identified for the individual district.	The number of stories appropriate is identified for each land use category.
Intensity	
Low: 0-50% lot coverage	
Medium: 50-75% lot coverage	
High: 75-100% lot coverage	

Table 2. Future Land Use

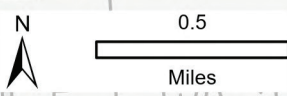
Land Use Category	City Limits		ETJ		Total	
	Acreage	%	Acreage	%	Acreage	%
Rural Residential	740	8.6%	1,899	35.7%	2,639	19.0%
Low-Density Residential	1,744	20.3%	712	13.4%	2,456	17.6%
Medium-Density Residential	1,003	11.7%	320	6.0%	1,323	9.5%
High-Density Residential	126	1.5%	0	0.0%	126	0.9%
Old Town	206	2.4%	0	0.0%	206	1.5%
Mixed Use	284	3.3%	0	0.0%	284	2.0%
Neighborhood Commercial	664	7.7%	62	1.2%	726	5.2%
Corridor Commercial	1,712	19.9%	570	10.7%	2,282	16.4%
Medical District	169	2.0%	0	0.0%	169	1.2%
Business Park and Industrial	516	6.0%	220	4.1%	736	5.3%
Public and Institutional	949	11.0%	130	2.4%	1,079	7.8%
Parks and Open Spaces	494	5.7%	1,401	26.4%	1,895	13.6%
Total	8,607	100.0%	5,314	100.0%	13,921	100.0%

Proposed Future Land Use

- Rural Residential
- Low-Density Residential
- Medium Density Residential
- High-Density Residential
- Old Town
- Neighborhood Commercial
- Corridor Commercial
- Business Park and Industrial
- Parks and Open Space
- Public and Institutional
- Mixed Use
- Medical District
- Tomball City Limits
- Tomball ETJ



Note:
A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Map 5. Future Land Use Map

Rural Residential

Intent and Character

The Rural Residential land use category is intended to preserve the rural residential environment and support complementary uses such as mature woodlands, pastures, ranching, etc. This land use category includes large-lot single-family detached homes with large front yard and side yard setbacks. The homes in this category are generally farther apart than homes in Low-Density or Medium-Density Residential uses. This land use category should be buffered from higher intensity uses by Low-Density and Medium-Density uses.

Appropriate Land Use

Single-family detached homes, agricultural enterprises, parks and green space, accessory dwelling units, home-based professions

Considerations

- New non-residential development is appropriate where it is designed to reflect the rural character.
- Consider using aggregate measures for housing density to allow for the clustering of housing and the preservation of open space.

Compatible Zoning Districts: AG, SF-20

Density	Intensity	Scale
1-3 DUA	Low	1-2 Stories



Rural Residential, Tomball, TX



Rural Residential, Tomball, TX

Low-Density Residential

Intent and Character

The Low-Density Residential land use category includes suburban-style single-family detached homes in a traditional neighborhood pattern. Non-residential uses that support the residential development, such as parks, recreation facilities, and schools, may be appropriate in the area.

Appropriate Land Use

Single-family detached homes, parks and green spaces, schools, public facilities, accessory dwelling units

Considerations

- Stormwater detention should be integrated into the community to act as an amenity.
- Subdivisions should ensure connections to surrounding areas through enhanced sidewalks or multi-use sidepaths.

Compatible Zoning Districts: SF-20, SF-9, SF-7.5

Density	Intensity	Scale
3-5 DUA	Low	1-2 Stories



Single-Family Home, Tomball, TX



Single-Family Home, Tomball, TX

Medium-Density Residential

Intent and Character

The Medium-Density Residential land use category includes “Missing Middle” housing with varying densities such as duplexes and townhomes. This land use category is intended to promote housing diversity and affordability to serve a range of local employment types, income levels, and age brackets. Non-residential uses that support the residential development, such as parks, recreation facilities, and schools, may be appropriate in the area. This category can serve as a transition between lower-density and higher-density residential uses as well as commercial uses.

Appropriate Land Use

Duplexes, quadplexes, single-family detached homes, single-family attached homes, patio homes, parks and green spaces, schools, public facilities

Considerations

- New Medium-Density Residential development should be integrated into or complemented by the surrounding development.
- Non-residential mixed uses should be allowed provided they are part of a planned unit development and do not constitute more than 25% of the development.
- Medium Density Residential should be used as a buffer between single-family development and more intense uses.

Compatible Zoning Districts: D, SF-6		
Density	Intensity	Scale
5-12 DUA	Medium	1-3 Stories



Townhomes, Dallas, TX

High-Density Residential

Intent and Character

The High-Density Residential land use category is intended to provide multifamily housing with a varied density range based on location and context of development. This category can serve as transition between lower-density residential and commercial uses.

Appropriate Land Use

Multifamily apartments and condominiums, parks and green spaces, schools, public facilities

Considerations

- New High-Density Residential development should be integrated into or complemented by the surrounding development.
- Nonresidential mixed uses should be allowed provided they are part of a planned unit development and do not constitute more than 25% of the development.
- High-Density Residential should be used as a buffer between lower density residential development and more intense uses.

Compatible Zoning Districts: D, MF		
Density	Intensity	Scale
12-20 DUA (Garden Style Apartments); 20-30 DUA (Modern/Mixed Use Style Apartments)	Medium to High	3-5 Stories



Apartments, Richardson, TX



Apartments, Kyle, TX

Old Town

Intent and Character

The Old Town land use category is intended to preserve the historic charm and character of Downtown Tomball while providing diverse uses. Pedestrian experience should be prioritized in this area elevated by public spaces, active streets, engaging storefronts, and wayfinding elements. Old Town may consist of a mix of uses including residential, commercial, public and open space consistent with the existing character of the area.

Appropriate Land Use

Single-family detached homes, single-family attached homes, patio homes, duplexes, quadplexes, patio homes, parks and green spaces, office, retail, entertainment, restaurants, and public facilities

(Secondary uses include bed and breakfast lodging, live-work buildings, places of assembly or event venues and home professions)

Considerations

- Old Town development should encourage and be supported by on-street parking or public parking lots.
- New development should encourage building to the street at a pedestrian scale, with no parking between the front building facade on the street.
- Pedestrian enhancements such as wide sidewalks, pedestrian furnishings, and street trees should be emphasized.
- New development should be in synergy with the character of adjacent existing development to maintain the feel and historic character of Old Town.

Compatible Zoning Districts: OTMU

Density	Intensity	Scale
5-12 DUA	Medium	1-4 Stories



Mixed Use

Intent and Character

The Mixed Use District is intended to provide a mix of residential and non-residential uses to locate housing closer to jobs and services, ideally within walking distance. Similar to Old Town, pedestrian and active transportation should be prioritized in these areas to provide convenient access to destinations.

Appropriate Land Use

Single-family attached homes, patio homes, duplexes, quadplexes, multifamily apartments and condominiums (if located adjacent to appropriate uses) parks and green spaces, office, retail, entertainment, restaurants, and public facilities

(Secondary uses include bed and breakfast lodging, live-work buildings, places of assembly or event venues and home professions)

Considerations

- New development should encourage building to the street at a pedestrian scale, with no parking between the front building facade on the street.
- Pedestrian enhancements such as wide sidewalks, pedestrian furnishings, and street trees should be emphasized.
- New development should be in synergy with the character of adjacent areas.

Compatible Zoning Districts: NR, GR, O, D, SF-6, MF

Density	Intensity	Scale
5-20 DUA	Medium	3-6+ Stories



Neighborhood Commercial

Intent and Character

The Neighborhood Commercial future land use category is intended for commercial uses that are developed with the appropriate context, scale and design to complement residential development. These areas are intended to be accessible by both vehicles and pedestrians. This land use category should serve as a transition between lower intensity residential development and higher intensity commercial and industrial development.

Appropriate Land Use

Retail, hotels, restaurants, personal services, offices

Considerations

- Neighborhood commercial development should be located adjacent to an intersection of a collector street or greater functional classification.
- Neighborhood commercial could be appropriate as a stand alone development or as part of a mixed use planned unit development.

Compatible Zoning Districts: NR, GR, O

Density	Intensity	Scale
None	Medium	1-3 Stories



Neighborhood Commercial, Mandeville, LA



Neighborhood Commercial, Dallas, TX

Corridor Commercial

Intent and Character

The Corridor Commercial land use category is intended for predominantly nonresidential uses along high-traffic, regionally serving thoroughfares. The land uses are typically comprised of varying lot sizes and intensities predominantly serving the automobile. While these areas will always be auto-oriented, there is opportunity to improve bicycle/ pedestrian accommodations and to create a pleasing environment which leaves a lasting impression on residents and passers-by.

Appropriate Land Use

Retail, hotels, restaurants, personal services, offices

Considerations

- Development should gain primary access from an arterial street.
- Pedestrian enhancements should be a focus with comfort and safety taking priority.
- New development should include improved standards for building form and architecture, buffering, landscaping, and signage.

Compatible Zoning Districts: NR, GR, O, C

Density	Intensity	Scale
N/A	High	3-6+ Stories



Strip Retail, Lufkin, TX



Hotel, Bellmead, TX

Medical District

Intent and Character

The Medical District future land use category is intended to further capitalize on a unique, regionally serving area of Tomball. The HCA Houston Tomball provides a significant physical and economic footprint in the community. This area is intended to provide an emphasis on healthcare and supporting services.

Appropriate Land Use

Hospitals, clinic, offices, lodging, long-term care, retail, and restaurants

(Secondary uses include private gathering spaces, local utility services, government facilities, and transportation uses)

Considerations

- New development should allow for a variety of uses to create a self-sufficient campus.
- Active transportation connections to Old Town and Transitional Residential areas should be encouraged.
- Open space with a pedestrian focus should be a prominent component of the district.

Business Park and Industrial

Intent and Character

The Business Park and Industrial future land use category is intended to create employment opportunities. This area is intended to be located near adequate thoroughfares which provide convenient access for vehicular traffic including freight. These areas may require more intensive screening and buffering from surrounding development.

Appropriate Land Use

Administrative, wholesaling, manufacturing (with no outdoor activity if located adjacent to residential uses), indoor warehouse, industrial business park, retail, office, manufacturing (with indoor or outdoor activity if located adjacent to higher-intensity commercial uses or where appropriate), warehouse/storage, industrial business park

Considerations

- New development should include landscape buffers between any property that is a non-business park and industrial use.
- Outdoor storage should be designed in a manner that screens materials and equipment from public rights-of-way.
- New business park and industrial developments should be designed in a manner which orients loading docks and bays away from the front property line or public rights-of-way.

Compatible Zoning Districts: NR, GR, O

Density	Intensity	Scale
None	High	3-6+ Stories



Medical District, Tomball, TX



Medical District, Tomball, TX

Compatible Zoning Districts: O, C, LI

Density	Intensity	Scale
None	High	1-3 Stories



Industrial Development, Tomball, TX

Public and Institutional

Intent and Character

The Public and Institutional future land use category is intended for areas that are for public and semi-public uses such as schools, government facilities and services, etc. Uses and buildings do not have dominant character; however, they should embody the character of the broader area (i.e., rural, suburban, or urban). Public and institutional buildings could be integrated or segregated from the abutting neighborhood fabric.

Appropriate Land Use

Public facilities, government offices, schools

Considerations

- New public and institutional should be located along a collector street or greater functional classification.
- New public and institutional civic uses should demonstrate a high standard of quality, including, building form, architecture, materials, landscaping, and signage.

Compatible Zoning Districts: All Districts

Density	Intensity	Scale
N/A	Low to Medium	1-3 Stories



Tomball Fire Department, Tomball, TX



Tomball High School, Tomball, TX

Parks and Open Spaces

Intent and Character

The Parks and Open Space future land use category is defined by its connection to natural, infrastructure, or recreation-related purposes that limit the development potential. This includes places dominated by floodplains, flood control and stormwater facilities, both passive and active recreation areas, and areas of natural interest. This type of land use category is located throughout a community, but strategic consideration should be given to providing it in relative proximity to residential areas to promote it as a community amenity.

Appropriate Land Use

Active or passive recreation, playgrounds, trails

Considerations

- Any development, public or private within this designation, should protect sensitive natural resources (e.g., stream corridors, floodplains, wetlands).
- New parks should be located along streets designated as a collector street or greater functional classification.

Compatible Zoning Districts: All Districts

Density	Intensity	Scale
N/A	N/A	N/A

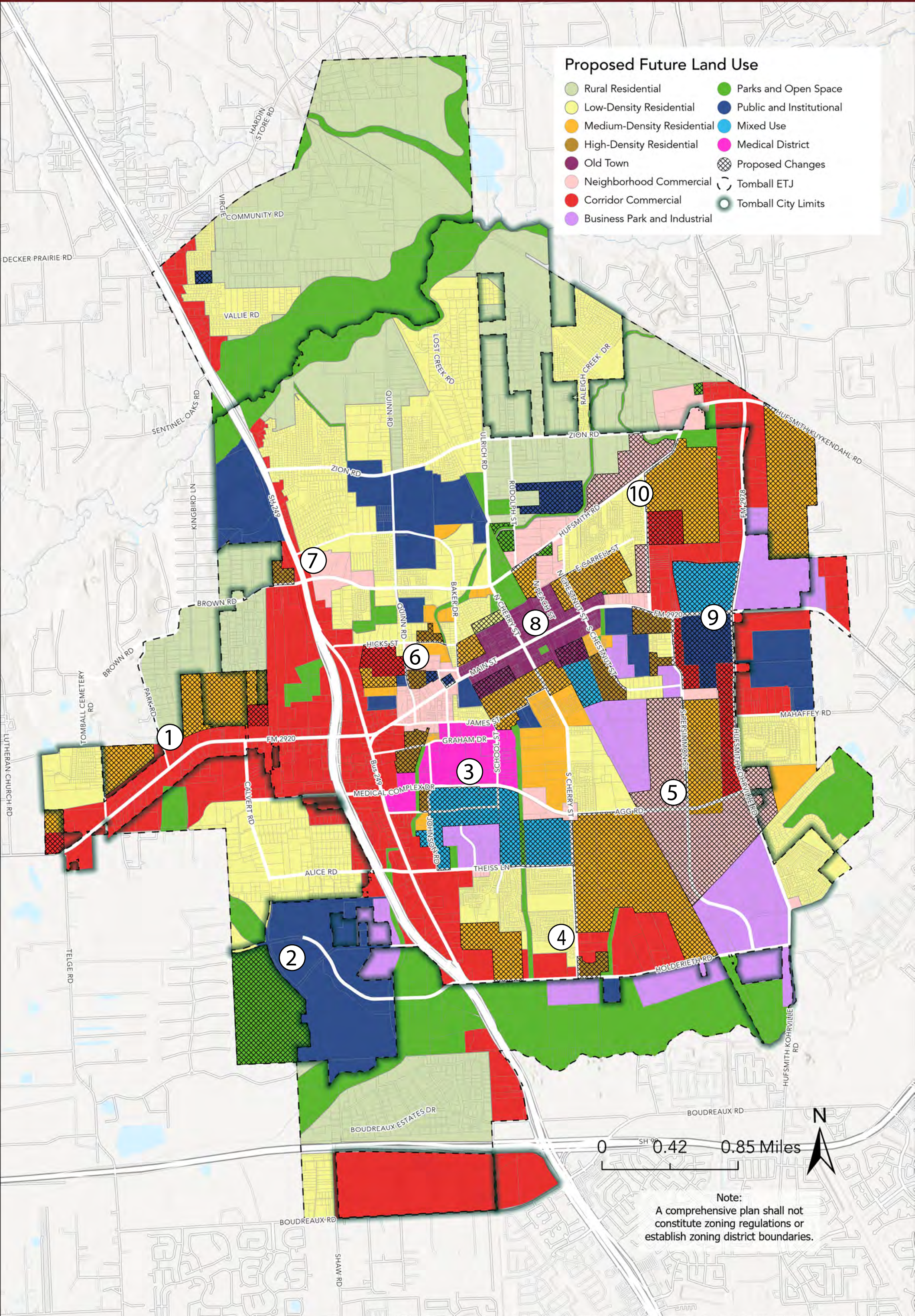


Park, Tomball, TX



Park, Tomball, TX

PROPOSED FUTURE LAND USE MAP



Note:
A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

PROPOSED FUTURE LAND USE CHANGES

The table below provides a key summary of changes made to the Future Land Use Map based on the existing conditions analysis, community feedback, and Focus Group feedback.

MAP LABEL	PROPOSED CHANGE
1	<ul style="list-style-type: none"> Updated single-family residential uses north of FM 2920 to medium-density residential uses to allow more diverse housing options in the area. Designated medium-density residential and commercial uses to the newly annexed area (annexed into the ETJ). These uses were assigned to ensure synergy with adjacent uses.
2	<ul style="list-style-type: none"> Changed business park and industrial to parks and open space since the area lies in the 100-year floodplain (1% annual chance floodplain).
3	<ul style="list-style-type: none"> Changed areas where existing multifamily is located to high-density residential. Added mixed-use to the medical district south of Medical Complex Drive to allow for a variety of development opportunities including commercial and appropriately scaled residential development.
4	<ul style="list-style-type: none"> Changed single-family residential to medium-density and high-density residential closer to commercial and industrial development to provide transition and buffer from single-family residential development.
5	<ul style="list-style-type: none"> Changed business park and industrial on the intersection of S Persimmon Street and Agg Road to neighborhood commercial and medium-density residential to allow for more appropriately scaled commercial and residential development. Changed business park and industrial to corridor commercial along Hufsmith Kohrville Road to allow commercial development along the major arterial.
6	<ul style="list-style-type: none"> Assigned high-density residential use to existing multifamily development. Changed single-family residential to medium-density and corridor commercial south of Hicks Street to provide appropriate transition to single-family development north of Hicks St.
7	<ul style="list-style-type: none"> Assigned high-density residential use to existing multifamily development.
8	<ul style="list-style-type: none"> Adjusted the boundary of Old Town as per the Focus Group feedback. Assigned medium-density residential development adjacent to Old Town to allow for a variety of housing options while still maintaining the character of Old Town.
9	<ul style="list-style-type: none"> Assigned public and institutional designation to the existing ISD facility.
10	<ul style="list-style-type: none"> Assigned neighborhood commercial designation to the area north of Hufsmith Rd as per Focus Group feedback. Changed commercial to mixed-use along FM 2920 to provide an additional mixed-use node in the City and allow for flexibility in development. Added more medium-density housing to provide a variety of housing options. Added neighborhood commercial and corridor commercial where appropriate to provide necessary buffer and transition to single-family residential uses.

ORDINANCE NO. 2024-42

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS ADDING SECTION 44-67, ARTICLE 3, OPERATION OF VEHICLES, ENGINE BRAKE PROHIBITED, PROHIBITING THE USE OF MOTOR ENGINE BRAKES (ALSO KNOWN AS “JAKE BRAKES”) WITHIN THE CITY LIMITS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EACH VIOLATION OF THIS ORDINANCE WITH EVERY DAY CONSTITUTING A NEW VIOLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City of Tomball, Texas (the “City”) is a home-rule municipality pursuant to section 5 article 11 of the Texas Constitution and, as such, is vested with the power of local self-government; and

WHEREAS, the City Council finds that unreasonable noise emitting from the use of engine braking systems of trucks travelling within the City limits of the City to be a nuisance which detract from the health, safety, and general welfare of residents and is disruptive to the businesses located within the City; and

WHEREAS, the City Council seeks to continue to promote health, safety, and general welfare within the City limits by prohibiting the particular vehicle operations which create the specific noise nuisance:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. The findings contained in the preamble of this Ordinance are hereby found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Section 44-67, Article 3, Operation of Vehicles, Engine Brake Prohibited, is hereby added, such Section 44-67 to read as follows:

“Engine Brake Prohibited. The City Council hereby finds the operation of engine or motor brakes contributes to the destruction of pavement and produces unreasonably loud, disturbing, and unnecessary noise, and hereby declares such to be a nuisance and hereby declares it to be unlawful for an operator of a motor vehicle to use such an engine braking system within the City limits.

(a) Definitions.

- (1) “Engine Braking” and “Engine Compression Brake” shall mean the use or operation of any mechanical exhaust or retarding device designed to aid in the braking, decompression, or deceleration of a motor vehicle, rather than by using the vehicle’s foundation brakes which use results in the excessive, loud, unusual or explosive noise from such vehicle in excess of state or federal noise standards for said vehicles.
- (2) “Motor Vehicle”. Shall have the same meaning as the term is defined by the Texas Transportation Code § 541.201, as amended.

(b) Offense.

Engine braking, as defined in this Ordinance, shall be unlawful within the City limits of Tomball, Texas. Therefore, it shall be an offense for the driver of any motor vehicle to use or operate or cause to be used or operated within the City limits any engine brake, jake brake, compression brake, dynamic braking system, mechanical exhaust device, or other similar device designed to aid in the braking or deceleration of any motor vehicle that results in excessive, loud, unusual, or explosive noise from such vehicle.

(c) Exceptions.

- (1) Sounds created by emergency equipment for emergency purposes shall be exempt.
- (2) Sounds created by City-owned equipment for emergency purposes shall be exempt.

(d) Defenses.

It is an affirmative defense to conviction of an offense under this Ordinance that the engine braking system was used to slow the motor vehicle in order to avoid imminent danger.

(e) Signage.

The City Manager is hereby directed to ensure signs are installed at appropriate locations within the City rights-of-ways prohibiting the use of engine braking exhaust systems except during emergency operations as set forth in this Ordinance and to coordinate any necessary actions by and through the Texas Department of Transportation (“TxDOT”) and/or Harris County for any rights-of-way that may require such coordination. Signage shall be in conformance with Texas Manual on Uniform Traffic Control

Devices (TMUTCD).

Section 3. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption hereof, as provided by law and the City’s Home Rule Charter.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE ___DAY OF _____2024.

- COUNCILMAN FORD
- COUNCILMAN GARCIA
- COUNCILMAN DUNAGIN
- COUNCILMAN COVINGTON
- COUNCILMAN PARR

SECOND READING:

READ, PASSED AND ORDAINED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE ___ DAY OF _____ 2024.

- COUNCILMAN FORD
- COUNCILMAN GARCIA
- COUNCILMAN DUNAGIN
- COUNCILMAN COVINGTON
- COUNCILMAN PARR

LORI KLEIN QUINN, Mayor
City of Tomball

ATTEST:

TRACYLYNN GARCIA, City Secretary
City of Tomball

City Council Meeting Agenda Item Data Sheet

Meeting Date: January 6, 2025

Topic:

Adopt Resolution Number 2025-01, a Resolution Approving the Distribution of a Preliminary Limited Offering Memorandum for its Special Assessment Revenue Bonds, Series 2022 (Raburn Reserve Public Improvement District Number 10, Improvement Area #3).

Background:

Per Chapter 372 of the Local Government Code, Resolution Number 2025-xx approves the distribution of the Preliminary Limited Offering Memorandum for Raburn Reserve Public Improvement District Number 10, Improvement Area 3 (IA3).

The Preliminary Limited Offering Memorandum (PLOM) reflects the operative provisions of the Bond Issuance Guidelines applicable to the Bonds and as described in the approved Planned Development. The PLOM is a marketing document that the underwriters will distribute to potential buyers in order to sell the PID bond. Potential buyers will utilize the document, and all information contained to support the sale of the bond. All the information contained is reviewed by the Underwriter, Bond Counsel, Developer, and City staff to ensure accurate information is published.

Origination: Project Management

Recommendation:

Adopt Resolution Number 2025-01 approving the Distribution of a Preliminary Limited Offering Memorandum for its Special Assessment Revenue Bonds, Series 2025 (Raburn Reserve PID 10, IA3).

Party(ies) responsible for placing this item on agenda: Meagan Mageo, Project Manager

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed Meagan Mageo
Staff Member _____
Date _____

Approved by _____
City Manager _____
Date _____

RESOLUTION NO. 2025-01

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS APPROVING THE DISTRIBUTION OF A
PRELIMINARY LIMITED OFFERING MEMORANDUM FOR ITS
SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2025
(RABURN RESERVE PUBLIC IMPROVEMENT DISTRICT
IMPROVEMENT AREA #3).**

* * * * *

WHEREAS, the City of Tomball, Texas (the “City”) is authorized by law to issue its Special Assessment Revenue Bonds, Series 2025 (Raburn Reserve Public Improvement District Improvement Area #3)(the “Bonds”) as set forth below; and

WHEREAS, the City Council of the City has found and determined that it is in the best interests of the City to authorize preliminary action relating to the issuance of such obligations; and

WHEREAS, the meeting at which this resolution is considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS**

Section 1. THAT the City’s Financial Advisor, Hilltop Securities, Inc., Bond Counsel, Bracewell LLP, and appropriate staff of the City are hereby authorized and directed to take such action as is necessary to prepare for the sale and issuance of the Bonds to be issued for the purpose of reimbursing or constructing certain public improvements within the Raburn Reserve Public Improvement District, including paying the costs of issuing the bonds and funding certain reserve funds.

Section 2. THAT the form of the Preliminary Limited Offering Document with respect to such Bonds in substantially the form and substance presented at this meeting, is hereby approved, with such changes as may be approved by the City Manager, the City’s Financial Advisor and Bond Counsel prior to the distribution of such document to the bond market.

Section 3. THAT this resolution shall take effect from and after its final date of ssage, and it is accordingly so ordered.

PASSED, APPROVED, AND RESOLVED this ____ day of _____ 2025.

Lori Klein Quinn
Mayor

ATTEST:

Tracylynn Garcia
City Secretary

City Council Meeting Agenda Item Data Sheet

Meeting Date: November 18, 2024

Topic:

Discuss amendments to Council reimbursement policy.

Background:

Origination:

Recommendation:

n/a

Party(ies) responsible for placing this item on agenda: David Esquivel, PE

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed _____
Staff Member Date

Approved by _____
City Manager Date

City of Tomball

Administrative Policy: Reimbursement for Elected Council Members

Purpose: The City recognizes that elected officials are expected to represent the municipality in various functions and activities, which may involve expenses incurred by the official. These costs can become burdensome, particularly since elected officials are not provided with a dedicated form of payment for such duties. While elected officials receive a stipend based on the number of council meetings attended, this stipend does not typically account for fees, dues, travel, and other incidental expenses. This policy establishes guidelines for reimbursing elected officials for reasonable and necessary expenses incurred while conducting municipal business or representing the City at functions and events.

Policy Guidelines:

1. Budget Allocation:

- Each council member will be allocated a budgeted amount annually for reimbursable expenses.
- Reimbursements are subject to this budgeted amount and must be directly related to municipal business or official representation of the City.
- Reimbursement shall not exceed the budgeted amount.

2. Reimbursable Expenses:

- **Dues and Fees:** Memberships and professional association dues directly related to municipal responsibilities including fees required for attending a qualifying event.
- **Travel Expenses:** Costs for transportation, lodging, and other travel-related expenses necessary for official duties.
- **Meals:** Meals incurred during official functions or travel, subject to per diem rates and provided breaks in the event schedule.
- **Trainings, Conferences, Functions, and Meetings:** Costs for attending training sessions, workshops, and conferences pertinent to municipal governance. Costs for attending or representing the City's interests with regional or state organizations (e.g. Houston-Galveston Area Council) or attending a function or meeting when representing the City in an official capacity.

3. Non-Reimbursable Expenses:

- Alcoholic beverages.
- Entertainment expenses.
- Laundry and dry cleaning.
- Any expenses for relatives or friends accompanying the elected official.

Reimbursement Process:

1. Expense Report Submission:

- An expense report must be completed and submitted within fourteen (14) calendar days of returning from travel.
- The report should include a detailed account of all reimbursable expenses incurred.

2. Documentation Requirements:

- A schedule or agenda from the event must be attached, highlighting breaks for per diem calculation.
- Original receipts are required for all expenses except meals. Receipts must be attached to the report in an organized manner for easy review and approval.
- If an original receipt is lost, a copy of the receipt will be accepted. If no copy can be obtained, the elected official must provide the applicable form explaining the expense, including the name of the business, the cost incurred, and the dollar amount. The form must be signed by the elected official and approved by the City Manager.
- For mileage reimbursements, the council member should provide the address of the event. Mileage will be measured from Tomball City Hall to the event location.

3. Approval Process:

- All expense reports and supporting documentation will be reviewed and approved by the City Manager to ensure compliance with this policy.

Compliance: Elected officials are expected to adhere strictly to this policy. Any expense outside these guidelines or exceeding the allocated budget may not be reimbursed.

Effective Date: This policy is effective as of [insert date] and remains in force until amended or revoked by the City Council.

City Council Meeting Agenda Item Data Sheet

Meeting Date: January 6, 2025

Topic:

Discuss Council ethics policy.

Background:

Origination:

Recommendation:

n/a

Party(ies) responsible for placing this item on agenda: David Esquivel, PE

FUNDING (IF APPLICABLE)

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Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed _____
Staff Member Date

Approved by _____
City Manager Date

City of Tomball Ethics Policy for City Council Members

1. Purpose

The purpose of this Ethics Policy for City Council members is to ensure that all public decisions made by elected officials are carried out with integrity, impartiality, and transparency, in compliance with local, state, and federal laws. This policy promotes trust in local government by preventing conflicts of interest, unethical behavior, and misuse of public resources while maintaining the City Council's duty to serve the best interests of all citizens as stated in Ordinance No. 1993-06; adopted and approved by Council May 17, 1993.

2. Ethical Principles

City Council members shall uphold the highest ethical standards by:

- **Dedication to Honesty and Integrity:** Always acting with honor and integrity to earn the respect and trust of the citizens of Tomball.
- **Commitment to Public Service:** Always acting in the best interests of the people, ensuring fair, just, and efficient decision-making in all matters.
- **Avoiding Bias or Favoritism:** Ensuring decisions are made impartially, avoiding any action that could be perceived as favoritism or personal gain.
- **Accountability to the Public:** Ensuring decisions are made in open meetings, and any actions arising from executive sessions are disclosed and handled publicly when appropriate.

3. Standards of Conduct

City Council members must adhere to the following guidelines to maintain public confidence in the integrity of their office:

1. Grant of Special Consideration

Council members shall not grant special treatment, consideration, or advantage to any individual, business, or group beyond what is available to all. Exceptions for specific programs or incentives must be explicitly authorized by the City Council.

2. Appearances on Behalf of Private Interests

Council members shall not represent or advocate for private interests before any City body (Council, boards, commissions) regarding matters over which they have discretionary authority. They shall also refrain from representing or participating in any litigation involving the City.

3. Post-Office Representation

Council members shall not represent private interests in any matter before the City within twelve (12) months of leaving their office if they have had direct involvement in the matter during their tenure.

4. Misconduct

Council members shall not accept any gift, favor, or benefit that could reasonably influence their official duties or that is offered with the intent to influence or reward their official conduct.

5. Use of Confidential Information

Council members must not disclose or use any confidential information gained through their position to further their personal interests or the interests of others.

6. Outside Activities

Council members shall avoid engaging in outside employment or activities that conflict with or are incompatible with their official duties. They must ensure that no outside business or employment influences their judgment in official matters.

7. Use of City Property

City property, including vehicles, equipment, and supplies, shall only be used for official City business and not for personal use unless expressly authorized by law, ordinance, or City policy.

4. Conflicts of Interest

Council members must comply with all state laws regarding conflicts of interest, particularly the following:

- **Disclosure:** Council members shall file an affidavit disclosing any substantial interest in a business entity or real property before voting on any matter related to that interest.
- **Recusal:** If a Council member has a substantial interest in a matter, they must abstain from participating in the decision-making process. As part of the recusal, the member will voluntarily leave the room during the discussion of the item to avoid influencing other voting members.

Substantial interests are defined by the Texas Local Government Code, including financial interests in business entities or real property that could be impacted by Council decisions.

5. Acknowledgment

All City Council members are required to acknowledge receipt and understanding of this Ethics Policy by signing the acknowledgment form. By doing so, they commit to upholding its standards of conduct throughout their term in office. Signed forms are available for viewing on the city's website.

City Council Ethics Policy Acknowledgment Form

By signing this acknowledgment form, I, the undersigned City Council member, affirm that I have received, read, and understood the Ethics Policy as outlined for the City Council. I commit to adhering to the ethical principles and standards of conduct set forth in the policy during my term in office.

I understand that the purpose of this Ethics Policy is to ensure that all public decisions made by elected officials are carried out with integrity, impartiality, and transparency, in compliance with local, state, and federal laws. Additionally, I acknowledge my duty to serve the best interests of all citizens of Tomball and uphold the highest ethical standards, as described in the policy.

By signing this form, I confirm that I will:

1. Uphold honesty and integrity in all decisions and actions.
2. Act in the best interests of the public, ensuring fair and just decision-making.
3. Avoid bias, favoritism, and conflicts of interest.
4. Make decisions in open meetings, disclosing and handling any actions from executive sessions publicly when appropriate.
5. Comply with all standards of conduct, including rules related to gifts, the use of confidential information, outside activities, and the use of City property.
6. Abide by the provisions regarding conflicts of interest, including the disclosure of substantial interests and recusal from decisions where applicable.

Signed:

Name: _____

Date: _____

Signature: _____

This acknowledgment confirms my commitment to these ethical standards throughout my service on the City Council.

City Council Meeting Agenda Item Data Sheet

Meeting Date: January 6, 2025

Topic:

Discuss Council Rules & Procedures

Background:

Origination:

Recommendation:

n/a

Party(ies) responsible for placing this item on agenda: David Esquivel, PE

FUNDING (IF APPLICABLE)

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Signed _____
Staff Member Date

Approved by _____
City Manager Date