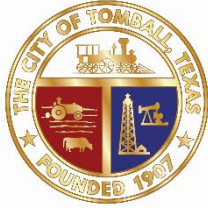


**NOTICE OF REGULAR COUNCIL MEETING  
CITY OF TOMBALL, TEXAS**



**Monday, August 2, 2021  
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, August 2, 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 AUGUST 2, 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: 833 0914 0045, Passcode: 957845. 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 Kevin Barra, Bayou City Fellowship
- 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. Presentation by Tomball Regional Health Foundation
- 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 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. August 6, 2021 – **49<sup>th</sup> Annual Tomball Night, Parade of Lights, and Health & Wellness Expo**
    - III. August 16, 2021 and September 7, 2021 - Public Hearings for the Purpose of Adopting the City of Tomball’s Budget for Fiscal Year 2021-2022
    - IV. August 14, 2021 – **2<sup>nd</sup> Saturday at the Depot**
    - V. September 18, 2021 – **GroovFest 2021** – 11:00 a.m.-6:00 p.m., at the Depot
  - 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 July 19, 2021 Special Tomball City Council Meeting and the July 19, 2021 Regular Tomball City Council Meeting
- H. Old Business
  - 1. Adopt, on Second Reading, Ordinance No. 2021-24, 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 4.00

acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District, said property being generally located at the northwest corner of Agg Road and Persimmon 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.

2. Adopt, on Second Reading, Ordinance No. 2021-26, 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 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District, said property being generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith 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. Adopt, on Second Reading, Ordinance No. 2021-27, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by granting a Conditional Use Permit (CUP) to Clinton Hankla to operate an “Office showroom / warehouse” facility at 343 East Hufsmith Road; said property being approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, and is zoned General Retail use district; providing requirements and conditions for this CUP; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed \$2,000 for violations hereof; and providing for severability.

I. 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. Appoint/Reappoint Members to the Tomball Regional Health Foundation Board of Directors for Terms Expiring September 1, 2021

2. Reappoint three Associate/Alternate Judges to the Municipal Court for terms of office which begin August 3, 2021 and ends on August 2, 2023.

3. Reappoint Associate/Alternate Prosecutor, Erik Berglund, to the Municipal Court for a term of office which begins August 3, 2021 and ends on August 2, 2023.

J. New Business

1. Approve annual Consumer Price Index (CPI) and Fuel Index adjustment from GFL (formally WCA Waste Corporation) of 3.77%, effective October 1, 2021.
2. Authorize City Manager to execute grant application to State Energy Conservation Office (SECO) for the Local and County Government Lighting Conversion to LED
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. 074 – Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – Interim Fire Chief
4. Confirm an Interim Fire Chief

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 29th day of July, 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](http://www.ci.tomball.tx.us).



# City Council Meeting Agenda Item Data Sheet

Meeting Date: June 7, 2021

**Topic:**

Presentation by Tomball Regional Health Foundation

**Background:**

**Origination:**

**Recommendation:**

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

**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	<u>Doris Speer</u>	<u>6-2-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: August 2, 2021

**Topic:**

**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 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.

**Background:**

**Origination:**

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Doris Speer, City Secretary

**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	<u>Doris Speer</u>	<u>7-13-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date



Jerry Matheson Park Pool

1240 Ulrich RD Tomball Texas 77375

Pool Manager : Brian Vestal

## Public Hours

Monday	Closed
Tuesday	10am -6pm
Wednesday	10am -6pm
Thursday	10am -6pm
Friday	10am -6pm
Saturday	12pm - 8pm
Sunday	12pm -8pm

### Notes:

The pool will be open to the public on Memorial Day Weekend.

The pool will be open to the public on Memorial Day.

The Pool will be open to the public on weekends until Labor Day.



Jerry Matheson Park Pool

1240 Ulrich RD Tomball Texas 77375

Pool Manager : Brian Vestal

# Public Hours

## **PRESEASON HOURS 2021**

May 29th (Saturday) Noon - 8pm

May 30th (Sunday) Noon – 8pm

May 31st (Monday) 10am – 6pm

## **REGULAR SEASON HOURS 2021**

June 1st (Tuesday) 10am – 6PM Start Date

August 15th (Sunday) Noon – 8pm End Date

## **END OF SEASON HOURS 2021**

August 21st (Saturday) Noon – 8pm

August 22nd (Sunday) Noon – 8pm

August 28th (Saturday) Noon – 8pm

August 29th (Sunday) Noon – 8pm

September 4th (Saturday) Noon – 8pm

September 5th (Sunday) Noon – 8pm

September 6th (Monday) 10am – 6pm

## Notes:

The pool will be open to the public on Memorial Day Weekend.

The pool will be open to the public on Memorial Day.

The Pool will be open to the public on weekends until Labor Day.

# City Council Meeting Agenda Item Data Sheet

Meeting Date: August 2, 2021

**Topic:**

August 6, 2021 – **49<sup>th</sup> Annual Tomball Night, Parade of Lights, and Health & Wellness Expo**

**Background:**

**Origination:**

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Doris Speer, City Secretary

**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	<u>Doris Speer</u>	<u>5-12-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

# City Council Meeting Agenda Item Data Sheet

Meeting Date: August 2, 2021

**Topic:**

August 16, 2021 and September 7, 2021 - Public Hearings for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2021-2022

**Background:**

**Origination:** Mayor Fagan

**Recommendation:**

N/A

**Party(ies) responsible for placing this item on agenda:** Mayor Fagan

**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	<u>Doris Speer</u>	<u>7-28-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

**AMENDED NOTICE OF PUBLIC HEARINGS**  
**at the**  
**TOMBALL CITY COUNCIL MEETINGS**  
**CITY OF TOMBALL, TEXAS**



**MONDAY, AUGUST 16, 2021**  
**6:00 P.M.**  
**AND**  
**TUESDAY, SEPTEMBER 7, 2021**  
**6:00 P.M.**

Notice is hereby given that **PUBLIC HEARINGS** will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at Regular Council Meetings on **Monday, August 16, 2021** at 6:00 p.m., and **Tuesday, September 7, 2021** at 6:00 p.m., at TOMBALL CITY HALL, 401 MARKET STREET, Tomball, Texas 77375, for the purpose of considering the following:

**Public Hearing for the Purpose of Adopting  
the City of Tomball's Budget for  
Fiscal Year 2021-2022.**

A copy of the Proposed Budget, as submitted to City Council and filed in the City Secretary's office, will be available for public inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas, Monday through Thursday, 7:45 a.m. to 5:00 p.m., and Friday, 7:45 a.m. to 4:00 p.m., beginning on **Monday, July 26, 2021**.

CERTIFICATION

I hereby certify that the above notice of meetings 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 20th day of July 2021 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer  
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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.ci.tomball.tx.us](http://www.ci.tomball.tx.us).



# City Council Meeting Agenda Item Data Sheet

Meeting Date: August 2, 2021

**Topic:**

August 14, 2021 – **2<sup>nd</sup> Saturday at the Depot**

**Background:**

**Origination:**

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Doris Speer, City Secretary

**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	Doris Speer	5-12-2021	Approved by		
	Staff Member	Date		City Manager	Date

# City Council Meeting Agenda Item Data Sheet

Meeting Date: August 2, 2021

**Topic:**

September 18, 2021 – *GroovFest 2021* – 11:00 a.m.-6:00 p.m., at the Depot

**Background:**

**Origination:**

**Recommendation:**

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

**FUNDING (IF APPLICABLE)**

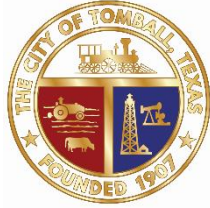
Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

Signed	Doris Speer	5-12-2021	Approved by		
	Staff Member	Date		City Manager	Date

## **MINUTES OF REGULAR COUNCIL MEETING CITY OF TOMBALL, TEXAS**



**Monday, July 19, 2021  
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for July 19, 2021, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the Special meeting of the Tomball City Council to order at 4:04 p.m.

**PRESENT:**

Mayor Gretchen Fagan  
Council 1 John Ford  
Council 2 Mark Stoll  
Council 4 Derek Townsend, Sr.  
Council 5 Lori Klein Quinn

**ABSENT:**

Council 3 Chad Degges - Excused

**OTHERS PRESENT:**

Interim City Manager – David Esquivel  
Interim Assistant City Manager/Police Chief – Jeff Bert  
City Secretary – Doris Speer  
City Attorney – Katie Rutherford  
Director of Public Works – Beth Jones  
Marketing Director – Mike Baxter  
Finance Director – Glenn Windsor  
HR Director – Lisa Coe  
IT Manager – Doug Tippey (via video)  
Director of Community Development – Craig Myers  
City Planner – Amelia Lindley  
Asst. Fire Chief/Fire Marshal – Joe Sykora  
CSO Administrative Assistant – Sasha Luna  
Community Center Manager – Rosalie Dillon  
Police Lieutenant-Support Services – Brandon Patin  
Police Officer-Investigations – James Harral

B. Invocation - Led by Pastor Adam McIntosh, St. David's Church, Tomball

C. Pledges to U.S. and Texas Flags – Led by Joe Sykora

D. No Public Comments were received.

E. 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 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](http://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. **August 16, 2021 and September 7, 2021** - Public Hearings for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2021-2022
- IV. August 6, 2021 – **49<sup>th</sup> Annual Tomball Night, Parade of Lights, and Health & Wellness Expo**
- V. August 14, 2021 – **2<sup>nd</sup> Saturday at the Depot**
- VI. September 18, 2021 – **GroovFest 2021** – 11:00 a.m.-6:00 p.m., at the Depot

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. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the July 6, 2021 Special Tomball City Council Meeting, the July 6, 2021 Regular Tomball City Council Meeting, and the July 9, 2021 Special Tomball City Council Meeting.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

G. Old Business

1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on Second Reading, Ordinance No. 2021-08, 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 31.7 acres of land, legally described as Reserve A & B Block 1 Peck Station, within the city of Tomball, Harris County, Texas, from the Planned Development (PD-6) District to the Planned Development (PD-15) District; said property being generally located on the west side of FM 2978 at Winfrey Lane; 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.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

H. New Business

1. Consideration to approve Zoning Case P21-252: Request by Tim Littlefield to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 4 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located at the northwest corner of Agg Road and Persimmon Road, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing on Zoning Case P21-252 at 6:28 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:29 p.m.

- Motion made by Council 4 Townsend, Sr., Second by Council 2 Stoll, to read Ordinance No. 2021-24 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to adopt, on First Reading, Ordinance No. 2021-24, 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 4.00 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District, said property being generally located at the northwest corner of Agg Road and Persimmon 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.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr.,  
Council 5 Klein Quinn  
Absent: Council 3 Degges

Motion carried unanimously.

2. Consideration to approve Zoning Case P21-266: Request by Clinton Hankla to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District. The property is generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing on Zoning Case P21-266 at 6:47 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:47 p.m.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2021-26 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr.,  
Council 5 Klein Quinn  
Absent: Council 3 Degges

Motion carried unanimously.

- Motion made by Council 2 Stoll, Seconded by Council 1 Ford, to adopt, on First Reading, Ordinance No. 2021-26, 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 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District, said property being generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith 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.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr.

Voting Nay: Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried, 3 votes Aye, 1 vote Nay.

3. Consideration to approve Zoning Case P21-267: Request by Clinton Hankla for a Conditional Use Permit to operate an office showroom/warehouse facility at 343 East Hufsmith Road. The property is approximately 3.78 acres, legally described as Lot 1 Block 1 Tennis Venture Tract, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, within the City of Tomball, Harris County, Texas, and is zoned Agricultural District with an application to rezone to the General Retail District.

- Mayor Fagan opened the Public Hearing on Zoning Case P21-267 at 7:08 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 7:08 p.m.

- Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to read Ordinance No. 2021-27 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr.,  
Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.



- Motion made by Council 4 Townsend, Sr., Second by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2021-27, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by granting a Conditional Use Permit (CUP) to Clinton Hankla to operate an “Office showroom / warehouse” facility at 343 East Hufsmith Road; said property being approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, and is zoned General Retail use district; providing requirements and conditions for this CUP; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed \$2,000 for violations hereof; and providing for severability.
- Motion to AMEND made by Council 2 Stoll, Second by Council 4 Townsend, Sr., to adopt, on First Reading, Ordinance No. 2021-27, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by granting a Conditional Use Permit (CUP) to Clinton Hankla to operate an “Office showroom / warehouse” facility at 343 East Hufsmith Road; said property being approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, and is zoned General Retail use district; providing requirements and conditions for this CUP; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed \$2,000 for violations hereof; and providing for severability, to include a requirement that “structures on the site shall be limited to 25 feet in height.”
- Motion to AMEND made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2021-27, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by granting a Conditional Use Permit (CUP) to Clinton Hankla to operate an “Office showroom / warehouse” facility at 343 East Hufsmith Road; said property being approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, and is zoned General Retail use district; providing requirements and conditions for this CUP; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed \$2,000 for violations hereof; and providing for severability, to include a requirement that “trees and/or shrubs shall be planted

within the required 10-foot landscape buffers along the west and east sides of the property to provide additional screening.”

- Vote on the Motion to AMEND to include a requirement that “trees and/or shrubs shall be planted within the required 10-foot landscape buffers along the west and east sides of the property to provide additional screening.”

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr.

Voting Nay: Council 5 Klein Quinn

Absent: Council 3 Degges

Motion to AMEND for vegetation barrier carried, 3 votes Aye, 1 vote Nay.

- Vote on the Motion to AMEND to include a requirement that “structures on the site shall be limited to 25 feet in height.”

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr.

Voting Nay: Council 5 Klein Quinn

Absent: Council 3 Degges

Motion to AMEND for height restriction carried, 3 votes Aye, 1 vote Nay.

4. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to reject all bids received for bid number 2021-03 – Mulberry & Agg Drainage Improvements and rebid the project.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

5. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to award the Contract for Bid number 2021-04, Purchase of Diesel Fuel and Gasoline, to Sun Coast Resources, Inc.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

6. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to renew Blue Cross Blue Shield Insurance for the Employees of the City of Tomball

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

7. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to Authorize City Manager to request funds from Texas Department of Emergency Management (TDEM) for the American Rescue Plan (ARP) Disbursements.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

8. Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to approve Resolution No. 2021-23, a Resolution of the City Council of the City of Tomball, Texas, Authorizing the City Manager of the City of Tomball, Texas, to Complete the Submission for Coronavirus State and Local Fiscal Recovery Funds, and Designating the City Manager as the Authorized Representative; and Providing for an Effective Date Hereof (July 19, 2021).

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

9. Motion made by Council 1 Ford, Seconded by Council 5 Klein Quinn, to approve One percent (1%) Cost of Living salary increase for City employees, effective July 19, 2021.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

10. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to approve hiring David Esquivel as City Manager, effective July 19, 2021.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

Kent Clingerman, representing Commissioner R. Jack Cagle, Precinct 4, presented a Letter of Recognition from Commissioner Cagle to David Esquivel in honor of his approval by City Council as Tomball City Manager.

11. Executive Session: The City Council recessed at 7:33 p.m. to 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

Upon reconvening into regular session at 7:45 p.m., no action was taken.

- I. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

PASSED AND APPROVED this the 2nd day of August 2021.

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Doris Speer  
City Secretary, TRMC, MMC

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Gretchen Fagan  
Mayor

# City Council Meeting Agenda Item Data Sheet

Meeting Date: August 2, 2021

**Topic:**

Approve the Minutes of the July 19, 2021 Special Tomball City Council Meeting and the July 19, 2021 Regular Tomball City Council Meeting

**Background:**

**Origination:** City Secretary

**Recommendation:**

Approve

**Party(ies) responsible for placing this item on agenda:** Doris Speer, City Secretary

**FUNDING (IF APPLICABLE)**

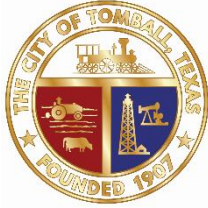
Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

Signed	<u>Doris Speer</u>	<u>7-28-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

## **MINUTES OF SPECIAL COUNCIL MEETING CITY OF TOMBALL, TEXAS**



**Monday, July 19, 2021  
4:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for July 19, 2021, 4:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

- A. Mayor Fagan called the Special meeting of the Tomball City Council to order at 4:04 p.m.

**PRESENT:**

Mayor Gretchen Fagan  
Council 1 John Ford  
Council 2 Mark Stoll  
Council 4 Derek Townsend, Sr.  
Council 5 Lori Klein Quinn

**ABSENT:**

Council 3 Chad Degges - Excused

**OTHERS PRESENT:**

Interim City Manager – David Esquivel  
Interim Assistant City Manager/Police Chief – Jeff Bert  
City Secretary – Doris Speer  
Marketing Director – Mike Baxter  
Finance Director – Glenn Windsor  
Director of Public Works – Beth Jones  
HR Director – Lisa Coe  
IT Manager – Doug Tippey (via video)  
Director of Community Development – Craig Myers  
CSO Administrative Assistant – Sasha Luna  
Asst. Fire Chief/Fire Marshal – Joe Sykora  
Accountant – Kristin Kelley  
Police Lieutenant-Support Services – Brandon Patin

- B. No public comments were received.

C. New Business

1. Tomball City Council entered into a Workshop Session to consider the Proposed Fiscal Year 2021-2022 Budget

D. Motion made by Council 4 Townsend, Sr., Second by Council 2 Stoll, to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

Meeting adjourned at 5:58 p.m.

PASSED AND APPROVED this the 2nd day of August 2021.

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Doris Speer  
City Secretary, TRMC, MMC

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Gretchen Fagan  
Mayor



# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** August 2, 2021

**Topic:**

Adopt, on Second Reading, Ordinance No. 2021-24, 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 4.00 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District, said property being generally located at the northwest corner of Agg Road and Persimmon 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.

**Background:**

City Staff recommends approval. Planning & Zoning Commission recommends denial (2-2)

**Origination:** Tim Littlefield

**Recommendation:**

Adopt on Second Reading

**Party(ies) responsible for placing this item on agenda:** Amelia Lindley, City Planner

**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

**ORDINANCE NO. 2021-24**

**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 4.00 ACRES OF LAND LEGALLY DESCRIBED AS TRS 284D 284E & 286 TOMBALL OUTLOTS, FROM THE SINGLE-FAMILY 20 ESTATE DISTRICT TO THE LIGHT INDUSTRIAL DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED AT THE NORTHWEST CORNER OF AGG ROAD AND PERSIMMON 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.**

\* \* \* \* \*

**Whereas**, Tim Littlefield has requested that approximately 4.00 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, generally located at the northwest corner of Agg Road and Persimmon Road, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

**Whereas**, the public hearing was held before the Planning & Zoning Commission at least forty (40) calendar days after the City's receipt of the requested rezoning; and

**Whereas**, the Planning & Zoning Commission recommended in its final report that City Council deny the requested rezoning of the Light Industrial District; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the public hearing for the requested rezoning and the City Council considered the final report of the Planning & Zoning Commission; and

**Whereas**, the City Council deems it appropriate to grant the requested rezoning.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The zoning classification of the Property is hereby changed from the Single-Family 20 Estate District to the Light Industrial District subject to the regulations, restrictions, and conditions hereafter set forth.

**Section 3.** The Official Zoning Map of the City of Tomball, Texas shall be revised and amended to show the designation of the Property as Light Industrial District, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

**Section 4.** This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Tomball, save and except the change in zoning classification for the Property to the Light Industrial District as described above.

**Section 5.** 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 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 6.** Any person who shall 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.

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 19<sup>TH</sup> DAY OF JULY 2021.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>ABSENT</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 2<sup>ND</sup> DAY OF AUGUST 2021.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

ATTEST:

\_\_\_\_\_  
Gretchen Fagan, Mayor

\_\_\_\_\_  
Doris Speer, City Secretary

**NOTICE OF PUBLIC HEARING  
CITY OF TOMBALL  
PLANNING & ZONING COMMISSION (P&Z)  
JULY 12, 2021  
&  
CITY COUNCIL  
JULY 19, 2021**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 12, 2021, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 19, 2021, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

**Zoning Case P21-252:** Request by Tim Littlefield to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 4 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located at the northwest corner of Agg Road and Persimmon Road, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-253:** Request by Louis Smulders to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land legally described as Reserve A Block 3 Pine Meadows, from the Single-Family 6 District to the Commercial District. The property is generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-266:** Request by Clinton Hankla to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District. The property is generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-267:** Request by Clinton Hankla for a Conditional Use Permit to operate an *office showroom/warehouse* facility at 343 East Hufsmith Road. The property is approximately 3.78 acres, legally described as Lot 1 Block 1 Tennis Venture Tract, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, within the City of Tomball, Harris County, Texas, and is zoned Agricultural District with an application to rezone to the General Retail District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375.

Further information may be obtained by contacting the City Planner, Amelia Lindley, at (281) 290-1410 or at [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov).

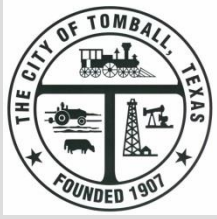
## CERTIFICATION

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 **8<sup>th</sup>** day of **July 2021** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

*Amelia Lindley*

Amelia Lindley  
City Planner

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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.tomballtx.gov](http://www.tomballtx.gov).



## Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 12, 2021  
City Council Public Hearing Date: July 19, 2021

**Rezoning Case:** P21-252  
**Property Owner(s):** Tim Littlefield  
**Applicant(s):** Tim Littlefield  
**Legal Description:** TRS 284D 284E & 286 Tomball Outlots  
**Location:** Northwest corner of Agg Road and Persimmon Road (Exhibit “A”)  
**Area:** 4.00 acres  
**Comp Plan Designation:** Business Park & Industrial (Exhibit “B”)  
**Present Zoning and Use:** Single-Family 20 Estate District (Exhibit “C”) / Undeveloped (Exhibit “D”)  
**Request:** Rezone from the Single-Family 20 Estate District to the Light Industrial District  
**Adjacent Zoning & Land Uses:**  
**North:** Single-Family 20 Estate District / Undeveloped  
**South:** Single-Family 20 Estate District / Single-Family residence  
**West:** Single-Family 20 Estate District / Single-family residence  
**East:** Planned Development PD-12 District / Raburn Reserve (under construction)

### **BACKGROUND**

City Staff received a Rezoning Application for the subject site in May 2021.

### **ANALYSIS**

The subject site is approximately 4.00 acres located at the northwest corner of Agg Road and South Persimmon Street. The property is undeveloped. Raburn Reserve, a single-family residential subdivision, is currently under construction on the east side of South Persimmon Street. The property to the north of the subject site is undeveloped and the properties to the west and south contain single-family residences on lot estate lots.

According to Section 50-78 (*Light Industrial District*), the Light Industrial District is “intended primarily for the conduct of light manufacturing, assembling and fabrication activities, and for warehousing, research and development, wholesaling and service operations that do not typically depend upon frequent customer or client visits. Such uses do require accessibility to major



thoroughfares, major highways, and/or other means of transportation such as the railroad.” The subject site is located at the intersection of two major thoroughfares: South Persimmon Street and Agg Road (Medical Complex Drive) and also is in close proximity to the railroad tracks.

The property, along with properties to the north, south and west, is designated as Business Park and Industrial by the Comprehensive Plan Future Land Use Map. This category is intended “to create opportunities for employment. This area is intended to be located near adequate thoroughfares which provide convenient access for vehicular traffic”. Appropriate land uses for this category include office, warehousing, light manufacturing, breweries/distilleries, equipment sales, contractor services, and corporate campuses. Additionally, compatible zoning districts include Light Industrial, Commercial, Office and Planned Development.

### **PUBLIC COMMENT**

A Notice of Public Hearing was published in the paper and property owners within 200 feet of the project site were mailed notification of this proposal on June 30, 2021. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

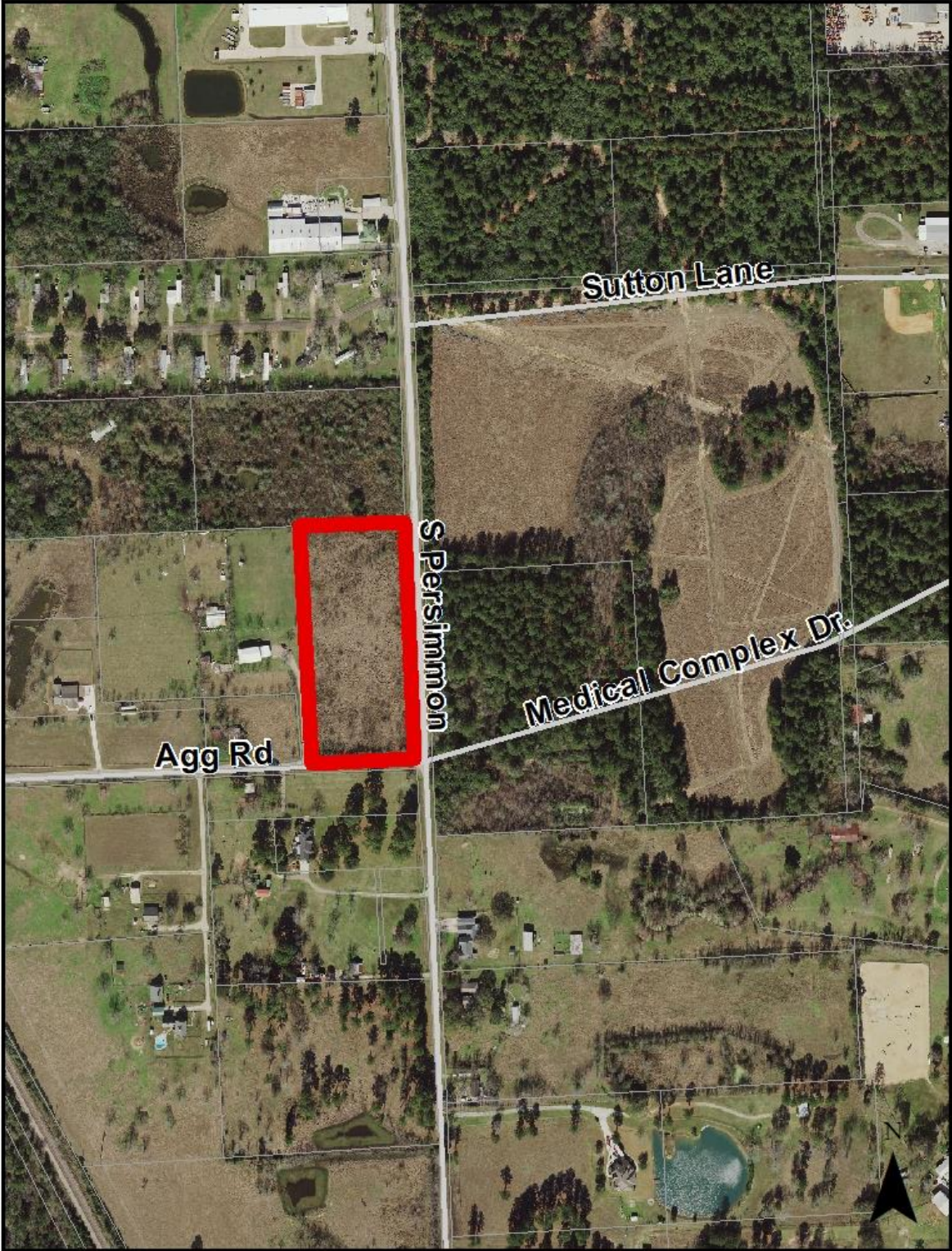
### **RECOMMENDATION**

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P21-252.

### **EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Rezoning Application

Exhibit "A"  
Aerial Photo



**Exhibit "B"**  
**Comprehensive Plan**

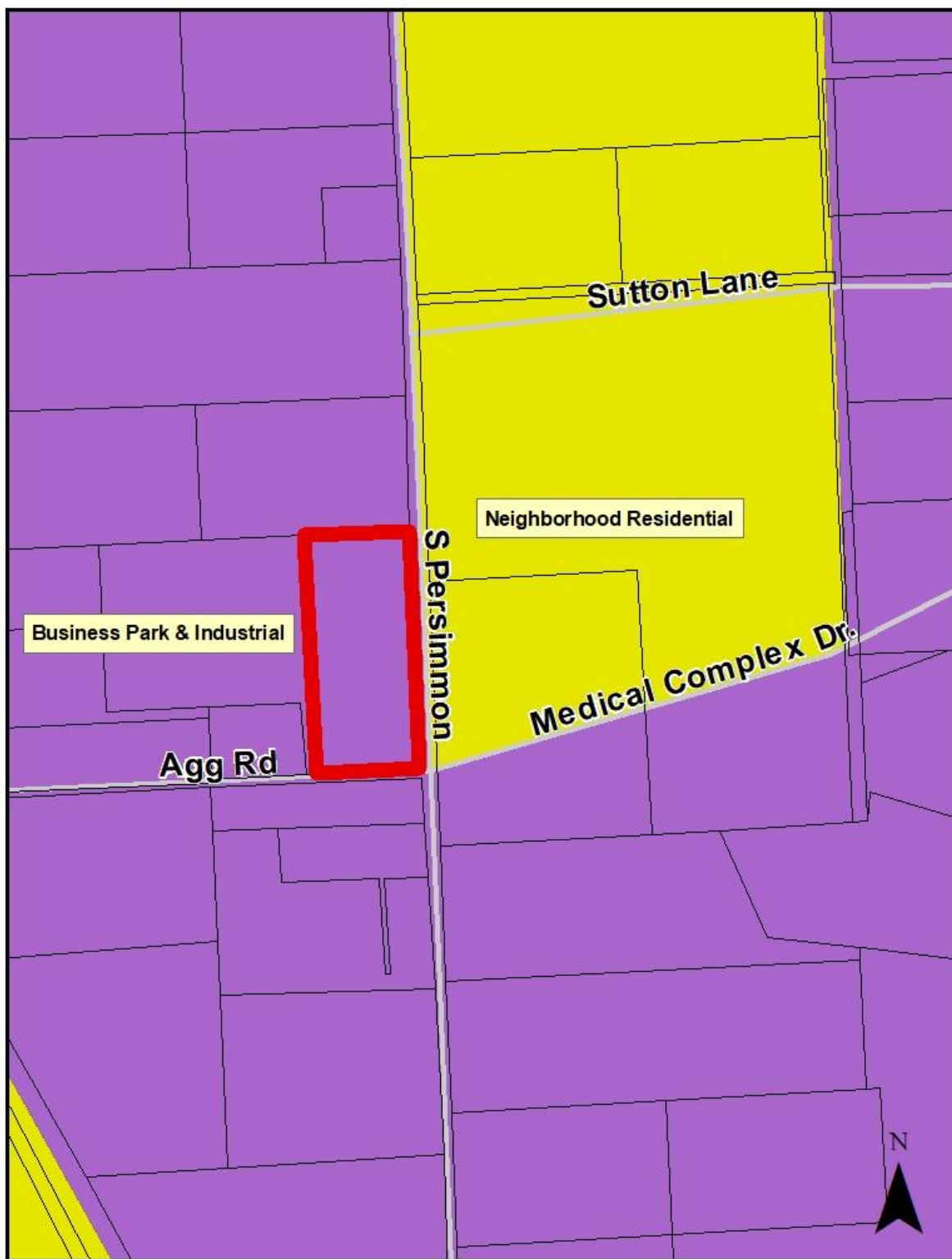
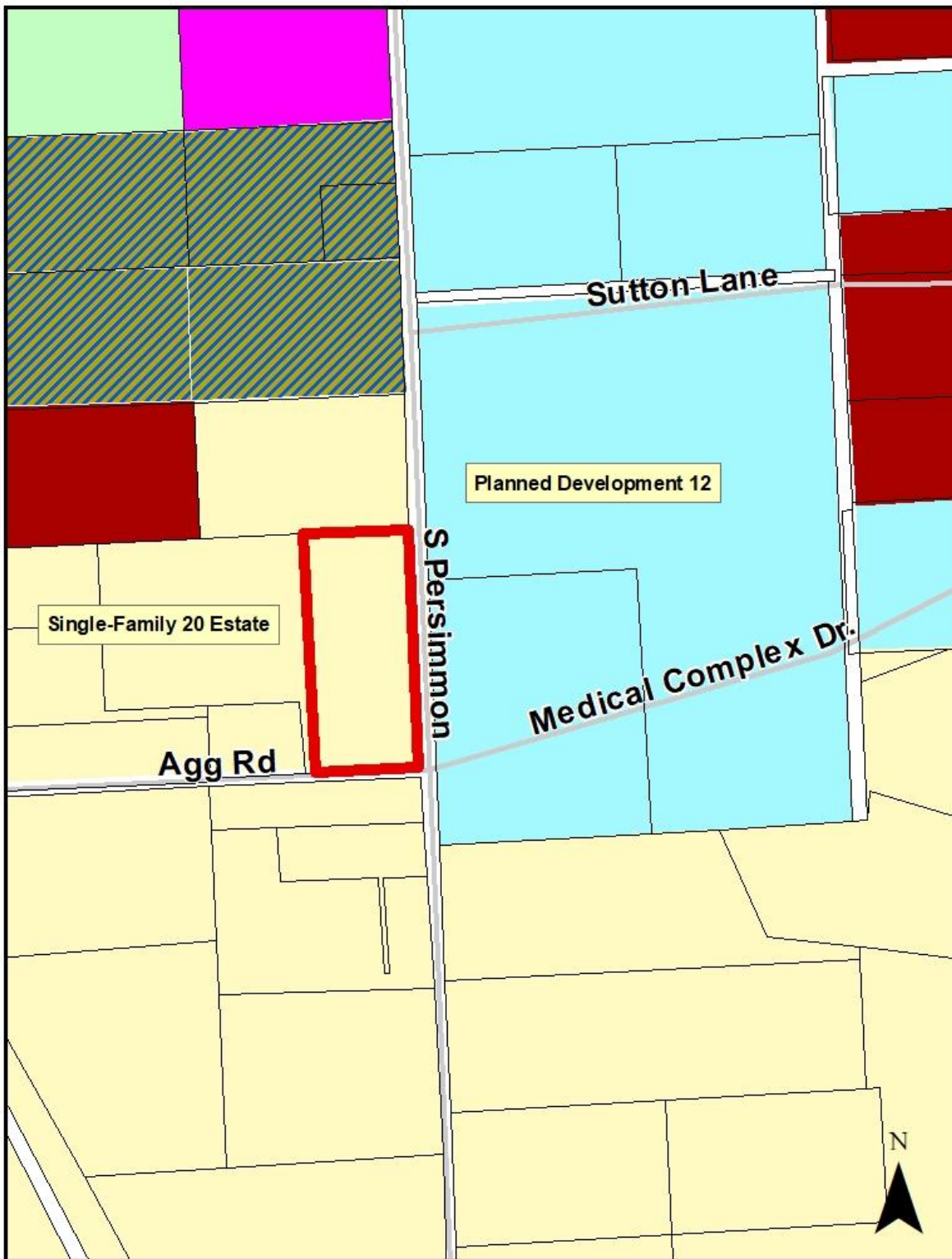




Exhibit "C"  
Zoning Map



**Exhibit “D”  
Site Photo**



## Exhibit "E"

### Rezoning Application



RECEIVED (KC)  
05/17/2021 2:32:57 PM

### APPLICATION FOR RE-ZONING

Community Development Department  
Planning Division

Revised: 4/13/2020

P&Z #21-252  
\$440.00 PD

**APPLICATION SUBMITTAL:** Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

#### Applicant

Name: Tim Littlefield LLC, Tim Littlefield Title: Owner  
Mailing Address: 9618 Kirkstone Terrace Dr City: Spring State: TX  
Zip: 77379 Contact: Tim Littlefield  
Phone: (281) 723-7344 Email: tim@littlefieldbrothers.com

#### Owner

Name: Tim Littlefield LLC, Tim Littlefield Title: Owner  
Mailing Address: 9618 Kirkstone Terrace Dr City: Spring State: TX  
Zip: 77379 Contact: Tim Littlefield  
Phone: (281) 723-7344 Email: tim@littlefieldbrothers.com

#### Engineer/Surveyor (if applicable)

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_  
Zip: \_\_\_\_\_ Contact: \_\_\_\_\_  
Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

#### Description of Proposed Project: Office/Warehouse

Physical Location of Property: Corner of AGG Road and Persimmon Street  
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: 3.9287 Acres (called 4.393 acres Duncan Harrison H.C.C.F. No. 20150071264 O.P.R.R.P.H.C., TX  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF-20-E Single - Family 20 Estate District

Current Use of Property: NONE (empty lot)

Proposed Zoning District: LI - Light Industrial



Proposed Use of Property: Office/Warehouse

HCAD Identification Number: \_\_\_\_\_ Acreage: 3.9287

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 [www.tomballtx.gov](http://www.tomballtx.gov)

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

<p>X </p> <p>_____ Signature of Applicant</p>	<p>5/10/21</p> <p>_____ Date</p>
<p>X </p> <p>_____ Signature of Owner</p>	<p>5/10/21</p> <p>_____ Date</p>

401 Market Street  
401 Market Street  
Tomball, TX 77375  
(281) 351-5484

DATE : 5/14/2021 2:44 PM  
OPER : TW  
TKBY : TW  
TERM : 5  
REC# : R01263152

130.0000 PLANNING AND ZONING 440.00  
Corner of Agg Rd & Persimmon 440.00

Paid By: Corner of Agg Rd & Persimmon  
2-CK 440.00 REF: w 2209

APPLIED	440.00
TENDERED	440.00
CHANGE	0.00



Dear Planning and Zoning Commission as well as City Council,

My name is Tim Littlefield. I own a construction company located in Conroe, Texas. I recently purchase approx. 3.93 acres at the corner of Agg Road and Persimmon Street. I am asking for this property to be rezoned from SF-20-E Single – Family to LI – Light Industrial. I would like to build a new office/warehouse on the property. If approved, and once project is completed, we would move our office staff from Conroe to Tomball. This property is currently an empty lot (vacant). At some point, we may try and building an additional warehouse if space is adequate. We have been at our current location for going on 25 yrs. We have outgrown our current property (1.5 acers) and would love to build a new office on this property in Tomball area.

Sincerely,



Tim Littlefield



Old Republic National Title Insurance Company  
GF# 21000834

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: March 5, 2021

Grantor: Duncan Harrison, a married person not joined herein by Grantor's spouse as the property conveyed forms no part of the homestead

Grantor's Mailing Address: 8419 CreeksideTimbersDr, Tomball, TX 77375

Grantee: Tim Littlefield LLC

Grantee's Mailing Address: 15925 FM 3083 #16, Conroe, TX 77301

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Fieldnotes for a survey of 4.393 acres of land out of Outlots 284 and 286 of CORRECTED MAP OF TOMBALL OUTLOTS, recorded in Volume 4, Page 75 of the Harris County Map Records, and also being out of that certain 15.6203 acre tract described in deed recorded under Harris County Clerk's File No. R838858, said 4.393 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found in the east line of said 15.6203 acre tract and west right-of-way line of Persimmon Road (30 feet wide), marking the northeast corner of Outlot 284 and southeast corner of Outlot 281 and southeast corner of that certain 5.004 acre tract described in deed recorded under Harris County Clerk's File No. U858829, and also marking the northeast corner of the herein described tract;

THENCE S 00 deg. 13 min. 27 sec. W along said west right-of-way line of Persimmon Road, and east line of Outlot 284, at 377.60 feet passing the southeast corner of Outlot 284 and northeast corner of Outlot 286, and northeast corner of a 30 feet wide unimproved public road dedicated in Volume 2, Page 65 of the Harris County Map Records, and at 407.60 feet passing the southeast corner of said 30 feet unimproved public road, and continuing for a total distance of 657.93 feet to a point in Agg Road as occupied, 50 feet wide, from whence a 5/8 inch iron rod bears N 00 deg. 13 min. 27 sec. E, 25.00 feet, said point marking the southeast corner of the herein described tract;

THENCE S 89 deg. 34 min. 28 sec. W, in said Agg Road, and along the north line of that certain 1.67 acre tract described in deed recorded under Harris county Clerk's File No. D557909, a distance of 284.80 feet to a point in Agg Road as occupied for the southwest corner of the herein described tract, and also being the southeast corner of a 2.0172 acre tract;

THENCE N 01 deg. 35 min. 04 sec. W along the east line of said 2.0172 acre tract, at 25.00 feet passing a 5/8 inch iron rod found in the north line of Agg road as occupied, and continuing for a total distance of 197.48 feet to a 5/8 inch iron rod found at an angle point in the east line of said 2.0172 acre tract and west line of the herein described tract;

THENCE N 00 deg. 09 min. 00 sec. E, continuing along the east line of said 2.0172 acre tract and west line of the herein described tract, at 55.73 feet passing the south line of said 30 feet wide unimproved public road, at 85.73 feet passing the north line of said 30 feet unimproved public road, and continuing for a total distance of 463.33 feet to a 5/8 inch iron set in the common line of Outlots 281 and 284, and south line of said 5.004 acre tract, marking the

RP-2021-132294

RP-2021-132294

RP-2021-132294  
# Pages 4  
03/15/2021 11:06 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$26.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or  
use of the described real property because of color or  
race is invalid and unenforceable under federal law.  
THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED in the Official  
Public Records of Real Property of Harris County, Texas.



*Tenesia Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

Old Republic National Title Insurance Company  
GF# 21000839

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**General Warranty Deed**

**Date:** March 5, 2021

**Grantor:** Duncan Harrison, a married person not joined herein by Grantor's spouse as the property conveyed forms no part of the homestead

**Grantor's Mailing Address:** 8419 CreeksideTimbersDr, Tomball, TX 77375

**Grantee:** Tim Littlefield LLC

**Grantee's Mailing Address:** 15925 FM 3083 #6, Conroe TX 77301

**Consideration:**

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):**

Fieldnotes for a survey of 4.393 acres of land out of Outlots 284 and 286 of CORRECTED MAP OF TOMBALL OUTLOTS, recorded in Volume 4, Page 75 of the Harris County Map Records, and also being out of that certain 15.6203 acre tract described in deed recorded under Harris County Clerk's File No. R838858, said 4.393 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found in the east line of said 15.6203 acre tract and west right-of-way line of Persimmon Road (30 feet wide), marking the northeast corner of Outlot 284 and southeast corner of Outlot 281 and southeast corner of that certain 5.004 acre tract described in deed recorded under Harris County Clerk's File No. U858829, and also marking the northeast corner of the herein described tract;

THENCE S 00 deg. 13 min. 27 sec. W along said west right-of-way line of Persimmon Road, and east line of Outlot 284, at 377.60 feet passing the southeast corner of Outlot 284 and northeast corner of Outlot 286, and northeast corner of a 30 feet wide unimproved public road dedicated in Volume 2, Page 65 of the Harris County Map Records, and at 407.60 feet passing the southeast corner of said 30 feet unimproved public road, and continuing for a total distance of 657.93 feet to a point in Agg Road as occupied, 50 feet wide, from whence a 5/8 inch iron rod bears N 00 deg. 13 min. 27 sec. E, 25.00 feet, said point marking the southeast corner of the herein described tract;

THENCE S 89 deg. 34 min. 28 sec. W, in said Agg Road, and along the north line of that certain 1.67 acre tract described in deed recorded under Harris county Clerk's File No. D557909, a distance of 284.80 feet to a point in Agg Road as occupied for the southwest corner of the herein described tract, and also being the southeast corner of a 2.0172 acre tract;

THENCE N 01 deg. 35 min. 04 sec. W along the east line of said 2.0172 acre tract, at 25.00 feet passing a 5/8 inch iron rod found in the north line of Agg road as occupied, and continuing for a total distance of 197.48 feet to a 5/8 inch iron rod found at an angle point in the east line of said 2.0172 acre tract and west line of the herein described tract;

THENCE N 00 deg. 09 min. 00 sec. E, continuing along the east line of said 2.0172 acre tract and west line of the herein described tract, at 55.73 feet passing the south line of said 30 feet wide unimproved public road, at 85.73 feet passing the north line of said 30 feet unimproved public road, and continuing for a total distance of 463.33 feet to a 5/8 inch iron set in the common line of Outlets 281 and 284, and south line of said 5.004 acre tract, marking the

northwest corner of the herein described tract;

THENCE S 89 deg. 51 min. 00 sec. E along said common line of Outlots 281 and 284, and south line of said 5.004 acre tract, a distance of 291.61 feet to the POINT OF BEGINNING, and containing 4.393 acres of land.

**SAVE AND EXCEPT:**

That certain 0.2547 acre (11,096 square feet) tract of land described in Right of Way Deed dated March 13, 2019,, filed on May 27, 2020, under Clerk's File No. RP-2020-222647, GRANTED to the City of Tomball, Texas and being more particularly described by metes and bounds in said Right of Way Deed.

**Reservations from Conveyance:** None.

**Exceptions to Conveyance and Warranty:**

Validly existing restrictive covenants common to the platted subdivision in which the Property is located; standby fees, taxes, and assessments by any taxing authority for the year 2021 and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; validly existing utility easements created by the dedication deed or plat of the subdivision in which the Property is located; any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements; homestead or community property or survivorship rights, if any, of any spouse of Grantee; and any validly existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (1) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, (2) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (3) filled-in lands or artificial islands, (4) water rights, including riparian rights, or (5) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

SIGNATURES ON FOLLOWING PAGE

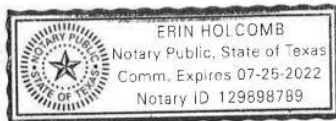
Duncan Harrison  
Duncan Harrison

STATE OF TEXAS

COUNTY OF Harris

Before me, the undersigned Notary Public, on this day personally appeared Duncan Harrison, proved to me through TXDL to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5 day of March, 2021.



Erin Holcomb  
Notary Public, State of Texas

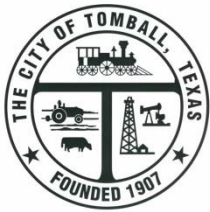
PREPARED IN THE OFFICE OF:  
Dorsett Johnson & Swift, LLP  
407 Throckmorton, Suite 500  
Fort Worth, Texas 76102

AFTER RECORDING RETURN TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_







## Notice of Public Hearing

**YOU ARE INVITED TO ATTEND** the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

**CASE NUMBER:** P21-252

**APPLICANT/OWNER:** Tim Littlefield

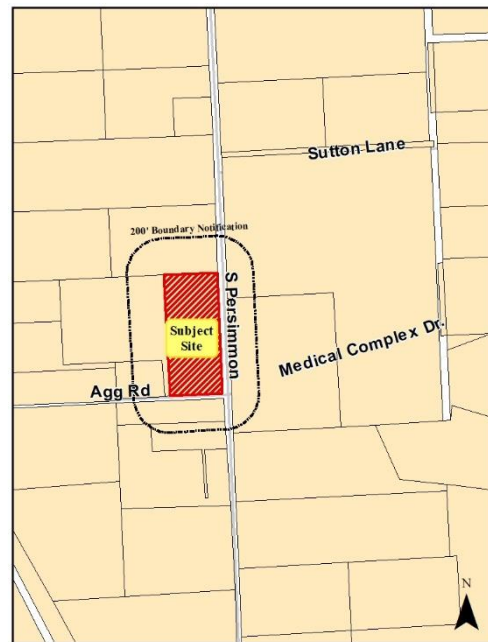
**LOCATION:** Generally located at the northwest corner of Agg Road and Persimmon Road, within the City of Tomball, Harris County, Texas

**PROPOSAL:** To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 4 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District.

**CONTACT:** Amelia Lindley, City Planner

**PHONE:** (281) 290-1410

**E-MAIL:** [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov)



Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

**This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.**

**Planning & Zoning Commission  
Public Hearing:  
Monday, July 12, 2021 6:00 PM**

**City Council Public Hearing:  
\*Monday, July 19, 2021 6:00 PM**

**The Public Hearings will be held in the  
City Council Chambers, City Hall  
401 Market Street, Tomball, Texas**

\*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.

CALLED 5.006 ACRES  
 MENDOZA HOME BUILDERS LLC  
 H.C.C.F. No. RP-2020-189624  
 O.P.R.R.P.H.C., TX.

N 81°35'34" E 280.37'  
 10'-0"  
 60'-3"  
 54'-0"  
 41'-0"  
 30'-0"  
 10'-0"  
 5'-0"  
 10'-0"  
 56'-5"  
 2'-0"  
 66'-0"  
 21'-0"  
 588.96'  
 S 01°38'09" E  
 20' UTILITY ESMT.  
 PERSIMMON STREET  
 (VARIABLE WIDTH R.O.W.)

PROPOSED  
 6,040 SQ. FT.  
 SHOP BUILDING

PROPOSED  
 5,420 SQ. FT.  
 OFFICE BUILDING

TRAILER PARKING

10' AERIAL EASEMENT  
 10' H.L. & P. EASEMENT  
 10' AERIAL EASEMENT

CALLED 6.21 ACRES  
 FRANCISCO LOPEZ AND VERONICA BELTRAN  
 H.C.C.F. No. 20150114381  
 O.P.R.R.P.H.C., TX.

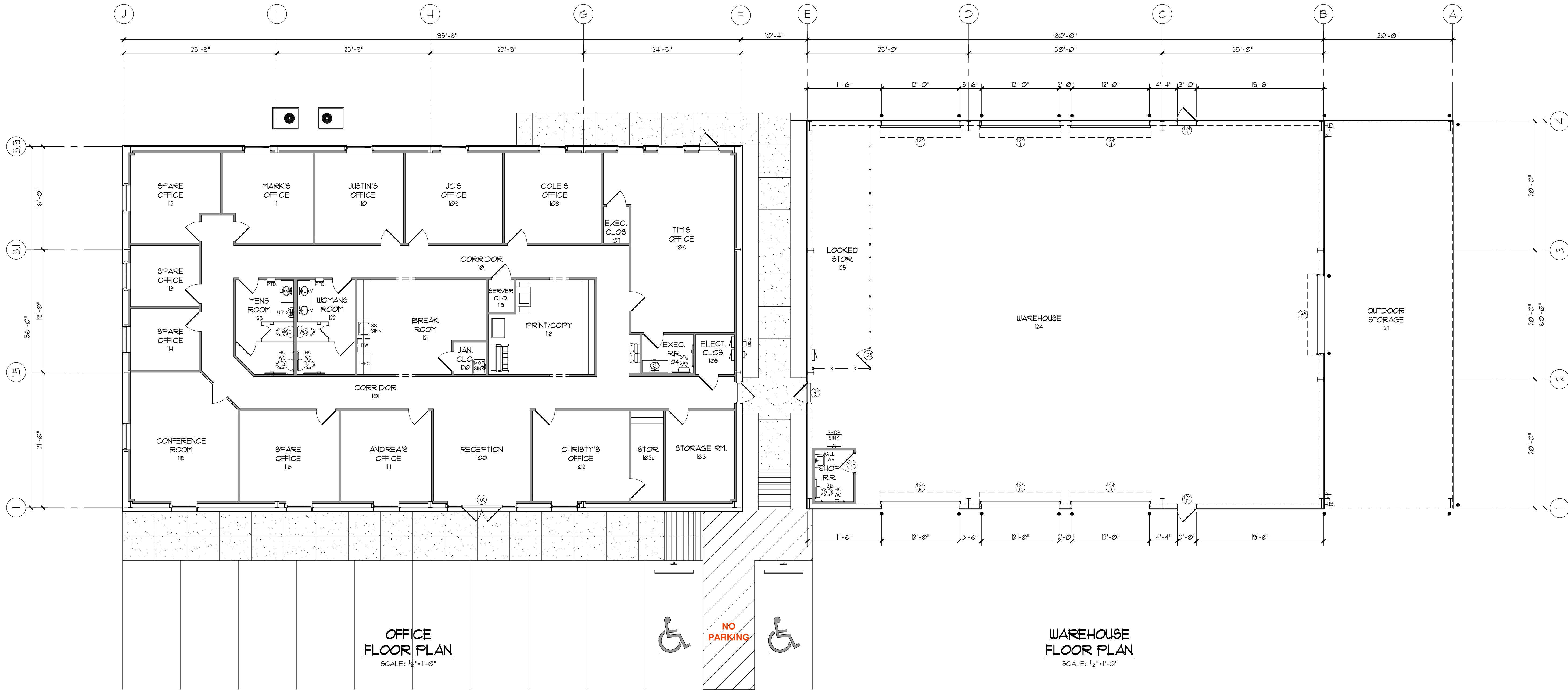
CALLED 4.393 ACRES  
 DUNCAN HARRISON  
 H.C.C.F. No. 20150071264  
 O.P.R.R.P.H.C., TX.

CALLED 2.364 ACRES  
 JAMES CASE AND WIFE PATRICIA CASE  
 H.C.C.F. No. S184202  
 O.P.R.R.P.H.C., TX.

N 02°24'04" W 463.25'  
 N 03°55'21" W 146.51'  
 20' UTILITY ESMT.  
 S 81°24'15" W 258.98'  
 S 41°23'02" W 182.21'  
 AGG ROAD  
 (100' WIDE R.O.W.)

Page 48





ARCHITECT  
CHRISTOPHER I. FRITSCH  
6-17-2021

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ATTENTION OF THE ON SITE SUPERINTENDENT  
PRIOR TO COMMENCEMENT OF THE WORK.

**HUFFCO SERVICES, INC.**  
DESIGN-BUILD GENERAL CONTRACTOR  
103 LONGVIEW ST.  
CONROE, TX 77301  
OFFICE: 936-756-2278  
FAX: 936-788-5443

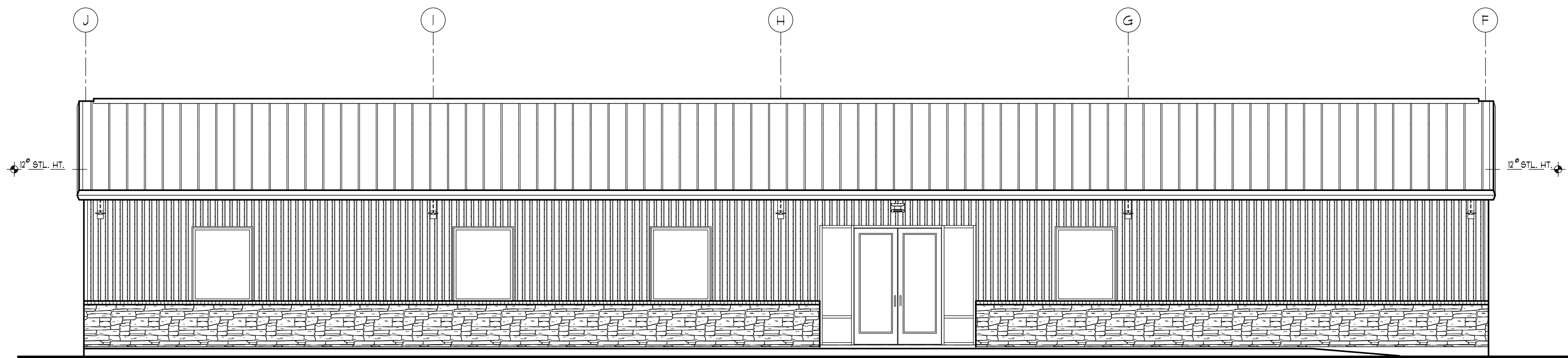
**Littlefield Brothers**  
concrete construction

**A NEW  
OFFICE/WAREHOUSE  
BUILDING FOR:**

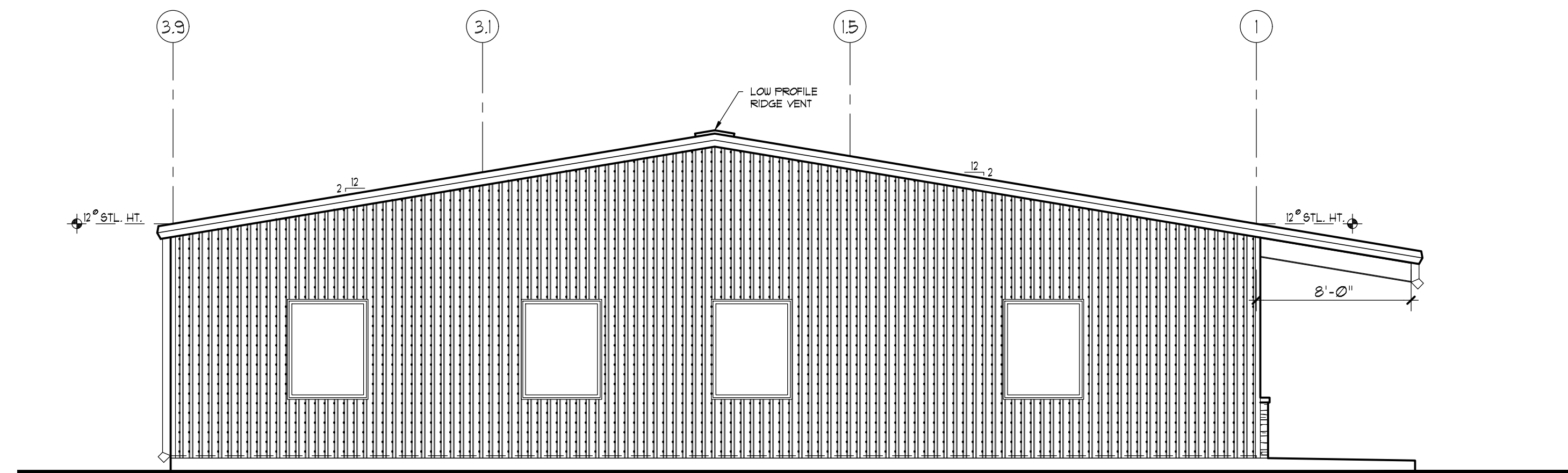
PROJECT #: H620-132  
DATE: 6-17-2021  
SCALE: 1/8"=1'-0"

REVISIONS / ISSUE	
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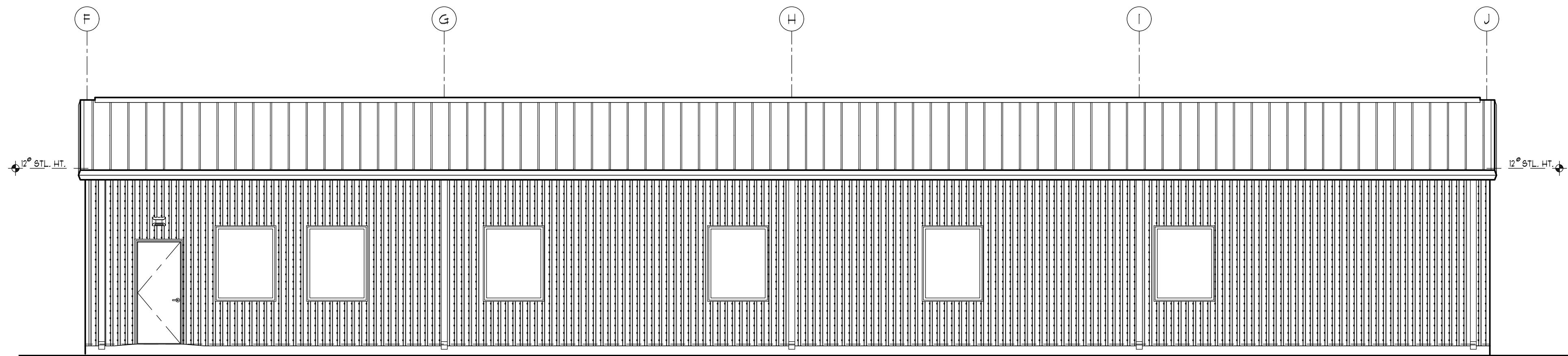
SHEET  
**A-2**



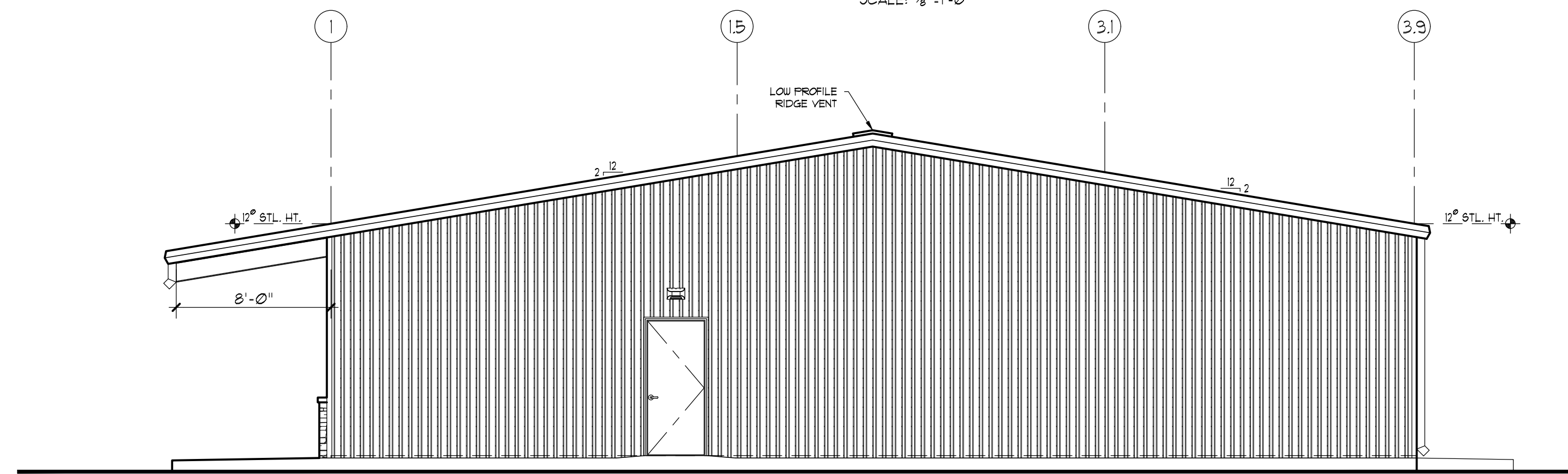
OFFICE  
SOUTH ELEVATION  
SCALE: 3/8"=1'-0"



OFFICE  
NORTH ELEVATION  
SCALE: 1/8"=1'-0"



OFFICE  
EAST ELEVATION  
SCALE: 1/8"=1'-0"



OFFICE  
WEST ELEVATION  
SCALE: 1/8"=1'-0"

ARCHITECT  
CHRISTOPHER I. FRITSCHÉ  
6-17-2021

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103 LONGVIEW ST.  
CONROE, TX 77301  
OFFICE: 936-756-2278  
FAX: 936-788-5443



A NEW  
OFFICE/WAREHOUSE  
BUILDING FOR:

PROJECT #: H620-132

DATE: 6-17-2021

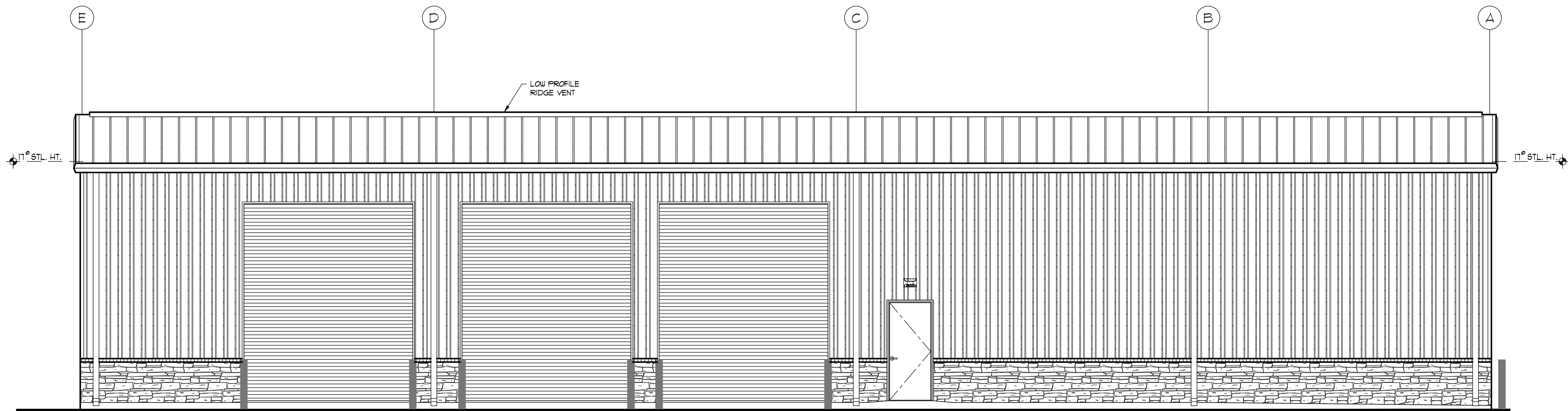
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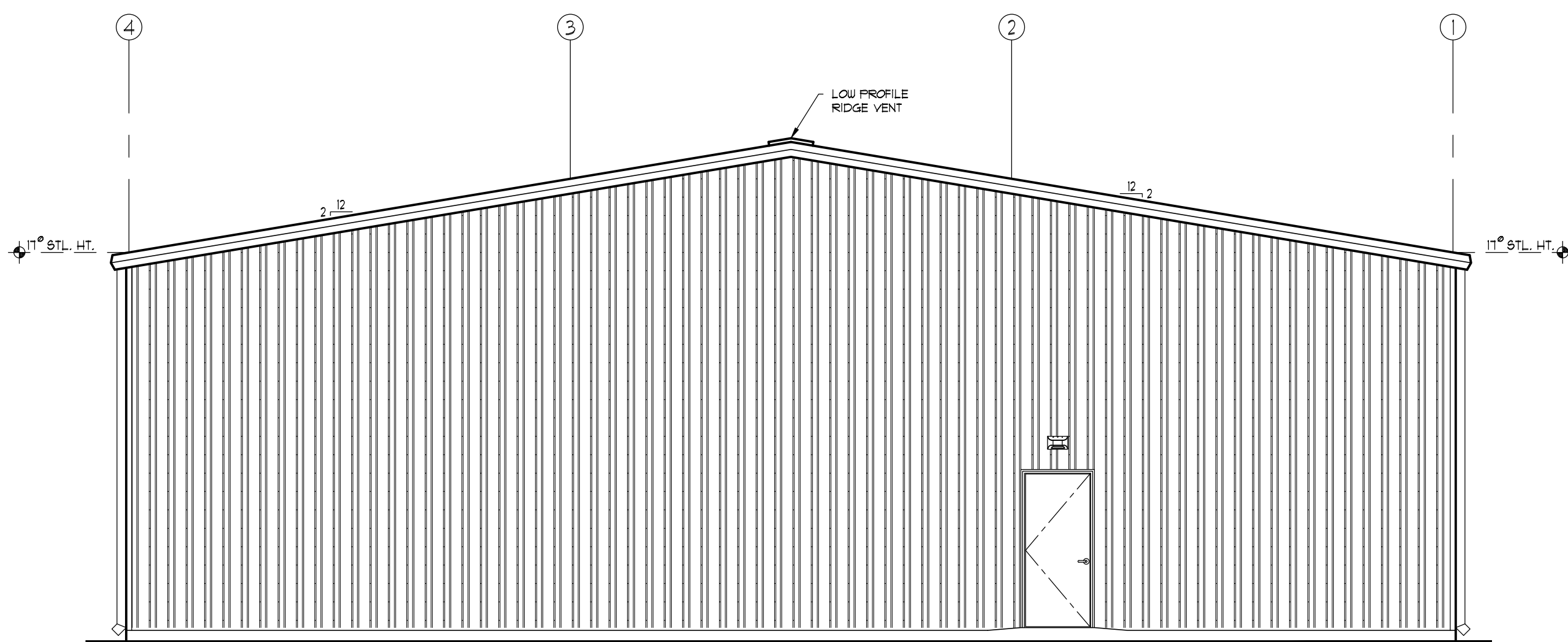
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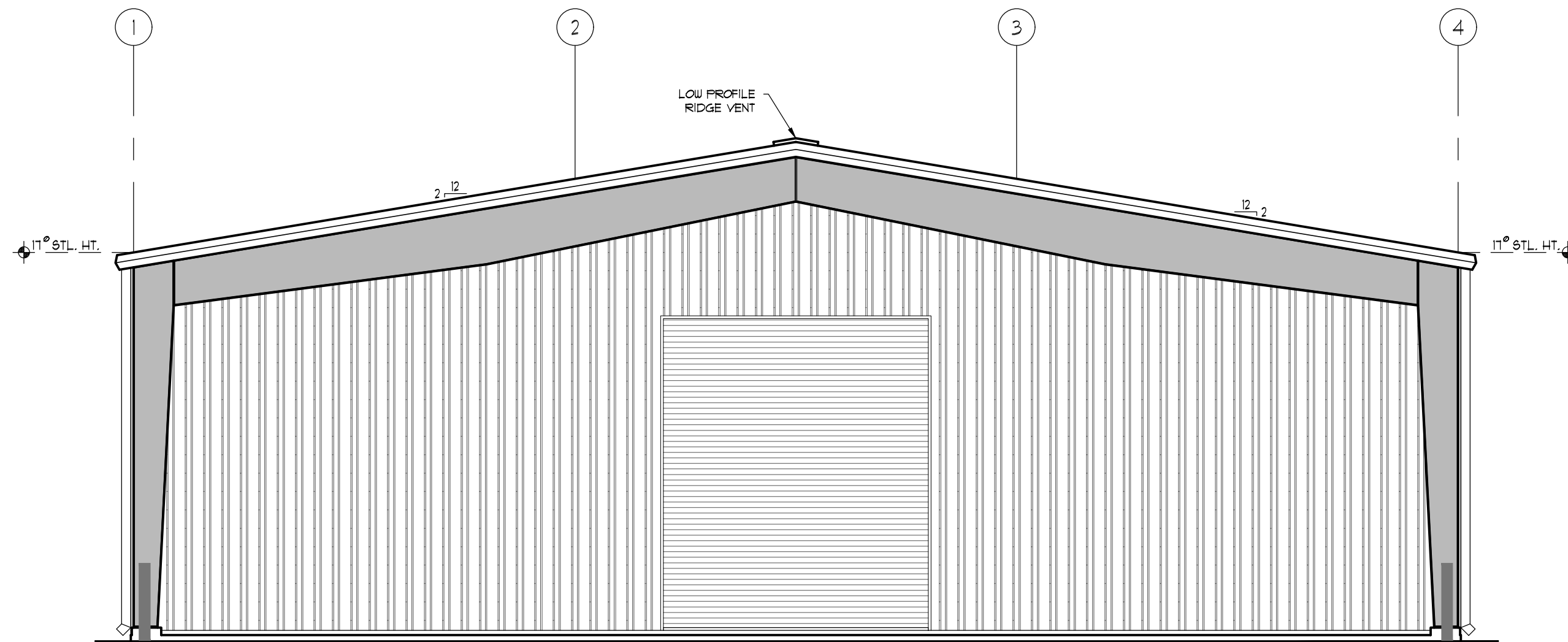
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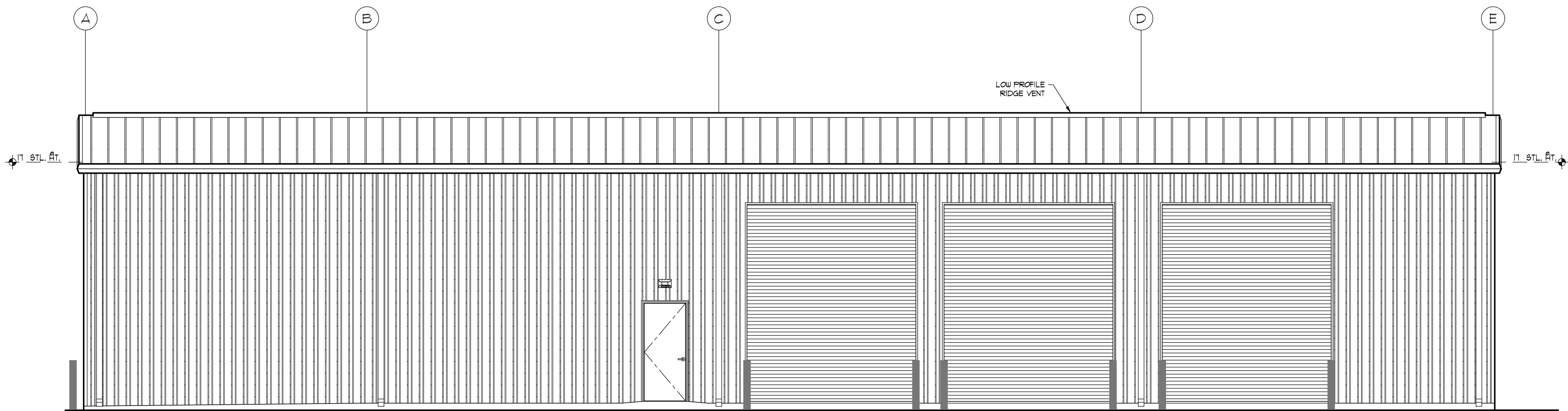
SHOP  
EAST ELEVATION  
SCALE: 3/16"=1'-0"



SHOP  
SOUTH ELEVATION  
SCALE: 3/16"=1'-0"



SHOP  
NORTH ELEVATION  
SCALE: 3/16"=1'-0"



SHOP  
WEST ELEVATION  
SCALE: 3/16"=1'-0"

ARCHITECT  
CHRISTOPHER I. FRITSCHÉ  
6-17-2021

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ATTENTION OF THE ON SITE SUPERINTENDENT  
PRIOR TO COMMENCEMENT OF THE WORK.

HUFFCO SERVICES, INC.  
DESIGN-BUILD GENERAL CONTRACTOR  
103 LONGVIEW ST.  
CONROE, TX 77301  
OFFICE: 936-756-2278  
FAX: 936-788-5443



A NEW  
OFFICE/WAREHOUSE  
BUILDING FOR:

PROJECT #: H520-132

DATE: 7-7-2021

SCALE: 3/16"=1'-0"

REVISIONS / ISSUE

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SHEET

A-4

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: August 2, 2021

**Topic:**

Adopt, on Second Reading, Ordinance No. 2021-26, 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 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District, said property being generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith 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.

**Background:**

City Staff recommends approval. Planning & Zoning Commission recommends denial (2-2)

**Origination:** Clinton Hankla

**Recommendation:**

Adopt on Second Reading

**Party(ies) responsible for placing this item on agenda:** Amelia Lindley, City Planner

**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

**ORDINANCE NO. 2021-26**

**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 3.78 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1 BLOCK 1 TENNIS VENTURE TRACT, FROM THE AGRICULTURAL DISTRICT TO THE GENERAL RETAIL DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF EAST HUFSMITH ROAD, BETWEEN PEACH STREET AND HOSPITAL STREET, AT 343 EAST HUFSMITH 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.**

\* \* \* \* \*

**Whereas**, Clinton Hankla has requested that approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

**Whereas**, the public hearing was held before the Planning & Zoning Commission at least forty (40) calendar days after the City's receipt of the requested rezoning; and

**Whereas**, the Planning & Zoning Commission recommended in its final report that City Council deny the requested rezoning of the General Retail District; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the public hearing for the requested rezoning and the City Council considered the final report of the Planning & Zoning Commission; and

**Whereas**, the City Council deems it appropriate to grant the requested rezoning.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The zoning classification of the Property is hereby changed from the Agricultural District to the General Retail District subject to the regulations, restrictions, and conditions hereafter set forth.

**Section 3.** The Official Zoning Map of the City of Tomball, Texas shall be revised and amended to show the designation of the Property as General Retail District, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

**Section 4.** This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Tomball, save and except the change in zoning classification for the Property to the General Retail District as described above.

**Section 5.** 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 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 6.** Any person who shall 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.

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 19<sup>TH</sup> DAY OF JULY 2021.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>ABSENT</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>NAY</u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 2<sup>ND</sup> DAY OF AUGUST 2021.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

\_\_\_\_\_  
Gretchen Fagan, Mayor

ATTEST:

\_\_\_\_\_  
Doris Speer, City Secretary



**NOTICE OF PUBLIC HEARING  
CITY OF TOMBALL  
PLANNING & ZONING COMMISSION (P&Z)  
JULY 12, 2021  
&  
CITY COUNCIL  
JULY 19, 2021**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 12, 2021, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 19, 2021, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

**Zoning Case P21-252:** Request by Tim Littlefield to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 4 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located at the northwest corner of Agg Road and Persimmon Road, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-253:** Request by Louis Smulders to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land legally described as Reserve A Block 3 Pine Meadows, from the Single-Family 6 District to the Commercial District. The property is generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-266:** Request by Clinton Hankla to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District. The property is generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-267:** Request by Clinton Hankla for a Conditional Use Permit to operate an *office showroom/warehouse* facility at 343 East Hufsmith Road. The property is approximately 3.78 acres, legally described as Lot 1 Block 1 Tennis Venture Tract, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, within the City of Tomball, Harris County, Texas, and is zoned Agricultural District with an application to rezone to the General Retail District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375.



Further information may be obtained by contacting the City Planner, Amelia Lindley, at (281) 290-1410 or at [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov).

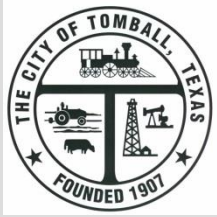
### CERTIFICATION

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 **8<sup>th</sup>** day of **July 2021** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

*Amelia Lindley*

Amelia Lindley  
City Planner

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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.tomballtx.gov](http://www.tomballtx.gov).



## Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 12, 2021

City Council Public Hearing Date: July 19, 2021

**Rezoning Case:** P21-266  
**Property Owner(s):** Clinton Hankla – GHM Homes, LLC  
**Applicant(s):** Clinton Hankla  
**Legal Description:** Lot 1 Block 1 Tennis Venture Tract  
**Location:** North side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road (Exhibit “A”)  
**Area:** 3.78 acres  
**Comp Plan Designation:** Neighborhood Commercial (Exhibit “B”)  
**Present Zoning and Use:** Agricultural District (Exhibit “C”) / Undeveloped (Exhibit “D”)  
**Request:** Rezone from the Agricultural District to the General Retail District

**Adjacent Zoning & Land Uses:**

**North:** General Retail District / Undeveloped (future self-storage facility)

**South:** Agricultural and Single-Family 6 Districts / Undeveloped

**West:** Single-Family 20 Estate and Agricultural Districts / Single-family residence and undeveloped

**East:** Agricultural District / Single-family residence

### **BACKGROUND**

City Staff met with the applicant to discuss the development of the subject site in June 2021. In 2014, CUP #11 was approved by City Council for a *tennis court (private)* on the property. In 2015, City Staff approved plans for a private tennis club facility. Construction began, but was never completed.

### **ANALYSIS**

The subject site is approximately 3.78 acres located on East Hufsmith Road. The property is between two single-family residences to the east and west. The properties on the south side of East Hufsmith Road are undeveloped. The property to the north of the subject site is currently undeveloped as well, however, plans have been submitted to the City for a boat and RV storage facility.

The property is zoned Agricultural District, with an approved CUP for a private tennis facility. Surrounding properties are zoned Agricultural to the east and west, Single-Family 20 Estate to the east as well and Single-Family 6 and Agricultural to the south. In 2017, the property to the north was rezoned to the General Retail District. According to Section 50-73 (*General Retail District*), the “General Retail District is established to provide areas for local neighborhood shopping and service facilities”. This district should be located along major thoroughfares to accommodate higher traffic volume. The General Retail District appears to be an appropriate zoning district for this area.

The property and all surrounding properties are designated as Neighborhood Commercial by the Comprehensive Plan Future Land Use Map. This category is intended for “commercial uses that are developed with the appropriate context, scale and design to compliment residential development”. Appropriate land uses include “restaurants, retail, professional services, clinics, and offices” and compatible zoning districts include Office, General Retail and Planned Developments. The rezoning appears to meet the intent of the Future Land Use Map.

### **PUBLIC COMMENT**

A Notice of Public Hearing was published in the paper and property owners within 200 feet of the project site were mailed notification of this proposal on June 30, 2021. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

### **RECOMMENDATION**

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P21-266.

### **EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Rezoning Application



Exhibit "A"  
Aerial Photo





**Exhibit "B"**  
**Comprehensive Plan**

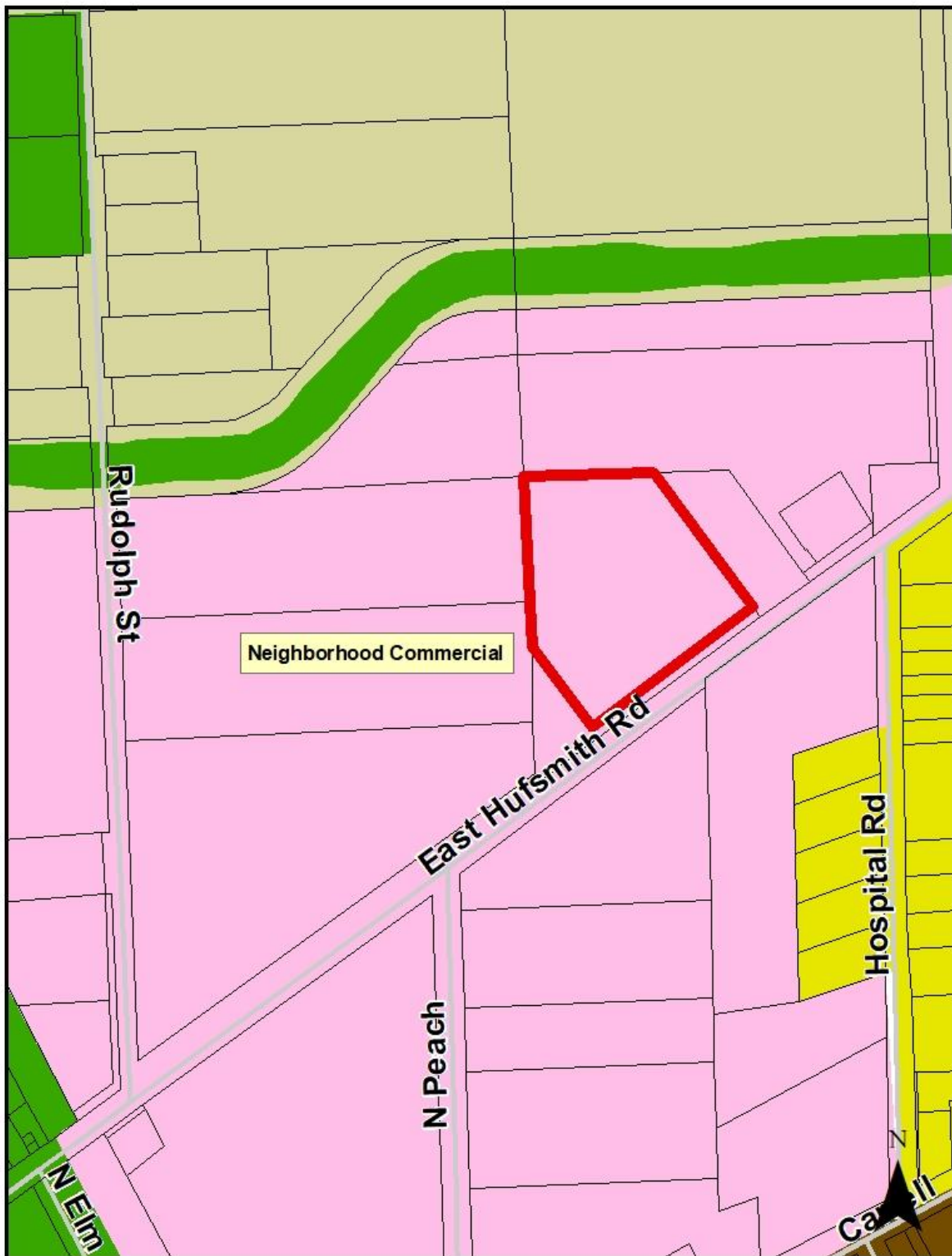
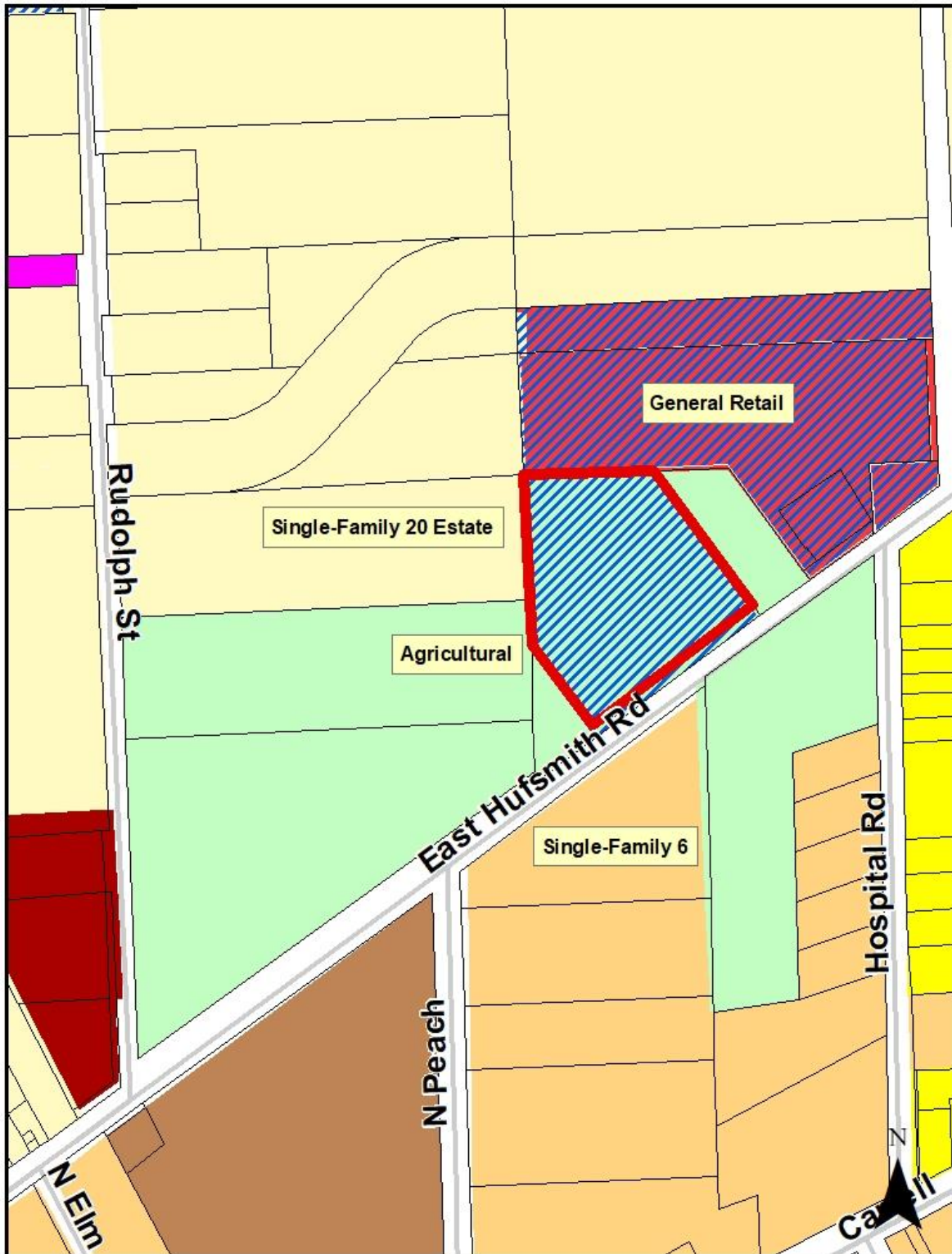


Exhibit "C"  
Zoning Map



**Exhibit “D”  
Site Photo**



**Exhibit "E"**  
**Rezoning Application**

**RECEIVED (KC)**  
06/01/2021 10:21:16 AM



Revised 5/19/15

**P&Z #21-266**  
**\$440.00**

**APPLICATION FOR REZONING**

Community Development Department  
Planning Division

**APPLICATION SUBMITTAL:** Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

**Applicant**

Name: Clinton Hankins Title: Managing Member  
Mailing Address: 13315 Misty Hills Drive City: Cypress State: TX  
Zip: 77429  
Phone: (832) 684-5301 Fax: ( ) Email: chankins@koe-associates.com

**Owner**

Name: GMH Homes, LLC (Clint Hankins) Title: Managing Member  
Mailing Address: 13315 Misty Hills Drive City: Cypress State: TX  
Zip: 77429  
Phone: (832) 6845301 Fax: ( ) Email: chankins@koe-associates.com

**Engineer/Surveyor (if applicable)**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Phone: ( ) Fax: ( ) Email: \_\_\_\_\_

**Description of Proposed Project:** office warehouse

**Physical Location of Property:** 343 East Hufsmith Road

[General Location - approximate distance to nearest existing street corner]

**Legal Description of Property:** ABSTRACT NO. 383 IN HARRIS COUNTY LOT 1

[Survey / Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

**Current Zoning District:** AG WITH CUP

**Current Use of Property:** LAND

**Proposed Zoning District:** GENERAL RETAIL

**Proposed Use of Property:** OFFICE WAREHOUSE

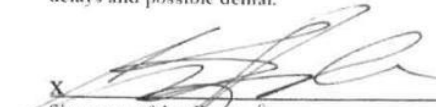

**HCAD Identification Number:** 1363880010001 Acreage: 3.78

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 [www.tomballtx.gov](http://www.tomballtx.gov)



Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is **COMPLETE, TRUE, and CORRECT** and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

	
X	
Signature of Applicant	Date
	5-19-2021
Signature of Owner	Date

June 1, 2021

Amelia Lindley  
City of Tomball Planning Department  
401 Market Street  
Tomball, Texas 77375

**Re: 4 Ac Huffsmith Tract Rezone Application (343 E Huffsmith Rd.)**

Dear Ameila,

On behalf of our client, Clint Hankla – GHM Homes, LLC, we are submitting the application for a zone change and conditional use permit for a +/- 4 Acre tract located at 343 E Huffsmith Rd. The applications are for a rezone to General Retail with a Conditional Use Permit for Office Warehouse.

Below is a list of the items that are included with the Rezone submittal:

- 1) Rezone Application
- 2) Submittal Fee - \$440 (to be paid over the phone)
- 3) Copy of Recorded "Tennis Venture Tract" Plat
- 4) Tax statements showing all taxes paid (Harris County and Tomball ISD)

Feel free to contact me if you have any questions or need any additional information.

Sincerely,

Kathryn Parker  
Enclosure

ANN HARRIS BENNETT  
TAX ASSESSOR-COLLECTOR  
P.O. BOX 3547  
HOUSTON, TEXAS 77253-3547  
TEL: 713-274-8000



**2020 Property Tax Statement**  
**Web Statement**

Statement Date:	May 26, 2021
Account Number	136-388-001-0001

Additional city sales tax reduced your city ad valorem tax by: \$468.23



STOKES JANIE L  
29910 ANNA TRAILS  
TOMBALL TX 77375-6206

Taxing Jurisdiction	Exemptions	Taxable Value	Rate per \$100	Taxes
Harris County	0	252,016	0.391160	\$985.79
Harris County Flood Control Dist	0	252,016	0.031420	\$79.18
Port of Houston Authority	0	252,016	0.009910	\$24.97
Harris County Hospital District	0	252,016	0.166710	\$420.14
Harris County Dept. of Education	0	252,016	0.004993	\$12.58
Lone Star College System	0	252,016	0.107800	\$271.67
City of Tomball	0	252,016	0.337862	\$851.47
Emergency Service Dist #8 (EMS)	0	252,016	0.097000	\$244.46

Property Description	
343 E HUFSMITH RD 77375 LT 1 BLK 1 TENNIS VENTURE TRACT 3.7766 AC	
Appraised Values	
Land - Market Value	224,016
Impr - Market Value	28,000
Total Market Value	252,016
Less Capped Mkt Value	0
Appraised Value	252,016
Exemptions/Deferrals	

Page: 1 of 1

Total 2020 Taxes Due By January 31, 2021:				\$2,890.26
Payments Applied To 2020 Taxes				\$2,890.26
Total Current Taxes Due (Including Penalties)				\$0.00
Prior Year(s) Delinquent Taxes Due (If Any)				\$0.00
Total Amount Due For May 2021				\$0.00
Penalties for Paying Late	Rate	Current Taxes	Delinquent Taxes	Total
By February 28, 2021	7%	\$0.00	\$0.00	\$0.00
By March 31, 2021	9%	\$0.00	\$0.00	\$0.00
By April 30, 2021	11%	\$0.00	\$0.00	\$0.00
By May 31, 2021	13%	\$0.00	\$0.00	\$0.00
By June 30, 2021	15%	\$0.00	\$0.00	\$0.00



Tax Bill Increase (Decrease) from 2015 to 2020: Appraised Value 0%, Taxable Value 0%, Tax Rate 0%, Tax Bill 0%.

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.



**PAYMENT COUPON**

STOKES JANIE L  
29910 ANNA TRAILS  
TOMBALL TX 77375-6206

Make check payable to:

ANN HARRIS BENNETT  
TAX ASSESSOR-COLLECTOR  
P.O. BOX 4622  
HOUSTON, TEXAS 77210-4622

IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE DISABLED AND THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

Account Number
136-388-001-0001
Amount Enclosed
\$ _____

Web Statement - Date Printed: 05-26-2021

13638800100010 2020 0000000000 0000000000 0000000000 0000000000



2,633,054-1

**TAX STATEMENT 2020 +****STATEMENT DATE: 05/26/2021****LEGAL: LT 1 BLK 1****ACCOUNT: 1363880010001****TENNIS VENTURE TRACT**

**OWNER: STOKES JANIE L**  
**PARCEL ADDRESS: 0000343 E HUFSMITH RD**  
**EXEMPTION CODES**

**PIDN: 1363880010001**  
**ACRES: 3.7766**

LAND VALUE	IMPROVEMENT VALUE	APPRAISED VALUE			
224,016	28,000	252,016			
TAXING ENTITIES	EXEMPTION AMOUNT	TAXABLE VALUE	TAX RATE PER \$100	BASE TAX	PENALTY & INTEREST
TOMBALL ISD	0	252,016	1.290000	0.00	0.00
			SUBTOTAL	0.00	0.00
			PRIOR YEARS	0.00	
<b>TOTAL AMOUNT DUE</b>				<b>0.00</b>	

*This top portion and your canceled check will serve as your receipt.*

*^ Detach on perforation and return this portion with your check payable to:*

**Kristi Williams**  
**PO Box 276**  
**Tomball, TX 77377-0276**  
**(281)357-3100**

**DELINQUENT DATE: 02/01/2021**

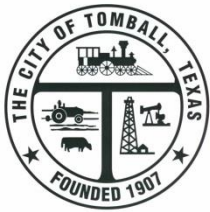
**ACCOUNT: 1363880010001 2020 +**  
**STOKES JANIE L**  
**29910 ANNA TRAILS**  
**TOMBALL, TX 77375-6206**

**TOTAL AMOUNT DUE**  
**\$0.00**

**^^ AMOUNT DUE ON RECEIPT ^^**

**OWNER: STOKES JANIE L**  
**PIDN: 1363880010001**

IF PAID IN	AMOUNT DUE
JUN	0.00
JUL	0.00
AUG	0.00
SEP	0.00
OCT	0.00
NOV	0.00



## Notice of Public Hearing

**YOU ARE INVITED TO ATTEND** the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

**CASE NUMBER:** P21-266

**APPLICANT/OWNER:** Clinton Hankla

**LOCATION:** Generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road, within the City of Tomball, Harris County, Texas

**PROPOSAL:** A Rezoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District.

**CONTACT:** Amelia Lindley, City Planner

**PHONE:** (281) 290-1410

**E-MAIL:** [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov)

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

**This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.**

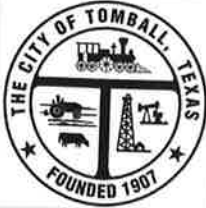


**Planning & Zoning Commission  
Public Hearing:  
Monday, July 12, 2021 6:00 PM**

**City Council Public Hearing:  
\*Monday, July 19, 2021 6:00 PM**

**The Public Hearings will be held in the  
City Council Chambers, City Hall  
401 Market Street, Tomball, Texas**

\*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



# Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball  
Attn: Amelia Lindley  
501 James Street  
Tomball, TX 77375

Name:

(please print)

Address:

Signature:

Date:

Dana Wade

413 E. Hufsmith Rd  
Tomball Tx 77375

Dana Wade

7/4/21

X

I am **FOR** the requested Rezoning as explained on the attached public notice for Zoning Case P21-266. (Please state reasons below)

I am **AGAINST** the requested Rezoning as explained on the attached public notice for Zoning Case P21-266. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

**Monday, July 12, 2021 6:00 PM**

City Council Chambers of the City of Tomball, City Hall  
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

**Monday, July 19, 2021 6:00 PM**

City Council Chambers of the City of Tomball, City Hall  
401 Market Street, Tomball, Texas

## COMMENTS:

I will be out of town at time of meeting but I have personally met & like Mr. Hankla. He has explained his plans to me about what he proposes to do with this land and ~~meets~~ has with my approval. Dana Wade

You may also comment via email to [ALindley@tomballtx.gov](mailto:ALindley@tomballtx.gov).

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: August 2, 2021

**Topic:**

Adopt, on Second Reading, Ordinance No. 2021-27, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by granting a Conditional Use Permit (CUP) to Clinton Hankla to operate an "Office showroom / warehouse" facility at 343 East Hufsmith Road; said property being approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, and is zoned General Retail use district; providing requirements and conditions for this CUP; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed \$2,000 for violations hereof; and providing for severability.

**Background:**

City Staff recommends approval. Planning & Zoning Commission recommends denial (1-3)

**Origination:** Clinton Hankla

**Recommendation:**

Adopt on Second Reading

**Party(ies) responsible for placing this item on agenda:** Amelia Lindley, City Planner

**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



**ORDINANCE NO. 2021-27**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY GRANTING A CONDITIONAL USE PERMIT (CUP) TO CLINTON HANKLA TO OPERATE AN “OFFICE SHOWROOM / WAREHOUSE” FACILITY AT 343 EAST HUFSMITH ROAD; SAID PROPERTY BEING APPROXIMATELY 3.78 ACRES OF LAND LEGALLY DESCRIBED AS LOT 1 BLOCK 1 TENNIS VENTURE TRACT, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON THE NORTH SIDE OF EAST HUFSMITH ROAD, BETWEEN PEACH STREET AND HOSPITAL STREET, AND IS ZONED GENERAL RETAIL USE DISTRICT; PROVIDING REQUIREMENTS AND CONDITIONS FOR THIS CUP; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATIONS HEREOF; AND PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

**Whereas**, Clinton Hankla has requested a CUP to operate an “*office showroom / warehouse*” facility on approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, in the City of Tomball, Harris County, Texas, (the "Property"), and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested CUP; and

**Whereas**, the public hearing was held before the Planning & Zoning Commission at least forty (40) calendar days after the City’s receipt of the requested CUP; and

**Whereas**, the Planning & Zoning Commission recommended in its final report that City Council deny the requested CUP; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested CUP, the City Council held the public hearing for the requested CUP and the City Council considered the final report of the Planning & Zoning Commission; and

**Whereas**, the City Council deems it appropriate to grant the requested CUP.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** A CUP to operate an “*office showroom/warehouse*” facility at the Property and subject to the terms and conditions set forth below is hereby granted to Clinton Hankla.

**Section 3.** The Official Zoning District Map of the City shall be revised and amended to show the CUP authorized for the Property, with the appropriate references thereon to the number and effective date of this Ordinance and a brief description of the nature of the CUP authorized.

**Section 4.** This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the granting of the CUP as herein provided.

**Section 5.** The CUP granted hereby shall be null and void after the expiration of two (2) years from the date of adoption hereof unless the Property is being used in accordance with the CUP herein authorized within said two-year period, or unless an extension of time is approved by City Council.

**Section 6.** The CUP is subject to the following additional limitations, restrictions and conditions:

- 1) The site shall be developed and operated in substantial compliance with Exhibit “A”;
- 2) **The structures on the site shall be limited to 25 feet in height;**
- 3) **Trees and/or shrubs shall be planted within the required 10-foot landscape buffers along the west and east sides of the property to provide additional screening.**

**Section 7.** Any person who shall 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 8.** In the event any 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 than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

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 19<sup>TH</sup> DAY OF JULY 2021.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>ABSENT</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>NAY</u>

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 2<sup>ND</sup> DAY OF AUGUST 2021.

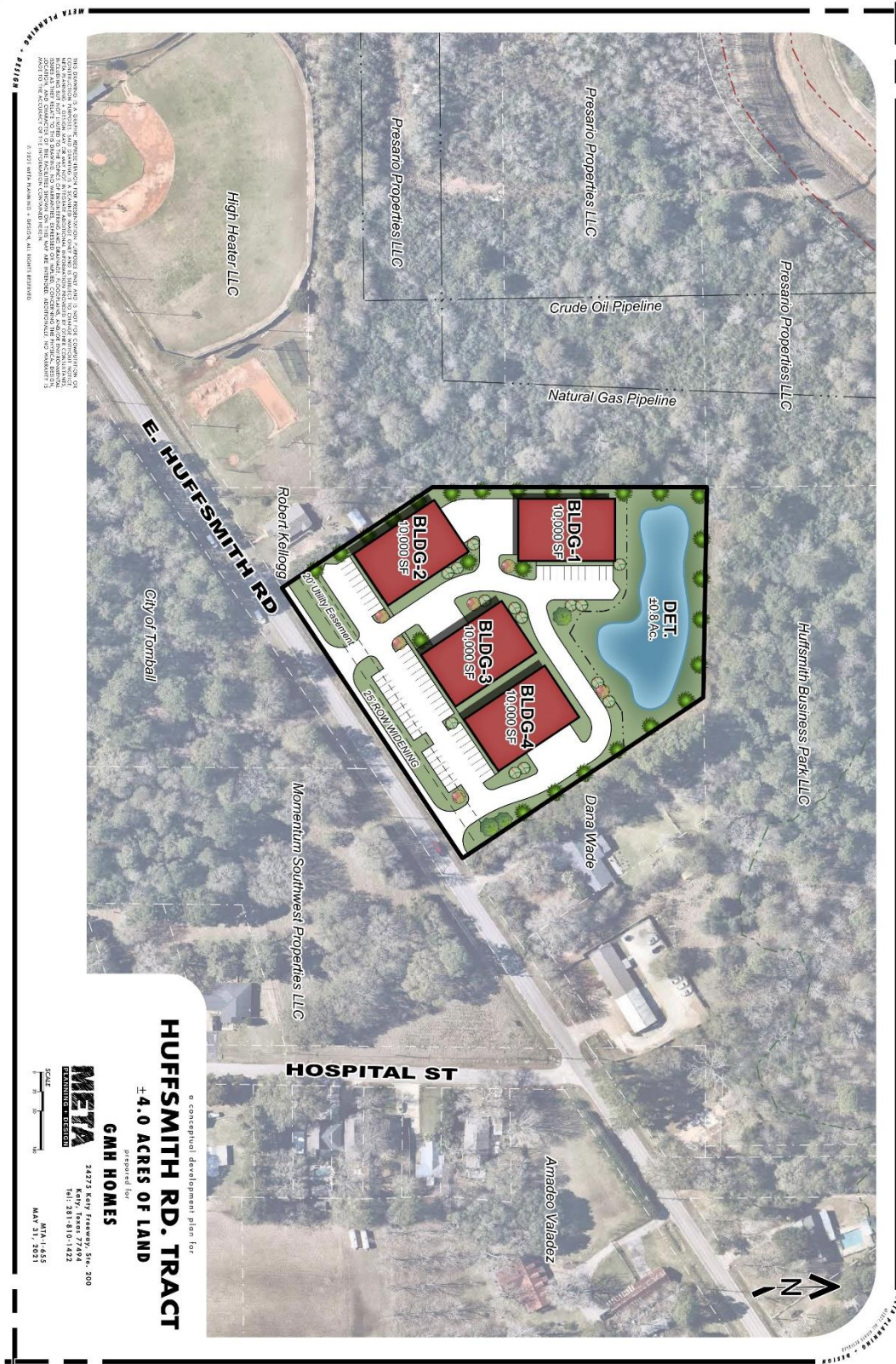
COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

\_\_\_\_\_  
Gretchen Fagan, Mayor

ATTEST:

\_\_\_\_\_  
Doris Speer, City Secretary

Exhibit "A"  
Concept Plan





**NOTICE OF PUBLIC HEARING  
CITY OF TOMBALL  
PLANNING & ZONING COMMISSION (P&Z)  
JULY 12, 2021  
&  
CITY COUNCIL  
JULY 19, 2021**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 12, 2021, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 19, 2021, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

**Zoning Case P21-252:** Request by Tim Littlefield to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 4 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located at the northwest corner of Agg Road and Persimmon Road, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-253:** Request by Louis Smulders to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land legally described as Reserve A Block 3 Pine Meadows, from the Single-Family 6 District to the Commercial District. The property is generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-266:** Request by Clinton Hankla to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District. The property is generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road, within the City of Tomball, Harris County, Texas.

**Zoning Case P21-267:** Request by Clinton Hankla for a Conditional Use Permit to operate an *office showroom/warehouse* facility at 343 East Hufsmith Road. The property is approximately 3.78 acres, legally described as Lot 1 Block 1 Tennis Venture Tract, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, within the City of Tomball, Harris County, Texas, and is zoned Agricultural District with an application to rezone to the General Retail District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375.

Further information may be obtained by contacting the City Planner, Amelia Lindley, at (281) 290-1410 or at [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov).

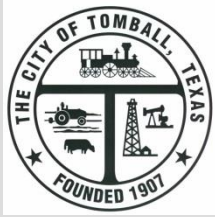
### CERTIFICATION

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 **8<sup>th</sup>** day of **July 2021** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

*Amelia Lindley*

Amelia Lindley  
City Planner

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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.tomballtx.gov](http://www.tomballtx.gov).



## Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: July 12, 2021  
City Council Public Hearing Date: July 19, 2021

**Rezoning Case:** P21-267  
**Property Owner(s):** Clinton Hankla  
**Applicant(s):** Clinton Hankla – GHM Homes, LLC  
**Legal Description:** Lot 1 Block 1 Tennis Venture Tract  
**Location:** North side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road (Exhibit “A”)  
**Area:** 3.78 acres  
**Comp Plan Designation:** Neighborhood Commercial (Exhibit “B”)  
**Present Zoning and Use:** Agricultural District (Rezoning request for the General Retail District) (Exhibit “C”) / Undeveloped (Exhibit “D”)  
**Proposed Use(s):** *Office showroom / warehouse* (Exhibit “D”)  
**Request:** Conditional Use Permit (CUP) to allow the operation of an office/warehouse facility  
**Adjacent Zoning & Land Uses:**  
**North:** General Retail District / Undeveloped (future self-storage facility)  
**South:** Agricultural and Single-Family 6 Districts / Undeveloped  
**West:** Single-Family 20 Estate and Agricultural Districts / Single-family residence and undeveloped  
**East:** Agricultural District / Single-family residence

### **BACKGROUND**

City Staff met with the applicant to discuss the development of the subject site in June 2021. In 2014, CUP #11 was approved by City Council for a *tennis court (private)* on the property. In 2015, City Staff approved plans for a private tennis club facility. Construction began, but was never completed.

### **ANALYSIS**

According to Section 50-81 (f) of the Chapter 50 (Zoning), when considering applications for a CUP, the City shall, on the basis of the concept plan and other information submitted, evaluate the impact of the conditional use on and the compatibility of the use with surrounding properties



and neighborhoods to ensure the appropriateness of the use at a particular location. Specific considerations shall include the extent to which:

**1. The proposed use at the specified location is consistent with the goals, objectives, and policies contained in the adopted Comprehensive Plan;**

The property and all surrounding properties are designated as Neighborhood Commercial by the Comprehensive Plan Future Land Use Map. This category is intended for “commercial uses that are developed with the appropriate context, scale and design to compliment residential development”. Appropriate land uses include “restaurants, retail, professional services, clinics, and offices” and compatible zoning districts include Office, General Retail and Planned Developments. The proposed land use appears to meet the intent of the Future Land Use Map.

**2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;**

According to the Zoning Ordinance, “a conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions.”

The property is zoned Agricultural District, with an approved CUP for a private tennis facility. Surrounding properties are zoned Agricultural to the east and west, Single-Family 20 Estate to the east as well and Single-Family 6 and Agricultural to the south. In 2017, the property to the north was rezoned to the General Retail District. According to Section 50-73 (*General Retail District*), the “General Retail District is established to provide areas for local neighborhood shopping and service facilities”. This district should be located along major thoroughfares to accommodate higher traffic volume. The proposed use appears to be consistent with the intent of the General Retail District.

**3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in the Zoning Ordinance;**

Should the CUP application be approved by City Council, the applicant will be required to submit site and building plan applications and supporting documents to the City for review and approval. Specific details of site modifications will be shown at the time of plan review. Since the lot abuts two single-family residences, additional regulations will be required, such as landscape buffers, screening and increased building setbacks.

**4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts;**

The property is between two single-family residences to the east and west. The properties on the south side of East Hufsmith Road are undeveloped. The property to the north of the subject site is currently undeveloped as well, however, plans have been submitted to the City for a boat and RV storage facility.

5. **The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.**

Staff does not anticipate any adverse effects on surrounding properties.

### **PUBLIC COMMENT**

Property owners within 200 feet of the project site were mailed notification of this proposal and a Notice of Public Hearing was published in the paper on June 30, 2021. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

### **RECOMMENDATION**

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P21-267.

### **EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. CUP Application
- F. Concept Plan

Exhibit "A"  
Aerial Photo





**Exhibit "B"**  
**Comprehensive Plan**

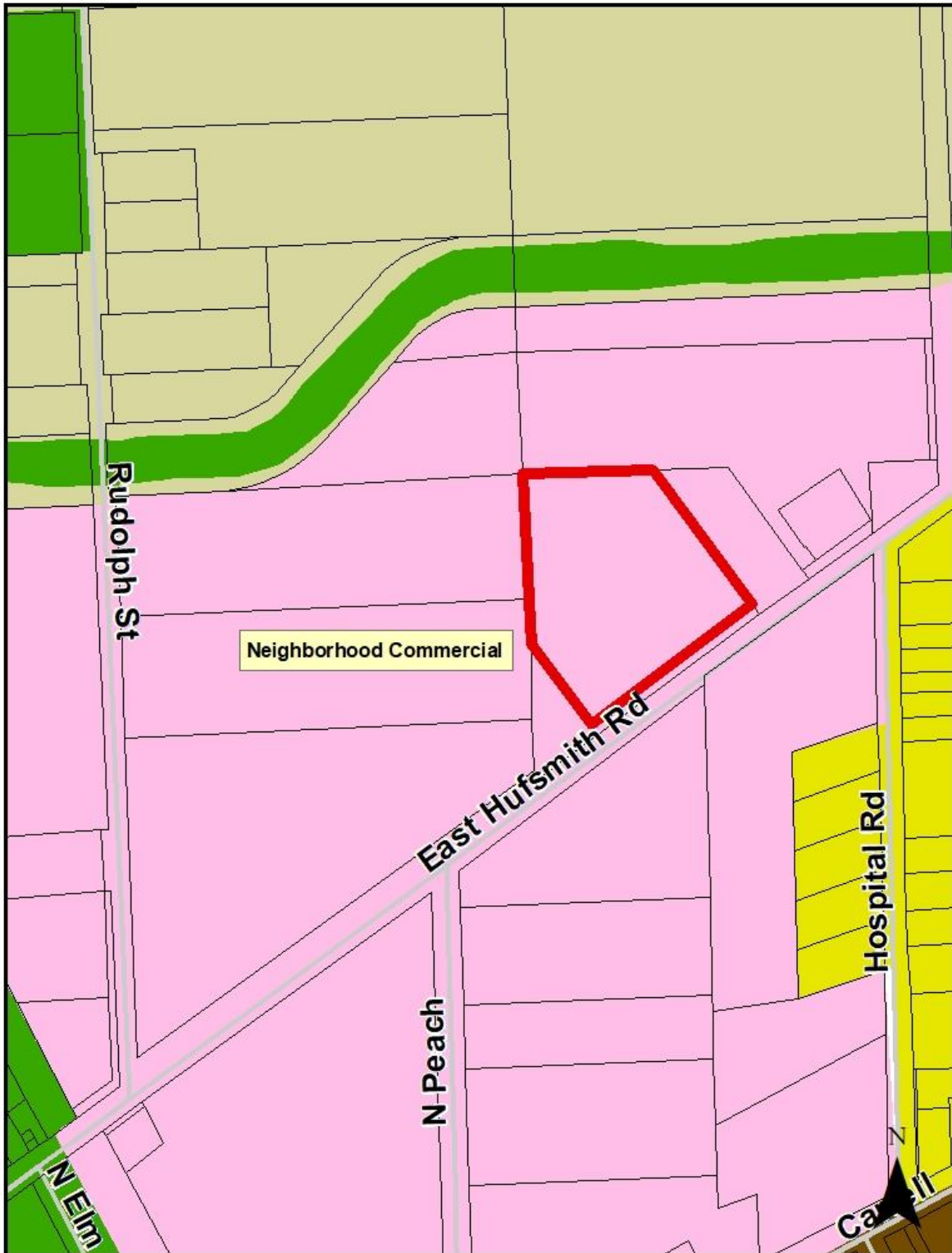
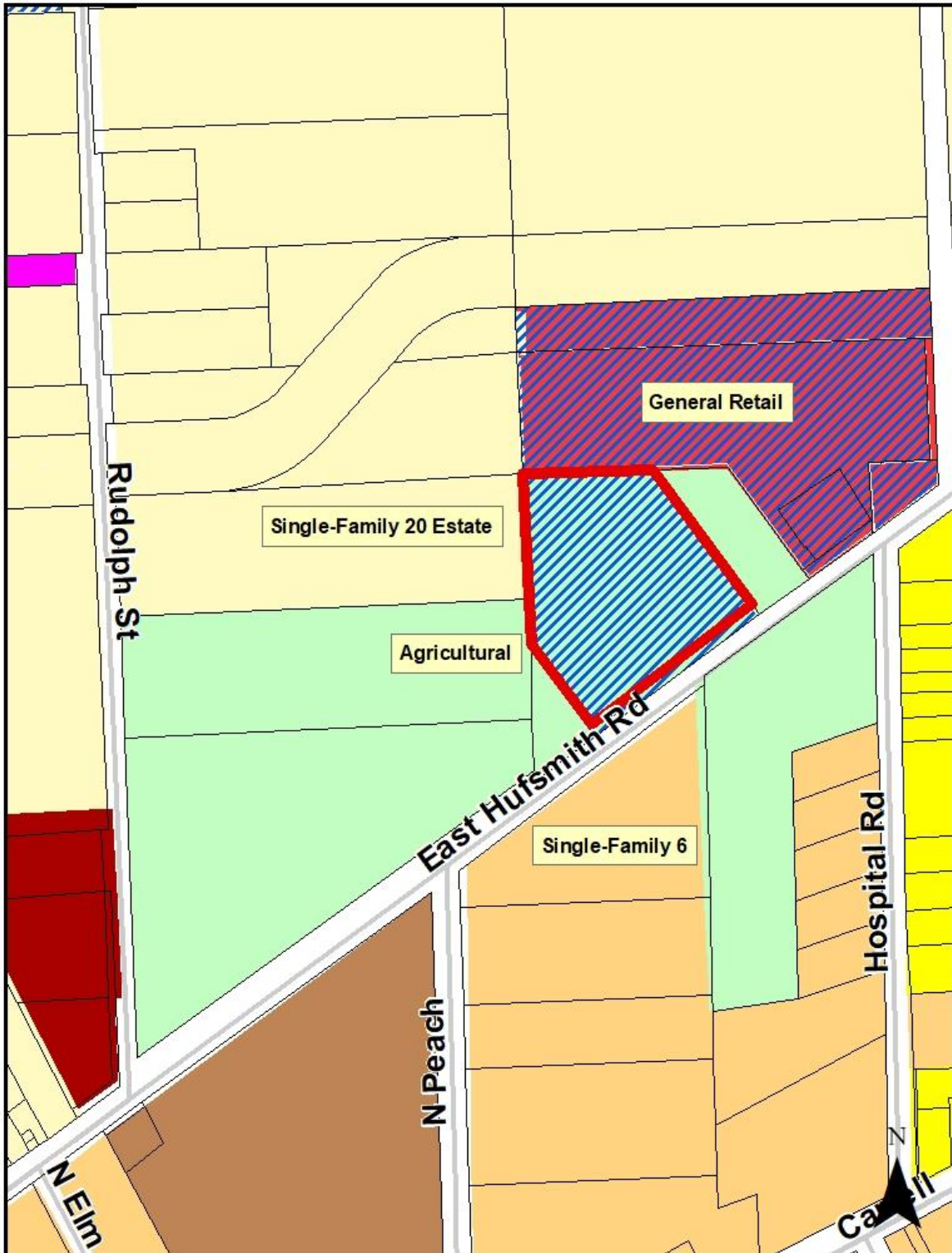


Exhibit "C"  
Zoning Map



**Exhibit “D”  
Site Photo**



**Exhibit "E"**  
**CUP Application**

RECEIVED (KC)  
06/01/2021 10:22:58 AM



**APPLICATION FOR  
CONDITIONAL USE PERMIT**  
Engineering & Planning Department

Revised 1/20/09  
**P&Z #21-267**  
**\$600.00**

A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions. This Section sets forth the standards used to evaluate proposed conditional uses and the procedures for approving conditional use permit (CUP) applications.

No conditional use shall be established and no building permit shall be issued for any use designated as a conditional use within any zoning district until a conditional use permit (CUP) is approved and issued in accordance with the provisions of this Section and Section 10 of The Zoning Ordinance.

**APPLICATION SUBMITTAL:** Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

**Applicant**

Name: CLINTON HANKLA Title: MANAGING MEMBER  
Mailing Address: 13315 Misty Hills Drive City: Cypress State: TX  
Zip: 77429  
Phone: (832) 684-5301 Fax: ( ) Email: chankla@lcc-associates.com

(Clint Hankla)

**Owner**

Name: GMH Homes, LLC Title: Managing member  
Mailing Address: 13315 Misty Hills Drive City: Cypress State: TX  
Zip: 77429  
Phone: (832) 684-5301 Fax: ( ) Email: chankla@lcc-associates.com

**Engineer/Surveyor (if applicable)**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Phone: ( ) Fax: ( ) Email: \_\_\_\_\_



Description of Proposed Project: office warehouse

Physical Location of Property: 343. East Hufsmith Tomball, TX 77375

[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: ABSTRACT NO. 1 IN HARM'S COUNTY LOT 1

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

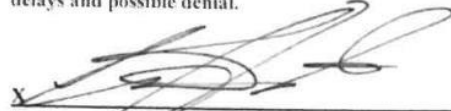
HCAD Identification Number: 1363880010001 Acreage: 3.78

Current Use of Property: Land

Proposed Use of Property: office warehouse


Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X 

Signature of Applicant

Date

X 

5/19/2021

Signature of Owner

Date

June 1, 2021

Amelia Lindley  
City of Tomball Planning Department  
401 Market Street  
Tomball, Texas 77375

**Re: 4 Ac Huffsmith Tract CUP Application (343 E Huffsmith Rd.)**

Dear Amelia,

On behalf of our client, Clint Hankla – GMH Homes, LLC, we are submitting the application for a zone change and conditional use permit for a +/- 4 Acre tract located at 343 E Huffsmith Rd. The request is for a rezone to General Retail with a Conditional Use Permit for Office Warehouse. More specifically, the applicant intends to build a facility that will have the potential to house multiple tenants with a variety of office and service related uses (example: engineering firm, general office uses, repair service business, etc.). The proposed development will be in compliance with all city standards including, but not limited to, allowed uses, building standards, landscaping, parking, screening, and signage.

The enclosed preliminary site plan illustrates the proposed layout for the tract, incorporating significant landscape/open space area and plenty of space for required parking, buffering, etc. The project will be compatible with the surrounding uses, which includes baseball fields, various other business and undeveloped acreage. Property to the east of the tract is already zoned General Retail with a variety of Conditional Use Permits.

The proposed development will bring business to the area and be a beneficial addition to the City of Tomball. Feel free to contact me if you have any questions or need any additional information.

Sincerely,

Kathryn Parker  
Enclosure

June 1, 2021

Amelia Lindley  
City of Tomball Planning Department  
401 Market Street  
Tomball, Texas 77375

**Re: 4 Ac Huffsmith Tract CUP Application (343 E Huffsmith Rd.)**

Dear Amelia,

On behalf of our client, Clint Hankla – GMH Homes, LLC, we are submitting the application for a zone change and conditional use permit for a +/- 4 Acre tract located at 343 E Huffsmith Rd. The applications are for a rezone to General Retail with a Conditional Use Permit for Office Warehouse.

Below is a list of the items that are included with the Conditional Use Permit submittal:

- 1) Rezone Application
- 2) Submittal Fee - \$600 (to be paid over the phone)
- 3) Copy of Recorded "Tennis Venture Tract" Plat
- 4) Tax statements showing all taxes paid (Harris County and Tomball ISD)
- 5) Letter of Intent/Reason for Request
- 6) Preliminary Concept/Site Plan

Feel free to contact me if you have any questions or need any additional information.

Sincerely,

Kathryn Parker  
Enclosure

ANN HARRIS BENNETT  
TAX ASSESSOR-COLLECTOR  
P.O. BOX 3547  
HOUSTON, TEXAS 77253-3547  
TEL: 713-274-8000



**2020 Property Tax Statement  
Web Statement**

Statement Date:	May 26, 2021
Account Number	
	<b>136-388-001-0001</b>

Additional city sales tax reduced your city ad  
valorem tax by: \$468.23



STOKES JANIE L  
29910 ANNA TRAILS  
TOMBALL TX 77375-6206

Taxing Jurisdiction	Exemptions	Taxable Value	Rate per \$100	Taxes
Harris County	0	252,016	0.391160	\$985.79
Harris County Flood Control Dist	0	252,016	0.031420	\$79.18
Port of Houston Authority	0	252,016	0.009910	\$24.97
Harris County Hospital District	0	252,016	0.166710	\$420.14
Harris County Dept. of Education	0	252,016	0.004993	\$12.58
Lone Star College System	0	252,016	0.107800	\$271.67
City of Tomball	0	252,016	0.337862	\$851.47
Emergency Service Dist #8 (EMS)	0	252,016	0.097000	\$244.46

Property Description	
343 E HUFSMITH RD 77375 LT 1 BLK 1 TENNIS VENTURE TRACT 3.7766 AC	
Appraised Values	
Land - Market Value	224,016
Impr - Market Value	28,000
Total Market Value	252,016
Less Capped Mkt Value	0
Appraised Value	252,016
Exemptions/Deferrals	

Page: 1 of 1

Total 2020 Taxes Due By January 31, 2021:				\$2,890.26
Payments Applied To 2020 Taxes				\$2,890.26
Total Current Taxes Due (Including Penalties)				\$0.00
Prior Year(s) Delinquent Taxes Due (If Any)				\$0.00
Total Amount Due For May 2021				\$0.00
Penalties for Paying Late	Rate	Current Taxes	Delinquent Taxes	Total
By February 28, 2021	7%	\$0.00	\$0.00	\$0.00
By March 31, 2021	9%	\$0.00	\$0.00	\$0.00
By April 30, 2021	11%	\$0.00	\$0.00	\$0.00
By May 31, 2021	13%	\$0.00	\$0.00	\$0.00
By June 30, 2021	15%	\$0.00	\$0.00	\$0.00

Tax Bill Increase (Decrease) from 2015 to 2020: Appraised Value 0%, Taxable Value 0%, Tax Rate 0%, Tax Bill 0%.

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.



**PAYMENT COUPON**

STOKES JANIE L  
29910 ANNA TRAILS  
TOMBALL TX 77375-6206

Make check payable to:

IF YOU ARE 65 YEARS OF AGE OR OLDER OR  
ARE DISABLED AND THE PROPERTY  
DESCRIBED IN THIS DOCUMENT IS YOUR  
RESIDENCE HOMESTEAD, YOU SHOULD  
CONTACT THE APPRAISAL DISTRICT  
REGARDING ANY ENTITLEMENT YOU MAY  
HAVE TO A POSTPONEMENT IN THE  
PAYMENT OF THESE TAXES.

ANN HARRIS BENNETT  
TAX ASSESSOR-COLLECTOR  
P.O. BOX 4622  
HOUSTON, TEXAS 77210-4622

Account Number
136-388-001-0001
Amount Enclosed
\$ _____

Web Statement - Date Printed: 05-26-2021

13638800100010 2020 000000000 000000000 000000000 000000000



2,633,054-1

**TAX STATEMENT 2020 +**

STATEMENT DATE: 05/26/2021

LEGAL: LT 1 BLK 1

ACCOUNT: 1363880010001

TENNIS VENTURE TRACT

OWNER: STOKES JANIE L  
PARCEL ADDRESS: 0000343 E HUFSMITH RDPIDN: 1363880010001  
ACRES: 3.7766

LAND VALUE	IMPROVEMENT VALUE	APPRAISED VALUE			
224,016	28,000	252,016			
TAXING ENTITIES	EXEMPTION AMOUNT	TAXABLE VALUE	TAX RATE PER \$100	BASE TAX	PENALTY & INTEREST
TOMBALL ISD	0	252,016	1.290000	0.00	0.00
			SUBTOTAL	0.00	0.00
			PRIOR YEARS	0.00	
TOTAL AMOUNT DUE				0.00	

This top portion and your canceled check will serve as your receipt.

^ Detach on perforation and return this portion with your check payable to:

Kristi Williams  
PO Box 276  
Tomball, TX 77377-0276  
(281)357-3100

DELINQUENT DATE: 02/01/2021

ACCOUNT: 1363880010001 2020 +  
STOKES JANIE L  
29910 ANNA TRAILS  
TOMBALL, TX 77375-6206TOTAL AMOUNT DUE  
\$0.00

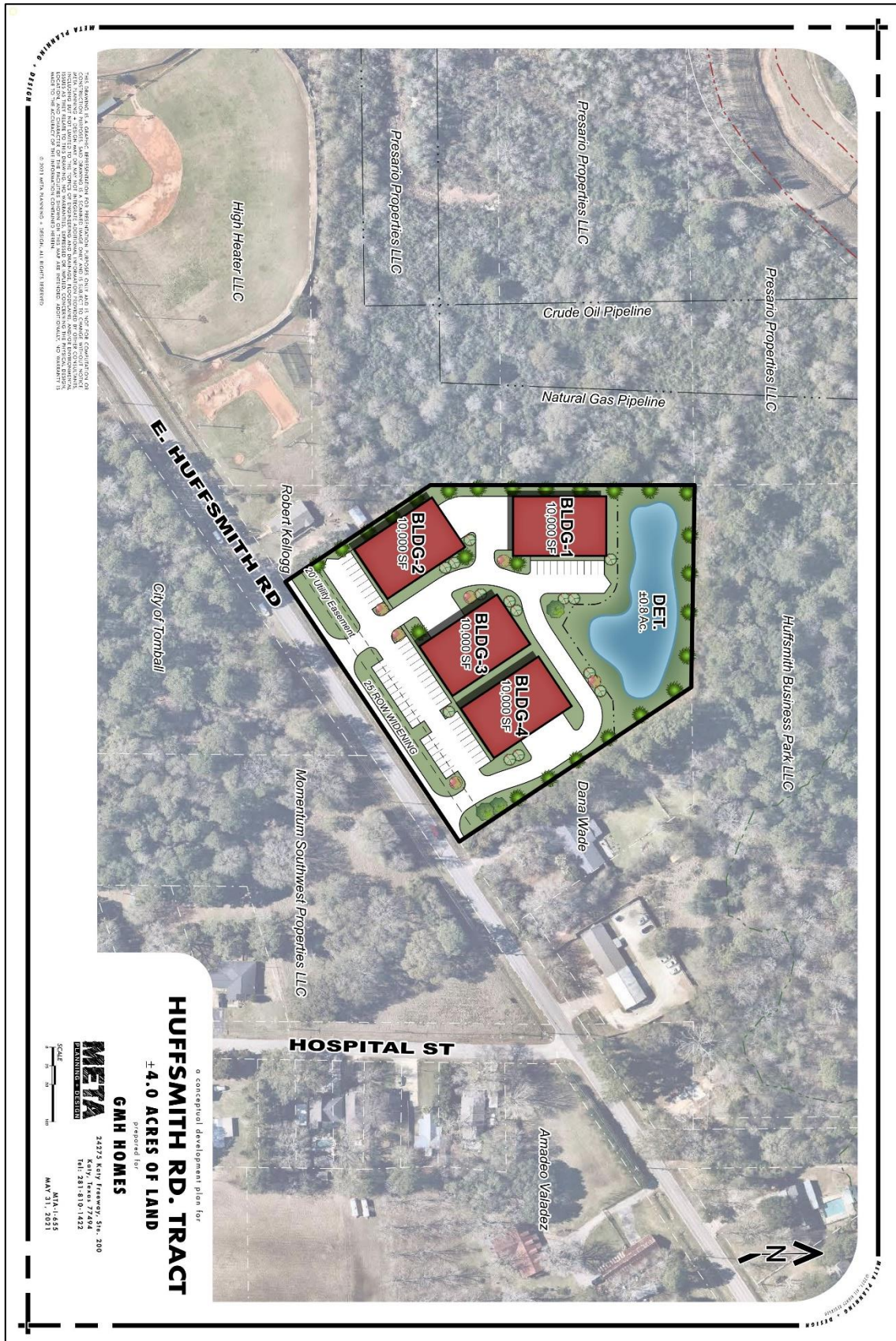
^^ AMOUNT DUE ON RECEIPT ^^

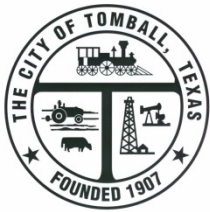
OWNER: STOKES JANIE L  
PIDN: 1363880010001

IF PAID IN	AMOUNT DUE
JUN	0.00
JUL	0.00
AUG	0.00
SEP	0.00
OCT	0.00
NOV	0.00



**Figure "F"**  
**Concept Plan**





## Notice of Public Hearing

**YOU ARE INVITED TO ATTEND** the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

**CASE NUMBER:** P21-267

**APPLICANT/OWNER:** Clinton Hankla

**LOCATION:** Generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, within the City of Tomball, Harris County, Texas

**PROPOSAL:** A Conditional Use Permit to operate an *office showroom/warehouse* facility at 343 East Hufsmith Road. The property is approximately 3.78 acres, legally described as Lot 1 Block 1 Tennis Venture Tract and is zoned Agricultural District with an application to rezone to the General Retail District.

**CONTACT:** Amelia Lindley, City Planner

**PHONE:** (281) 290-1410

**E-MAIL:** [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov)

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

**This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.**



**Planning & Zoning Commission  
Public Hearing:  
Monday, July 12, 2021 6:00 PM**

**City Council Public Hearing:  
\*Monday, July 19, 2021 6:00 PM**

**The Public Hearings will be held in the  
City Council Chambers, City Hall  
401 Market Street, Tomball, Texas**

\*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.





# Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball  
Attn: Amelia Lindley  
501 James Street  
Tomball, TX 77375

Name:

Dana Wade

(please print)

Address:

413 E. Hufsmith Rd

Tomball, Tx 77375

Signature:

Dana Wade

Date:

7/4/21

X

I am **FOR** the requested Conditional Use Permit as explained on the attached public notice for **Zoning Case P21-267**. (Please state reasons below)

\_\_\_\_\_

I am **AGAINST** the requested Conditional Use Permit as explained on the attached public notice for **Zoning Case P21-267**. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

**Monday, July 12, 2021 @ 6:00 PM**

City Council Chambers of the City of Tomball, City Hall  
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

**Monday, July 19, 2021 @ 6:00 PM**

City Council Chambers of the City of Tomball, City Hall  
401 Market Street, Tomball, Texas

## COMMENTS:

I will be out of town at time of meeting but I have personally met & like Mr. Hankla. He has explained his plans to me about what he proposed to do with this land and has my approval. Dana Wade

You may also comment via email to [ALindley@tomballtx.gov](mailto:ALindley@tomballtx.gov).

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



# Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball  
Attn: Amelia Lindley  
501 James Street  
Tomball, TX 77375

Name:

(please print)

Address:

Signature:

Date:

Janie L. Stokes  
29910 Anna Trails  
Tomball, TX 77375  
Janie L. Stokes  
7-8-2021



I am **FOR** the requested Conditional Use Permit as explained on the attached public notice for **Zoning Case P21-267**. (Please state reasons below)



I am **AGAINST** the requested Conditional Use Permit as explained on the attached public notice for **Zoning Case P21-267**. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

**Monday, July 12, 2021 @ 6:00 PM**

City Council Chambers of the City of Tomball, City Hall  
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

**Monday, July 19, 2021 @ 6:00 PM**

City Council Chambers of the City of Tomball, City Hall  
401 Market Street, Tomball, Texas

**COMMENTS:**

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You may also comment via email to [ALindley@tomballtx.gov](mailto:ALindley@tomballtx.gov).

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** August 2, 2021

**Topic:**

Appoint/Reappoint Members to the Tomball Regional Health Foundation Board of Directors for Terms Expiring September 1, 2021

**Background:**

On August 19, 2019, City Council reappointed Latrell Simmons Shannon and Jim Ross to their Class A, City-appointed Board of Directors positions 1 and 4 on the Tomball Regional Health Foundation.

We have received a request from the Nominating Committee and the Board of Directors of the Tomball Regional Health Foundation, asking the City to reappoint Mrs. Shannon and Mr. Ross, due to the long orientation, training and educational commitment required of new and current board members to be effective in their positions. We have also received a letter from Mrs. Shannon requesting reappointment.

As Mayor, I wish to recommend the reappointment of Latrell Shannon to Position 2 and Jim Ross to Position 4. The training curve to serve effectively on the Foundation is significant; reappointing Latrell Shannon and Jim Ross would be in the best interests of the Foundation and the community.

We have no current applications from citizens regarding possible service on this board of directors.

**Origination:** Doris Speer, City Secretary

**Recommendation:** N/A

**Party(ies) responsible for placing this item on agenda:** Doris Speer, City Secretary

Signed	<u>Doris Speer</u>	<u>7-15-2021</u>	Approved by	<u>David Esquivel</u>	
	Staff Member	Date		Acting City Manager	Date

**From:** [LATRELL SHANNON](#)  
**To:** [Doris Speer](#)  
**Subject:** Re-Appointment To Tomball Regional Healthcare Foundation Board  
**Date:** Monday, July 19, 2021 12:19:12 AM

---

July 17, 2021

To: The Honorable Mayor Gretchen Fagan & all  
City of Tomball City Council Members  
401 Market  
Tomball, Tx. 77375

It is with my deepest sincerity and concern that I am writing to you to express my desire to continue serving in the capacity of Board Member on the Board of Directors for the Tomball Regional Healthcare Foundation for another term.

I enjoy serving on this board. I enjoy working with the other (10) ten board members who make up this board. I also enjoy being able to have an active role in matters that involve providing adequate assistance and management of healthcare to our local citizens and to others in the surrounding service areas that are in need.

Thanks for your consideration in this matter.

Sincerely,  
Latrell Shannon



# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: August 2, 2021

#### Topic:

Reappoint three Associate/Alternate Judges to the Municipal Court for terms of office which begin August 3, 2021 and ends on August 2, 2023.

#### Background:

The Associate Municipal Court Judges are not employees of the City. The Associate Judges serve on a contract basis to preside over the municipal court and magistrate the jail to which they have been assigned by the Presiding Municipal Court Judge. The Associate Municipal Court Judges are needed when the Presiding Judge is on vacation, sick, or attends mandatory training, and serve as magistrates if the Presiding Judge is unable to hear cases where judicial disqualification is appropriate. Current appointments expire August 3, 2021.

Three Associate Judges are being recommended for reappointment:

Cindy Bennett-Smith

Blair Bruce

Michael Tiffin

The appointment of each Associate Municipal Judge is subject to his/her execution of a contract with the City and will be for the two-year term.

**Origination:** Tomball Municipal Court

#### Recommendation:

Reappoint Judges Bennett-Smith, Bruce and Tiffin to a two year term

**Party(ies) responsible for placing this item on agenda:** Maria Morris ,Court Administrator

#### 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

# City Council Meeting Agenda Item Data Sheet

Meeting Date: August 2, 2021

## Topic:

Reappoint Associate/Alternate Prosecutor, Erik Berglund, to the Municipal Court for a term of office which begins August 3, 2021 and ends on August 2, 2023.

## Background:

The Associate/Alternative Municipal Court Prosecutor is not employees of the City. The Associate Municipal Court Prosecutor serves on a contract basis to represent the State in misdemeanor cases involving offenses under the Texas Penal Code, such as traffic offenses and violations of City ordinances, in the absence of the Chief Prosecutor or as assigned by the Chief Prosecutor. Current appointment expires August 3, 2021.

Associate Prosecutor recommended for reappointment:

Erik Berglund

The appointment of the Associate/Alternative Prosecutor is subject to his/her execution of a contract with the City and will be for the two-year term.

**Origination:** Tomball Municipal Court

## Recommendation:

Reappoint Associate/Alternative Prosecutor Erik Berglund to a two year term

**Party(ies) responsible for placing this item on agenda:** Maria Morris, Court Administrator

## 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

# City Council Meeting Agenda Item Data Sheet

**Meeting Date:** 8/2/2021

**Topic:**

Approve annual Consumer Price Index (CPI) and Fuel Index adjustment from GFL (formally WCA Waste Corporation) of 3.77%, effective October 1, 2021.

## Background:

Based on the terms and conditions of the contract between the City of Tomball and GFL for solid waste services, a CPI and Fuel Index adjustment are permitted annually. The City has received notification of this adjustment from GFL for the following:

CPI Increase: 2.8%

Fuel Adjustment: 0.97%

The total adjustment for services as of October 1 will be 3.77%, or approximately \$75,000 for the 2021-2022 fiscal year. There will be no changes to the pricing for residential or commercial customers as these increases were considered in the original pricing adopted through the Master Fee Schedule in October 2019.

**Origination:** Public Works Department

### Recommendation:

Staff recommends approving the 3.77% contract adjustment to GFL for the CPI and Fuel Index adjustment

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

**FUNDING (IF APPLICABLE)**

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

Yes: X      No:      If yes, specify Account Number: #100-155-6327

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

Signed	Meagan Mageo		Approved by		
	Staff Member	Date		City Manager	Date



March 26, 2021

David Esquivel  
Interim City Manager  
City of Tomball  
501 James St.  
Tomball, TX 77375

RE: Solid Waste Collection and Disposal Services – Contract Year 3 Base Rates Adjustment

Dear David:

In accordance with the our current Solid Waste Collection and Disposal Services contract, Section 9.03 allows for Base Rate adjustments for changes in CPI and Fuel Index and will considered one time per year and submitted for consideration by June 1<sup>st</sup> of each contract year. Please consider this letter as our request for an Annual Base Rate Adjustment for Year 3 of the contract, beginning October 1, 2021. You will find below the contract year 3 base rate adjustment calculation as set forth in the contract document under Section 9.03. In addition, you will find attached all supporting documentation and data used in the base rate adjustment calculation, as set forth in Section 9.03. Please let me know if you would like to meet, at your convenience to discuss the Base Rate Adjustment. Thank you in advance for your consideration.

Item (a): Change in the Consumer Price Index, Houston, TX; All Items Less Energy; Base Period 1982-84=100, Not Seasonally Adjusted. Contract states to use data published for the June CPI Index of current contract year and the published June CPI Index of the immediately preceding year. *The June data is not published until early July, therefore can not be utilized and submitted for request prior to June 1<sup>st</sup>, as stated in Section 9.03. I have used the most current published CPI data, which is for April 2021 (current year) and April 2020 (immediately preceding year).*

**Change in Consumer Price Index, April 2020 to April 2021 = 2.8%**

*Please see attached CPI Publication for April 2021, page 5 (highlighted in yellow)*

Item (b): Percentage of change in the cost of diesel fuel during the prior 12 month period, using the weekly average price of diesel fuel, as determined by the Energy Information Administration of the US Department of Energy's Weekly Retail On-Highway Diesel Prices for the Gulf Coast, published on the last Monday of each May of the Contract Year.

Initial Fuel Base =	2.208
Current Fuel Base =	2.373
Percentage Change =	7.47%
<b>Fuel Adjustment Component =</b>	<b>7.47% x 13% = 0.97%</b>

8515 Hwy 6 South, Houston, TX 77083  
Tel.: 281-368-8397 | [gflenv.com](http://gflenv.com)

Item (c): **Base Rate Adjustment = 2.8% (Change in CPI) + 0.97%(Fuel Adjustment) = 3.77%**

Based on the calculated Base Rate Adjustment, all current rates for applicable services would be increased by 3.77% beginning at the start of Contract Year 3, October 1, 2021.

Please let me know if you would like to meet, at your convenience to discuss the Base Rate Adjustment. Thank you in advance for your consideration.

Best Regards,

A handwritten signature in black ink, appearing to read 'aE' followed by a long horizontal stroke.

Tony Emilio  
Municipal Services Manager



For Release: Wednesday, May 12, 2021

21-787-DAL

SOUTHWEST INFORMATION OFFICE: Dallas, Texas

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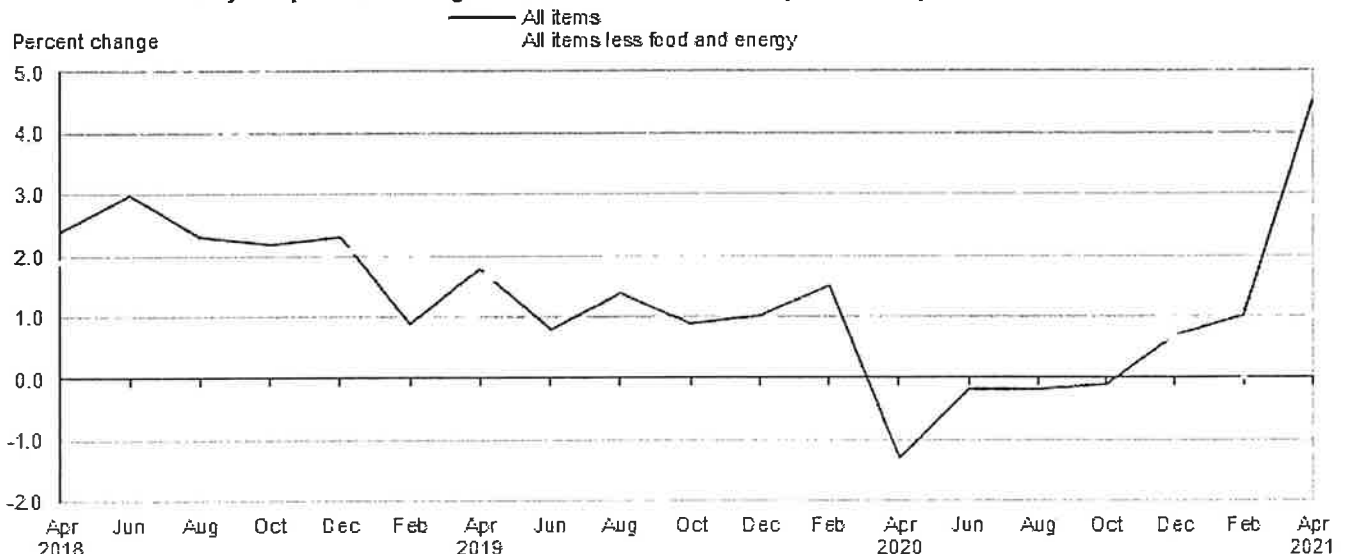
## Consumer Price Index, Houston-The Woodlands-Sugar Land – April 2021

**Area prices rise 1.8 percent in March and April, up 4.5 percent over the year**

Prices in the Houston-The Woodlands-Sugar Land area, as measured by the Consumer Price Index for All Urban Consumers (CPI-U), rose 1.8 percent for the two months ending in April 2021, the U.S. Bureau of Labor Statistics reported today. Regional Commissioner Michael Hirniak noted this was the largest increase in the all items index since February 2012. An increase in the index for all items less food and energy was the biggest contributor to the latest bimonthly rise, but higher energy costs were also a major factor. (Data in this report are not seasonally adjusted. Accordingly, bi-monthly changes may reflect seasonal influences.)

Over the last 12 months, the CPI-U rose 4.5 percent, the largest yearly increase in the all items index since August 2008. The index for all items less food and energy rose 2.8 percent over the year, as did the food index. During the same period, energy prices jumped 32.9 percent. (See chart 1 and table 1.)

**Chart 1. Over-the-year percent change in CPI-U, Houston, TX, April 2018–April 2021**



Source: U.S. Bureau of Labor Statistics.

### Food

Food prices increased 1.1 percent for the two months ending in April. Within the two components of the index, prices for food at home rose 2.2 percent, while prices for food away from home edged down 0.1 percent for the same period.



During the 12 months ending in April 2021, the index for food rose 2.8 percent. The rise reflected an increase in prices for both food away from home (3.8 percent) and food at home (1.9 percent).

### **Energy**

The energy index rose 9.6 percent for the two months ending in April, after rising 7.7 percent in the two months ending in February. The latest increase was mainly due to higher prices for gasoline (21.4 percent), but prices for natural gas service also rose (2.4 percent). In contrast, prices for electricity declined 1.2 percent for the same period.

From April 2020 to April 2021, the energy index jumped 32.9 percent over the year, the largest annual rise since June 2006. All subcomponents contributed to the latest advance, but a 54.3-percent surge in gasoline prices was the biggest factor; this was the largest 12-month increase in gasoline prices since January 2010. Prices paid for electricity and natural gas service also increased during the past year, up 17.0 percent and 9.1 percent, respectively.

### **All items less food and energy**

The index for all items less food and energy increased 1.2 percent in March and April, after rising 0.4 percent in January and February. The latest movement was fueled by higher prices for used cars and trucks (11.6 percent), motor vehicle insurance (9.5 percent), and recreation (1.2 percent).

Over the year, the index for all items less food and energy rose 2.8 percent. Higher prices for new and used motor vehicles (8.9 percent) and recreation (6.3 percent) led the increases within the index.

**The June 2021 Consumer Price Index for Houston-The Woodlands-Sugar Land is scheduled to be released on Tuesday, July 13, 2021.**

### **Coronavirus (COVID-19) Impact on April 2021 Consumer Price Index Data**

Data collection by personal visit for the Consumer Price Index (CPI) program has been suspended since March 16, 2020. When possible, data normally collected by personal visit were collected either online or by phone. Additionally, data collection in April 2021 was affected by the temporary closing or limited operations of certain types of establishments. These factors resulted in an increase in the number of prices considered temporarily unavailable and imputed. While the CPI program attempted to collect as much data as possible, many indexes are based on smaller amounts of collected prices than usual, and a small number of indexes that are normally published were not published this month. Additional information is available at [www.bls.gov/covid19/effects-of-covid-19-pandemic-on-consumer-price-index.htm](http://www.bls.gov/covid19/effects-of-covid-19-pandemic-on-consumer-price-index.htm).

### **Technical Note**

The Consumer Price Index (CPI) is a measure of the average change in prices over time in a fixed market basket of goods and services. The Bureau of Labor Statistics publishes CPIs for two population groups: (1) a CPI for All Urban Consumers (CPI-U) which covers approximately 93 percent of the total U.S. population and (2) a CPI for Urban Wage Earners and Clerical Workers (CPI-W) which covers approximately 29 percent of

the total U.S. population. The CPI-U includes, in addition to wage earners and clerical workers, groups such as professional, managerial, and technical workers, the self-employed, short-term workers, the unemployed, and retirees and others not in the labor force.

The CPI is based on prices of food, clothing, shelter, and fuels, transportation fares, charges for doctors' and dentists' services, drugs, and the other goods and services that people buy for day-to-day living. Each month, prices are collected in 75 urban areas across the country from about 6,000 housing units and approximately 22,000 retail establishments—department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments. All taxes directly associated with the purchase and use of items are included in the index.

The index measures price changes from a designated reference date; for most of the CPI-U the reference base is 1982-84 equals 100. An increase of 7 percent from the reference base, for example, is shown as 107.000. Alternatively, that relationship can also be expressed as the price of a base period market basket of goods and services rising from \$100 to \$107. For further details see the CPI home page on the internet at [www.bls.gov/cpi](http://www.bls.gov/cpi) and the CPI section of the BLS Handbook of Methods available on the internet at [www.bls.gov/opub/hom/cpi/](http://www.bls.gov/opub/hom/cpi/).

In calculating the index, price changes for the various items in each location are averaged together with weights that represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. Because the sample size of a local area is smaller, the local area index is subject to substantially more sampling and other measurement error than the national index. In addition, local indexes are not adjusted for seasonal influences. As a result, local area indexes show greater volatility than the national index, although their long-term trends are quite similar. **NOTE: Area indexes do not measure differences in the level of prices between cities; they only measure the average change in prices for each area since the base period.**

The **Houston-The Woodlands-Sugar Land, Texas, Core Based Statistical Area** includes the counties of Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller.

Information in this release will be made available to individuals with sensory impairments upon request. Voice phone: (202) 691-5200; Federal Relay Service: (800) 877-8339.

**Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods, Houston-The Woodlands-Sugar Land, TX, April 2021 (1982-84=100 unless otherwise noted)**

Item and Group	Indexes			Percent change from -		
	Feb. 2021	Mar. 2021	Apr. 2021	Apr. 2020	Feb. 2021	Mar. 2021
All items.....	232.442	-	236.604	4.5	1.8	-
All items (1967 = 100) .....	745.525	-	758.874			
Food and beverages .....	243.397	-	246.208	2.9	1.2	-
Food .....	243.716	-	246.306	2.8	1.1	-
Food at home .....	230.282	235.889	235.290	1.9	2.2	-0.3
Cereals and bakery products .....	271.327	-	278.915	0.6	2.8	-
Meats, poultry, fish, and eggs.....	253.681	-	251.794	0.4	-0.7	-
Dairy and related products .....	174.172	-	198.663	8.6	14.1	-
Fruits and vegetables .....	295.368	-	301.012	1.2	1.9	-
Nonalcoholic beverages and beverage materials(1) .....	278.217	-	279.624	-0.2	0.5	-
Other food at home .....	202.651	-	206.013	3.4	1.7	-
Food away from home.....	253.276	-	253.124	3.8	-0.1	-
Alcoholic beverages .....	226.847	-	232.196	4.2	2.4	-
Housing .....	231.542	-	231.900	2.2	0.2	-
Shelter .....	273.853	274.342	274.407	0.5	0.2	0.0
Rent of primary residence .....	270.111	270.876	270.503	0.7	0.1	-0.1
Owners' equivalent rent of residences(2) ....	256.192	256.202	255.898	0.9	-0.1	-0.1
Owners' equivalent rent of primary residence(2) .....	256.192	256.202	255.898	0.9	-0.1	-0.1
Fuels and utilities.....	197.867	-	196.730	14.9	-0.6	-
Household energy .....	171.745	172.991	170.501	15.9	-0.7	-1.4
Energy services .....	169.195	170.376	167.889	15.9	-0.8	-1.5
Electricity .....	172.155	173.533	170.017	17.0	-1.2	-2.0
Utility (piped) gas service .....	138.361	138.359	141.723	9.1	2.4	2.4
Household furnishings and operations .....	138.681	-	139.406	3.0	0.5	-
Apparel .....	166.961	-	167.857	1.1	0.5	-
Transportation .....	178.642	-	193.812	15.6	8.5	-
Private transportation .....	180.664	-	194.079	15.8	7.4	-
New and used motor vehicles(3).....	90.930	-	94.632	8.9	4.1	-
New vehicles(1) .....	171.396	-	172.275	3.4	0.5	-
Used cars and trucks(1) .....	246.337	-	274.999	21.0	11.6	-
Motor fuel .....	190.741	223.080	231.339	53.6	21.3	3.7
Gasoline (all types).....	190.700	223.277	231.531	54.3	21.4	3.7
Gasoline, unleaded regular(4).....	191.765	225.281	234.107	56.6	22.1	3.9
Gasoline, unleaded midgrade(4)(5).....	215.137	238.471	252.813	49.4	17.5	6.0
Gasoline, unleaded premium(4) .....	217.248	249.958	253.356	36.9	16.6	1.4
Motor vehicle insurance(1) .....	602.649	-	659.856	11.9	9.5	-
Medical care .....	535.541	-	538.142	1.7	0.5	-
Recreation(3).....	111.846	-	113.193	6.3	1.2	-
Education and communication(3).....	120.626	-	122.088	2.2	1.2	-
Tuition, other school fees, and childcare(1) ...	1,270.204	-	1,268.905	1.8	-0.1	-
Other goods and services .....	423.974	-	423.825	2.2	0.0	-
<b>Commodity and service group</b>						
Commodities .....	175.816	-	181.429	7.4	3.2	-
Commodities less food and beverages .....	144.319	-	150.644	10.2	4.4	-
Nondurables less food and beverages.....	184.824	-	196.171	13.1	6.1	-
Durables .....	103.480	-	106.396	7.6	2.8	-
Services.....	290.407	-	293.105	2.7	0.9	-
<b>Special aggregate indexes</b>						
All items less shelter.....	216.908	-	222.498	6.6	2.6	-
All items less medical care .....	218.188	-	222.348	4.8	1.9	-
Commodities less food .....	147.042	-	153.367	9.9	4.3	-

Note: See footnotes at end of table.

**Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods, Houston-The Woodlands-Sugar Land, TX, April 2021 (1982-84=100 unless otherwise noted) - Continued**

Item and Group	Indexes			Percent change from -		
	Feb. 2021	Mar. 2021	Apr. 2021	Apr. 2020	Feb. 2021	Mar. 2021
Nondurables .....	213.950	-	221.182	7.4	3.4	-
Nondurables less food.....	187.146	-	198.062	12.4	5.8	-
Services less rent of shelter(2).....	305.205	-	310.522	5.1	1.7	-
Services less medical care services.....	265.873	-	268.527	2.8	1.0	-
Energy .....	180.415	195.487	197.772	32.9	9.6	1.2
All items less energy .....	240.956	-	243.902	2.8	1.2	-
All items less food and energy .....	240.360	-	243.361	2.8	1.2	-

**Footnotes**

(1) Indexes on an April 1978=100 base.

(2) Indexes on a December 1982=100 base.

(3) Indexes on a December 1997=100 base.

(4) Special index based on a substantially smaller sample.

(5) Index on a December 1993=100.

- Data not available.

Weekly Gulf Coast No 2 Diesel Ultra Low Sulfur (0-15 ppm) Retail Prices

[https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=EMD\\_EPD2DXL0\\_PTE\\_R30\\_DPG&f=W](https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=EMD_EPD2DXL0_PTE_R30_DPG&f=W)

14:08:07 GMT-0500 (Central Daylight Time)

Source: U.S. Energy Information Administration

Week of Weekly Gulf Coast No 2 Diesel Ultra Low Sulfur (0-15 ppm) Retail Prices Doll

5/24/2021	3.029
5/17/2021	3.029
5/10/2021	2.968
5/3/2021	2.924
4/26/2021	2.917 Last Monday of April
4/19/2021	2.923
4/12/2021	2.924
4/5/2021	2.934
3/29/2021	2.955
3/22/2021	2.991
3/15/2021	2.988
3/8/2021	2.929
3/1/2021	2.837
2/22/2021	2.722
2/15/2021	2.627
2/8/2021	2.566
2/1/2021	2.5
1/25/2021	2.483
1/18/2021	2.461
1/11/2021	2.429
1/4/2021	2.398
12/28/2020	2.393
12/21/2020	2.379
12/14/2020	2.307
12/7/2020	2.276
11/30/2020	2.254
11/23/2020	2.21
11/16/2020	2.18
11/9/2020	2.132
11/2/2020	2.131
10/26/2020	2.146
10/19/2020	2.143
10/12/2020	2.148
10/5/2020	2.141
9/28/2020	2.154
9/21/2020	2.157
9/14/2020	2.172
9/7/2020	2.184
8/31/2020	2.188
8/24/2020	2.174
8/17/2020	2.177
8/10/2020	2.183

8/3/2020	2.175	
7/27/2020	2.183	
7/20/2020	2.198	
7/13/2020	2.198	
7/6/2020	2.204	
6/29/2020	2.194	
6/22/2020	2.197	
6/15/2020	2.174	
6/8/2020	2.172	
6/1/2020	2.171	
5/25/2020	2.175	
5/18/2020	2.175	
5/11/2020	2.178	
5/4/2020	2.169	
4/27/2020	2.208	Initial Fuel Base
4/20/2020	2.272	
4/13/2020	2.289	
4/6/2020	2.325	
3/30/2020	2.363	
3/23/2020	2.438	
3/16/2020	2.504	
3/9/2020	2.577	
3/2/2020	2.627	
2/24/2020	2.654	
2/17/2020	2.658	
2/10/2020	2.675	
2/3/2020	2.71	
1/27/2020	2.773	
1/20/2020	2.797	
1/13/2020	2.81	
1/6/2020	2.828	



ars per Gallon

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: August 2, 2021

#### Topic:

Authorize City Manager to execute grant application to State Energy Conservation Office (SECO) for the Local and County Government Lighting Conversion to LED

#### Background:

The State Energy Conservation Office (SECO), has dedicated one million dollars to aid local and county governments in upgrading their lighting to LED. Each application submitted can be awarded up to \$75,000, the grant will be an 80/20 match with the City match totaling \$15,000.

Staff has worked with an electrician to identify City-owned facilities requiring upgrades to LED lighting and the following will be included on the grant application:

- City Hall
- Police Department
- Fire Station 1
- Fire Station 2
- Community Center
- IT Annex
- Visitors Center
- Administrative Services Building (interior and exterior)

Applications must be submitted by August 6, 2021, with contracts for grant funding issued on September 1, 2021. The City will have until August 31, 2022 to expend all grant funds, if awarded.

**Origination:** Public Works Department

#### Recommendation:

Staff recommends authorizing the City Manager to execute

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

#### FUNDING (IF APPLICABLE)

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

Yes: \_\_\_\_\_ No: X \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

Signed Meagan Mageo Approved by \_\_\_\_\_  
Staff Member Date City Manager Date

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: August 2, 2021

**Topic:**

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. 551.074 – Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – Interim Fire Chief

**Background:**

**Origination:** David Esquivel, City Manager

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** David Esquivel, City 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	<u>Doris Speer</u>	<u>7-27-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

# City Council Meeting Agenda Item Data Sheet

Meeting Date: August 2, 2021

**Topic:**

Confirm an Interim Fire Chief

**Background:**

**Origination:** David Esquivel, City Manager

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** David Esquivel, City 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	<u>Doris Speer</u>	<u>7-29-2021</u>	Approved by	_____
	Staff Member	Date		City Manager Date