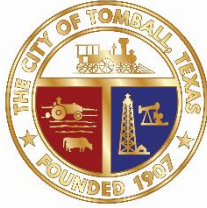


**NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, May 2, 2022
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, May 2, 2022 at 6:00 PM, City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

**THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE
MEETING SCHEDULED FOR DATE, 2022, 6:00 PM, AT 401 MARKET STREET,
TOMBALL, TEXAS, 77375. THIS MEETING AGENDA AND THE AGENDA PACKET
ARE POSTED ONLINE AT:**

[HTTPS://TOMBALLTX.GOV/ARCHIVE.ASPX?AMID=38](https://tomballtx.gov/archive.aspx?amid=38)

**A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE
TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON
WRITTEN REQUEST.**

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): +1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 869 9454 2173, Passcode: 110599. 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, Tomball
- C. Pledges to U.S. and Texas Flags
- D. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a*

matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]

E. Presentations

1. Proclamation – May 1-7, 2022 is “**53rd Annual Professional Municipal Clerks Week**”
Proclamation – May 8-14, 2022 is “**National Hurricane Preparedness Week – Tomball, Texas**”
Proclamation – May 8-14, 2022 is “**Tomball Firefighter Appreciation Week**”
Proclamation – May 8-14, 2022 is “**National Economic Development Week**”
2. Presentation by HMW Special Utility District (HWM SUD), for a Proposed Interconnect Agreement to Provide Residential Water Service to Treichel Wood Subdivision, and Discussion

F. Reports and Announcements

1. Announcements

- I. May 3, 2022 – Last Day of **Early Voting** for the May 7, 2022 General and Special Elections, City Hall, 401 Market Street
- II. **May 7, 2022 – Tomball Election Day** – General and Special Elections – 7:00 a.m. to 7:00 p.m. at City Hall, 401 Market Street
- III. May 7, 2022 – ***Rails & Tails Mudbug Festival*** – 11:00 a.m.–8:00 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:

- I. Katherine DuBose – Quarterly Investment Report for Period Ending March 31, 2022. The Public Funds Investment Act requires that a report of the City's cash and investments be presented to City Council on a quarterly basis. As of March 31, 2022, the City's cash and investment balances totaled \$64,042,956.
- II. Katherine DuBose – Quarterly Financial Update for Period Ending March 31, 2022

G. Approval of Minutes

1. Approve the Minutes of the April 18, 2022 Regular Tomball City Council Meeting

H. New Business

1. Conduct Public Hearing for the Purpose of Considering the Following Proposed Annexation: *(Being A Tract Or Parcel 3.070 Acres of Land Situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being all of That Certain Called 3.070 Acres of Land Described in Deed and Recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359) (21830 Hufsmith Kohrville, HCADs 0352900000525 and 0352960000529)*
2. Adopt, on First Reading, Ordinance No. 2022-06, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include all of the Territory within Certain Limits and Boundaries and Annexing to the City of Tomball all of the Territory within Such Limits and Boundaries; Approving a Service Plan for all of the Area within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause *(Being a Tract or Parcel containing 3.070 Acres of Land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, Being all of that Certain Called 3.070 Acres of Land Described in Deed and Recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359) (21830 Hufsmith Kohrville, HCAD 0352900000525 and 0352960000529)*
3. Consideration to Approve Zoning Case P22-072: Request by Mehendi Maknojia, represented by Midstream and Terminal Services LLC, to amend the official zoning map for the City of Tomball by rezoning approximately 3.07 acres of land out of Jesse Pruitt Survey, Abstract Number 629, from Agricultural (AG) district to a Commercial (C) district. The property is generally located within the 21700-21800 blocks (east side) of Hufsmith-Kohrville Road, at 21830 Hufsmith-Kohrville Road, within Harris County, Texas.
 - Conduct Public Hearing on **Zoning Case P22-072**
 - Adopt, on First Reading, Ordinance No. 2022-07, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of approximately 3.07 acres of land out of the Jesse Pruitt Survey, Abstract Number 629 (described in "Exhibit A"), within the City of Tomball, Harris County, Texas, from the Agricultural (AG) District to the Commercial (C) District, said property being generally located within the 21700-21800

Blocks (East Side) of Hufsmith-Kohrville Road, providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

4. Authorize Reclassification of Fiscal Year 2021 Unreconciled Cash – Overage and Shortages Balance in the Amount of \$44,616.26

5. 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 – Public Works Director
- Sec. 551.076 – Deliberation regarding Security Devices

I. Adjournment

C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 28th day of April 2022 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.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

Topic:

- Proclamation – May 1-7, 2022 is “**53rd Annual Professional Municipal Clerks Week**”
- Proclamation – May 8-14, 2022 is “**National Hurricane Preparedness Week – Tomball, Texas**”
- Proclamation – May 8-14, 2022 is “**Tomball Firefighter Appreciation Week**”
- Proclamation – May 8-14, 2022 is “**National Economic Development Week**”

Background:

Origination: Mayor

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: # _____

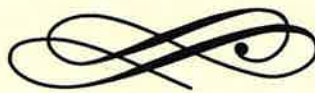
If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Doris Speer</u>	<u>4-26-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

Office of the Mayor
Tomball, Texas



Proclamation



- WHEREAS,** the Office of the **Municipal Clerk/City Secretary** is a time honored and vital part of local government existing throughout the world; and
- WHEREAS,** the Office of the **Municipal Clerk/City Secretary** is the oldest among public servants; and
- WHEREAS,** the Office of the **Municipal Clerk** provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and
- WHEREAS,** **Municipal Clerks** have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and
- WHEREAS,** the **Municipal Clerk** serves as the information center on functions of local government and community; and
- WHEREAS,** **Municipal Clerks** continually strive to improve the administration of the affairs of the Office of the **Municipal Clerk/City Secretary** through participation in education programs, seminars, workshops and annual meetings of their state, provincial, county and international professional organizations; and
- WHEREAS,** it is most appropriate that we recognize the accomplishments of the Office of the **Municipal Clerk**;
- NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, Texas,** on behalf of the Tomball City Council, do recognize the week of May 1 through May 7, 2022, as the:

“53rd ANNUAL MUNICIPAL CLERKS WEEK”

and further extend appreciation to our **Municipal Clerk/City Secretary, Assistant City Secretary,** and to all **Municipal Clerks** for the vital services they perform and their exemplary dedication to the communities they represent.



In witness whereof I have hereunto set my hand and caused this seal to be affixed.

[Signature]

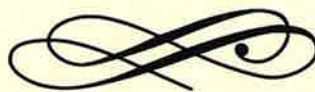
Attest: *[Signature]*

Date: *May 2, 2022*

Office of the Mayor
Tomball, Texas



Proclamation



WHEREAS, Texas' hurricane season officially begins June 1 and ends November 30, and history teaches us that a lack of hurricane awareness and preparation are common threads in all major hurricane disasters, but knowing our vulnerabilities and the actions we should take can diminish the effects of a hurricane disaster; and

WHEREAS, the 624-mile Texas Gulf coastline and parts of Texas hundreds of miles inland—our area in particular—are vulnerable to the devastation of hurricanes or tropical storms through heavy rainfall, inland flooding, high winds, tornadoes, and storm surges; and

WHEREAS, both public and private entities should develop emergency response and recovery plans in accordance with local jurisdictions and local emergency management offices, and

WHEREAS, the *National Oceanic and Atmospheric Administration* and the *Texas Division of Emergency Management* have designated a week in May as *National Hurricane Preparedness Week*; and

WHEREAS, the NOAA, the National Weather Service, the Texas Division of Emergency Management, and the leaders of the City of Tomball strongly advise all residents and visitors to this area to be aware of the potential dangers of these storms; and

WHEREAS, the best defense is preparedness and education regarding the dangers of high winds, storm surge, flooding and tornadoes that may occur for hundreds of miles in conjunction with a hurricane or tropical storm;

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, on behalf of the City Council, do hereby proclaim the week of **May 8 through May 14, 2022** as:

“NATIONAL HURRICANE PREPAREDNESS WEEK—TOMBALL, TEXAS”

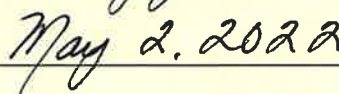
and urge all citizens of the City of Tomball and the surrounding community to participate in hurricane preparedness activities, and to pay close attention to watch and warning instructions.



In witness whereof I have hereunto set my hand and caused this seal to be affixed.



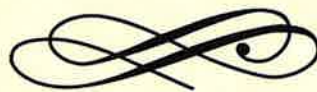
Attest: 

Date: 

Office of the Mayor
Tomball, Texas



Proclamation



- WHEREAS,** the **Tomball Fire Department** has protected the City of Tomball and the surrounding community since its inception in 1934; and
- WHEREAS,** the **City of Tomball** recognizes, honors and promotes the value of the contributions of the members of the **Tomball Fire Department**, who place themselves in harm's way to ensure that persons and property are protected; and
- WHEREAS,** the **Tomball Fire Department** has grown to 30 full-time line positions, 5 full-time administrative/prevention staff members, 15 part-time line positions, 1 volunteer firefighter, and 8 fire response vehicles and 5 administrative vehicles operating from three stations, providing fire and rescue services for the protection of life, property and the environment in and around Tomball 24 hours a day, seven days a week; and
- WHEREAS,** the **City of Tomball** and the **Tomball Fire Department** personnel have worked together to provide for the rapid deployment of firefighters and equipment, improved water supply and distribution systems, improved communication systems, and significant firefighter training—resulting in Tomball's earning an ISO rating of 1, the best rating for any fire department—volunteer or career—in the nation, benefitting our residents through the lowest possible insurance rates on property coverage; and
- WHEREAS,** **Tomball Fire Department** personnel also care for the community by teaching first-aid classes, assisting in preparing for and recovery from natural and man-made disasters, providing safe holiday fireworks displays; providing public education, providing Community Emergency Response Team (CERT) training and providing support for local families during the Christmas and Thanksgiving holiday seasons; and
- WHEREAS,** the members of the **Tomball Fire Department** are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education and constantly train to respond to any possible occurrence;

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, Texas, on behalf of the Tomball City Council and all citizens hereof, do hereby proclaim **the week of May 8 through May 14, 2022** as:

"TOMBALL FIREFIGHTER APPRECIATION WEEK"



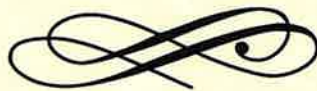
In witness whereof I have hereunto set my hand and caused this seal to be affixed.

[Signature]
Attest: *[Signature]*
Date: *May 2, 2022*

Office of the Mayor
Tomball, Texas



Proclamation



- WHEREAS,** economic development is a process that is strengthened by the critical partnership between economic development professionals and local government leadership to promote a shared vision for developing vibrant communities; and
- WHEREAS,** economic developers promote economic well-being and quality of life for their communities by helping to create, retain, and expand jobs that sustain individuals and families, enhance wealth, and provide a stable tax base; and
- WHEREAS,** the International Economic Development Council is the world's largest organization dedicated to providing leadership and excellence in economic development for communities, members, and partners; and
- WHEREAS,** the International Economic Development Council has designated May 8–14, 2022 as Economic Development Week to promote awareness and recognize the importance of economic development in communities; and
- WHEREAS,** the Tomball Economic Development Corporation is our community's primary professional economic development organization dedicated to promoting the economic well-being and quality of life for our community by attracting, retaining, and expanding jobs that facilitate growth, enhance wealth, boost tourism, and improve quality of life; and
- WHEREAS,** the Tomball Economic Development Corporation, in partnership with industries, educators, and other key allies cultivate and nurture entrepreneurship that helps to secure the next generation of new businesses, foster an effective business climate and meet the increasingly critical need for a skilled and competitive workforce; and
- WHEREAS,** the City of Tomball further commends the Tomball Economic Development Corporation, its Board of Directors and its staff for their hard work and dedication in promoting economic development projects and sustaining economic development activities in the City;

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, on behalf of the Tomball City Council, do hereby proclaim the week of May 8-May 14, 2022, as:

“NATIONAL ECONOMIC DEVELOPMENT WEEK”



In witness whereof I have hereunto set my hand and caused this seal to be affixed.

[Signature]

Attest: *[Signature]*

Date: *May 2, 2022*

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

Topic:

Presentation by HMW Special Utility District (HWM SUD), for a proposed interconnect agreement to provide residential water service to Treichel Wood Subdivision, and discussion.

Background:

HMW Special Utility District has approached staff requesting an interconnect agreement in order to provide residential water service to the Treichel Wood Subdivision due to their aging infrastructure.

The City currently has an interconnect agreement with HMW, for Red Oak Terrace Subdivision, and the proposed interconnect would operate under the same terms and conditions.

This item is to allow for discussion to begin among Council and determine any conditions requested in the interconnect agreement, if permitted.

Origination: Public Works Department

Recommendation:

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: _____ If yes, specify Account Number: # _____

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

Signed	<u>Meagan Mageo</u>	Approved by	_____
	Staff Member		City Manager
	Date		Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: May, 2022

Topic:

May 3, 2022 – Last Day of **Early Voting** for the May 7, 2022 General and Special Elections, City Hall,
401 Market Street

Background:

Origination:

Recommendation:

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

Signed	<u>Doris Speer</u>	<u>4-26-2022</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

Topic:

May 7, 2022 – Tomball Election Day – General and Special Elections – 7:00 a.m. to 7:00 p.m. at City Hall, 401 Market Street

Background:

Origination:

Recommendation:

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

Signed	<u>Doris Speer</u>	<u>4-26-2022</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: May 2, 2022

Topic:

May 7, 2022 – *Rails & Tails Mudbug Festival* – 11:00 a.m.–8:00 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	<u>Doris Speer</u>	<u>4-27-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

Topic:

Katherine DuBose – Quarterly Investment Report for Period Ending March 31, 2022. The Public Funds Investment Act requires that a report of the City’s cash and investments be presented to City Council on a quarterly basis. As of March 31, 2022, the City’s cash and investment balances totaled \$64,042,956.

Background:

Origination: Finance Director

Recommendation:

Party(ies) responsible for placing this item on agenda: Katherine DuBose, Finance Director

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>Katherine DuBose</u>	<u>4/27/2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

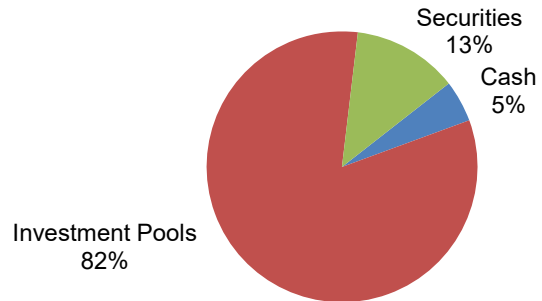
CITY OF TOMBALL

QUARTERLY INVESTMENT REPORT

March 31, 2022

	Market Value		
	12/31/2021	3/31/2022	Change
Cash	\$ 3,818,344	\$ 3,186,619	\$ (631,724)
Investment Pools	47,367,949	52,811,182	5,443,233
Securities	8,670,309	8,045,155	(625,154)
Total Portfolio	\$ 59,856,602	\$ 64,042,956	\$ 4,186,354

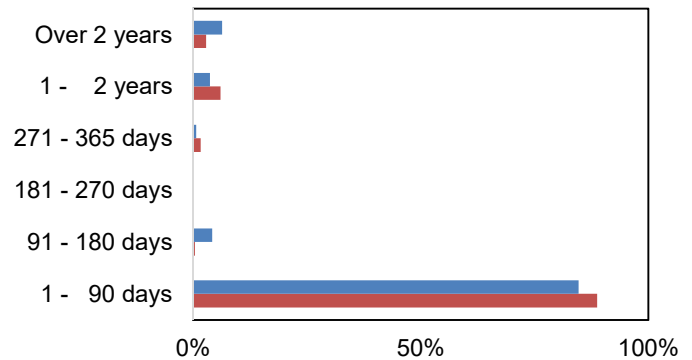
**Diversification by Type
as of March 31, 2022**



Safety of principal is the first priority of any Public investing portfolio. The City of Tomball invests in securities of federal, state and local governments, and investment pools. These investments are in securities with a rating of A-1/P-1 or higher and pools with Standard & Poor's highest rating of AAAM. Our charter requires that we maintain reserves of no less than 90 days and no more than one year of the current budgeted expenditures. The City currently has reserves in excess of the charter requirement.

	Current Market Value	Percent Portfolio
1 - 90 days	\$ 56,859,378	89%
91 - 180 days	323,131	1%
181 - 270 days	-	0%
271 - 365 days	1,101,560	2%
1 - 2 years	3,887,507	6%
Over 2 years	1,871,380	3%
Total Portfolio	\$ 64,042,956	

Diversification by Maturity



Ensuring adequate liquidity is available to cover all expenditures is the second priority of any public investing program. The City staff forecasts cash flow and matches the maturity of investments with future cash needs. A portion of funds are kept in overnight investments as a buffer for any unexpected expenditures. These overnight investments (TexPool, Texas CLASS) have been performing according to market in terms of yield as well as providing liquidity.

This report is in compliance with the investment strategies as approved and the Public Funds Investment Act.

K. DuBose

Katherine DuBose
Finance Director

CITY OF TOMBALL
INVESTMENT PORTFOLIO SUMMARY
ACTIVITY FOR QUARTER ENDING
March 31, 2022

INVESTMENTS	COST	MARKET	RATIO	YTM at COST	BENCHMARK YTM**
Beginning of period	\$ 8,907,619	\$ 8,670,309	97.34%	3.378%	0.39%
Purchases	-	-			
Maturities/Calls	(424,019)	(401,468)			
Change in Value	-	(223,686)			
End of period	\$ 8,483,601	\$ 8,045,155	94.83%	3.276%	1.63%

**Benchmark security is the One-year U. S. Treasury Bill

Weighted average maturity of the portfolio at quarter end is the following number of days: 591

**CITY OF TOMBALL
INVESTMENT PORTFOLIO
AS OF MARCH 31, 2022**

	SECURITY DESCRIPTION	CUSIP NUMBER	RATING	MATURITY DATE	INTEREST YIELD	PAR VALUE	MARKET VALUE	DAYS AFTER 03/31/22	INDIVIDUAL MARKET VALUE/TOTAL	WAM DAYS x PERCENT	CALLABLE
1	Texas A&M Revenue	88213ADP7	AAA	5/15/2022	2.246%	860,000	861,577	45	10.71%	5	N
2	Univ of TX Build America	9151375J8	AAA	8/15/2022	3.675%	320,000	323,131	137	4.02%	6	Y
3	Alvin TX ISD	022447S98	AAA	2/15/2023	5.000%	370,000	381,176	321	4.74%	15	N
4	Lubbock TX	549188UK4	AA+	2/15/2023	2.520%	500,000	503,738	321	6.26%	20	N
5	Texas St Univ Sys Fing Revenue	88278PZR8	AA	3/15/2023	5.000%	210,000	216,646	349	2.69%	9	N
6	Texas A&M Revenue	88213AKA2	AAA	5/15/2023	2.349%	470,000	472,285	410	5.87%	24	N
7	Allen TX WTRWKS & SWR Revenue	018112SF0	AAA	6/1/2023	5.000%	400,000	415,245	427	5.16%	22	N
8	Grand Parkway Trans	38611TCV7	AA	10/1/2023	1.608%	445,000	440,304	549	5.47%	30	Y
9	Texas ST REF TXBL	8827235H8	AAA	10/1/2023	4.000%	570,000	585,806	549	7.28%	40	N
10	Austin TX Elec Utility	052414PE3	AA	11/15/2023	5.000%	875,000	920,126	594	11.44%	68	N
11	N Harris CNTY	65956NGL4	A+	12/15/2023	5.000%	270,000	284,297	624	3.53%	22	N
12	San Antonio Elec & Gas Rev	7962532J0	AA-	2/1/2024	5.250%	255,000	268,089	672	3.33%	22	Y
13	Amarillo TX Tax NTS	023015J35	AAA	2/15/2024	2.000%	500,000	501,354	686	6.23%	43	N
14	Nueces Co TXBL REF Ser B	670386ST9	AA	2/15/2025	0.864%	500,000	474,147	1,052	5.89%	62	N
15	Wisconsin ST GF Annual A TXBL	977100GX8	AA	5/1/2025	1.899%	450,000	437,961	1,127	5.44%	61	Y
16	Federal Home Loan Bank	3130AMTK8	AAA	6/30/2025	1.000%	1,000,000	959,272	1,187	11.92%	142	Y
TOTAL					3.276%	\$ 7,995,000	\$ 8,045,155	566	100.00%	591	

City Council Meeting Agenda Item Data Sheet

Meeting Date: May 2, 2022

Topic:

Katherine DuBose – Quarterly Financial Update for Period Ending March 31, 2022.

Background:

Origination: Finance Director

Recommendation:

Party(ies) responsible for placing this item on agenda: Katherine DuBose, Finance Director

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>Katherine DuBose</u>	<u>4/27/2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: May 2, 2022

Topic:

Approve the Minutes of the April 18, 2022 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	Doris Speer	4-13-2022	Approved by		
	Staff Member	Date		City Manager	Date

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, April 18, 2022
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for April 18, 2022, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

- A. Mayor Fagan called the meeting of the Tomball City Council to order at 6:15 p.m.

PRESENT

Mayor Gretchen Fagan
Council 1 John Ford
Council 2 Mark Stoll
Council 3 Chad Degges
Council 4 Derek Townsend, Sr.
Council 5 Lori Klein Quinn

OTHERS PRESENT:

City Manager – David Esquivel
Assistant City Manager – Jessica Rogers
City Secretary – Doris Speer
City Attorney, Loren B. Smith
Director of Community Development – Nathan Dietrich
Police Chief – Jeff Bert
Fire Chief – Joe Sykora
Marketing Manager – Sasha Smith
Assistant City Secretary – Tracylynn Garcia
Community Center Manager – Rosalie Dillon
Project Coordinator/ACM Admin. Asst. – Meagan Mageo
Police Lieutenant – Patrol – Danny Arriaga
Police Captain – Investigations – Ricky Doerre
Dispatcher – Davetta Stewart
Dispatcher – Kayla Mundkowsky
Police Corporal – Jamy Brock

- B. Invocation - Led by Pastor Tim Niekerk – Salem Lutheran Church

- C. Pledges to U.S. and Texas Flags – Led by Joe Sykora
- D. No Public Comments were received.
- E. Presentations
 - 1. Mayor Fagan and Chief Bert presented a Proclamation declaring April 10 through April 16, 2022 as “***National Public Safety Telecommunicators Week – Tomball, Texas***” to Davetta Stewart, Kayla Mundkowsky and Jamy Brock.
- F. Reports and Announcements
 - 1. Announcements
 - I. April 18-22, 2022 – **Tomball Annual Spring Clean-Up and Chipping Week**
 - II. April 23, 2022 – **Tomball Consolidated Recycling Day** – Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
 - III. April 25 through May 3, 2022 – **Early Voting** for the May 7, 2022 General and Special Elections, City Hall, 401 Market Street
 - IV. **May 7, 2022 – Tomball Election Day** – General and Special Elections – 7:00 a.m. to 7:00 p.m. at City Hall, 401 Market Street
 - 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. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the April 4, 2022 Special and Regular Tomball City Council Meetings

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

Motion carried unanimously.
- H. New Business

1. Motion by Council 2 Stoll, Seconded by Council 1 Ford, to award Contract for Bid No. 2022-02, Vendor to Sell Beer and Wine at City Festivals, to Every-Bellies Catering, LLC.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Voting Nay: Council 4 Townsend, Sr.

Motion carried, 4 votes Aye, 1 vote Nay.

2. Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to approve Resolution No. 2022-15, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Release of an Approximately 8.053-Acre Tract of Land Located on the South Side of FM 2920, from the Extraterritorial Jurisdiction of the City of Houston, Texas, Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Said Territory upon Its Release from the Extraterritorial Jurisdiction of the City of Houston, Texas, into the Extraterritorial Jurisdiction of the City of Tomball, Texas, and Authorizing the Mayor to Notify the City of Houston and the Texas Department of Transportation of the City of Tomball's Intention to Annex the Property (HCAD Account 0430430000134 and HCAD 0430430000135)

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

Motion carried unanimously.

3. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve Resolution No. 2022-14, a Resolution of the City Council of the City of Tomball, Texas approving a Development Agreement relating to the Winfrey Estate Public Improvement District Project

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

Motion carried unanimously

4. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve Resolution No. 2022-10, a Resolution of the City Council of the City of Tomball, Texas authorizing and creating the Winfrey Estates Public Improvement District in the City of Tomball, Harris County, Texas, in accordance with Chapter 372 of the Texas Local Government Code; Providing for Related Matters, and Providing an Effective Date

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

Motion carried unanimously.

5. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve Resolution Number 2022-16, a Resolution of the City Council of the City of Tomball, Texas approving a Reimbursement Agreement relating to the Raburn Reserve Public Improvement District – Improvement Area #2

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

Motion carried unanimously.

6. Consideration to Approve **Zoning Case P22-048**: Request by Glenn R. Stumpner to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.77 acres of land out of Tract 53 from Abstract 34 J House, from Multi-Family Residential (MF) District to a Commercial (C) District. Being generally located within the 300-400 blocks of W Hufsmith Rd (south side), between Baker Drive and Ulrich Road, at 457 Hufsmith Road, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing on **Zoning Case P22-048** at 6:36 p.m.

Receiving no comments, Mayor Fagan closed the Public Hearing at 6:36 p.m.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2022-09 by caption only on first reading.

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

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2022-09, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the Zoning District Classification of approximately 1.77 acres out of Tract 53 from Abstract 34 J House Survey (described in

“Exhibit A”), from Multi-Family Residential to the Commercial District, said property being located within the 300-400 Blocks of W. Hufsmith Road (South Side), at 457 West 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.

Council 4 Townsend, Sr. withdrew his motion to adopt Ordinance No. 2022-09 on first reading, withdrawal seconded by Council 2 Stoll.

No action taken.

7. Consideration to Approve **Zoning Case P22-069**: Request by Baker Hughes Oilfield Operation LLC, represented by META Planning + Design to amend the official zoning map for the City of Tomball by rezoning approximately 70.4 acres of land legally described as being part of Lot 2, Block 1 of Baker Hughes Education Center, from Light Industrial (LI) district to a Planned Development (PD) district to promote a mixture of commercial and single-family residential development. The property is generally located near the northeast corner of the intersection of FM 2920 Road and Hufsmith Kohrville Road, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing on **Zoning Case P22-069** at 7:10 p.m.

The following comments were received:

Dane Dunagin	-	Expressed his opposition to the
535 E. Hufsmith, 77375		proposed rezoning.

The following comments were read into the record:

Barbara Seber	-	Her opposition to the proposed
10801 Hufsmith-Kuykendahl		rezoning
77375		

Jim and Kelli Seber	-	Their opposition to the proposed
11303 Dement Lane, 77375		rezoning

Receiving no additional comments, Mayor Fagan closed the Public Hearing at 7:15 p.m.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2022-08 by caption only on first reading.

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

Motion carried unanimously.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2022-08, 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 70.4 acres of land legally described as being part of Lot 2, Block 1 of Baker Hughes Education Center (described in "Exhibit A"), within the City of Tomball, Harris County, Texas, from Light Industrial (LI) to the Planned Development (PD-18) District; said property being generally located near the Northeast Corner of the intersection of FM 2920 and Hufsmith Kohrville Road; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

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

Motion FAILED unanimously.

8. Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to award Contract for Bid No. 2022-01R, Roof Replacement for the Administrative Services Building to Parich Roofing & Construction, LLC, for a total amount of \$105,900.00

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

Motion carried unanimously.

- I. Motion made by Council 5 Klein Quinn, Seconded by Council 3 Degges, to adjourn.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 2nd day of May 2022.

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan
Mayor

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

Topic:

Conduct Public Hearing for the Purpose of Considering the Following Proposed Annexation: *(Being A Tract Or Parcel 3.070 Acres of Land Situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being all of That Certain Called 3.070 Acres of Land Described in Deed and Recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359) (21830 Hufsmith Kohrville, HCAD 0352900000525,0352960000529)*

Background:

Origination: Owner, Mehendi Maknojia

Recommendation:

N/A

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>4-26-2022</u>	Approved by	_____
	City Secretary	Date		City Manager
				Date

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL, TEXAS**



**MONDAY, MAY 2, 2022
6:00 P.M.**

Notice is hereby given that a **PUBLIC HEARING** will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday, **MAY 2, 2022** at 6:00 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following Annexation:

METES AND BOUNDS DESCRIPTION

**BEING 3.070 ACRES OF LAND SITUATED IN THE JESSE PRUITT SURVEY, ABSTRACT NUMBER 629,
HARRIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 3.070 ACRES OF LAND DESCRIBED
IN DEED AND RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF
HARRIS COUNTY, TEXAS, UNDER COUNTY CLERK'S FILE NUMBER RP-2021-678359
(21830 HUFSMITH KHORVILLE, HCAD 0352900000525, 0352960000529)**

All that certain tract or parcel containing 3.070 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being all of that certain called 3.070 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359, said 3.070 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found in the Easterly right-of-way line of Huffsmith Kohrville Road (60 foot right-of-way) for the Northwesterly comer of that certain called 5.5000 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270 and the Southwesterly corner of said 3.070 acre tract;

Thence, N 20°20'37" W, along the Easterly right-of-way line of said Huffsmith Kohrville Road, a distance of 389.00 feet to a 5/8 inch iron rod with cap found for the most Westerly Southwest corner of that certain called 5.678 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20070687993;

Thence, N 76°00'34" E, along a Southerly line of said 5.678 acre tract, a distance of 412.84 feet to a 5/8 inch iron rod with cap found for an interior corner of said 5.678 acre tract;

Thence, S 11°23'19" E, along a Westerly line of said 5.678 acre tract, a distance of 290.49 feet to a 5/8 inch iron rod with cap found in the Northwesterly line of that certain called 1.000 acre of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number X517792, for the most Southerly Southwest corner of said 5.678 acre tract;

Thence, S 56°48'54" W, along the Northwesterly line of said 1.000 acre tract and the Northwesterly line of said 5.5000 acre tract, a distance of 215.06 feet to an angle point;

Thence, S 66°29'50" W, continuing along a Northwesterly line of said 5.5000 acre tract, a distance of 155.64 feet to the POINT OF BEGINNING and containing 3.070 acres of land.

Persons interested in the above-proposed Annexation will be given an opportunity to be heard. Legal descriptions and maps of said property are available for inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas.

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 13th day of April 2022 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 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.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

Topic:

Adopt, on First Reading, Ordinance No. 2022-06, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include all of the Territory within Certain Limits and Boundaries and Annexing to the City of Tomball all of the Territory within Such Limits and Boundaries; Approving a Service Plan for all of the Area within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause *(Being a Tract or Parcel containing 3.070 Acres of Land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, Being all of that Certain Called 3.070 Acres of Land Described in Deed and Recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359) (21830 Hufsmith Kohrville, HCAD 0352900000525 and 0352960000529)*

Background:

Public hearing will be held on May 2, 2022, prior to the First Reading of Ordinance No. 2022-06.

The owner, Mehendi Maknojia has requested annexation of 8.750 acres located at 21830 Hufsmith Kohrville. Proposed rezoning of a portion (3.070 acres) of the property from Agricultural (AG) to the Commercial (C) District will be presented to Council, to allow a "Food Court – Restaurant and Bar".

Origination: City Secretary

Recommendation:

Adopt Ordinance No. 2022-06 on First Reading.

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

Doris Speer, City Secretary

Signed	<u>Doris Speer</u>	<u>4-26-2022</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, EXTENDING THE CITY LIMITS OF SAID CITY TO INCLUDE ALL OF THE TERRITORY WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF TOMBALL ALL OF THE TERRITORY WITHIN SUCH LIMITS AND BOUNDARIES; APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE (BEING A TRACT OR PARCEL CONTAINING 3.070 ACRES OF LAND SITUATED IN THE JESSE PRUITT SURVEY, ABSTRACT NUMBER 629, HARRIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 3.070 ACRES OF LAND DESCRIBED IN DEED AND RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, UNDER COUNTY CLERK'S FILE NUMBER RP-2021-678359 (21830 HUFSMITH KOHRVILLE, HCAD 0352900000525 AND 0352960000529)

* * * * *

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

Section 1. The boundaries and limits of the City of Tomball, Texas, are hereby extended to embrace and include all of the territory described in **Exhibit "A"** attached hereto and made a part hereof and such territory hereby annexed to and made a part of the city.

Section 2. The plan for extension of municipal services into the territory annexed to the City of Tomball by the provisions of this ordinance is set forth in the "Municipal Service Plan" attached hereto as **Exhibit "B"** and made a part hereof for all purposes. Such Municipal Service Plan is hereby approved.

Section 3. If any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no wise affect, impair, or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect; and should this Ordinance for any reason be ineffective as to any part of the territory hereby annexed to the City of Tomball, such ineffectiveness of this Ordinance as to any such part or parts of any such territory shall not affect the effectiveness of this ordinance as to all of the remainder of such

territory or area, and the City Council hereby declares it to be its purpose to annex to the City of Tomball every part of the territory described in Section 1 of this ordinance, regardless of whether any other part of such described territory is hereby effectively annexed to the City. Provided, further, that if there is included in the general description of territory set out in Section 1 of this Ordinance to be hereby annexed to the City of Tomball any territory which is already a part of and included within the general limits of the City of Tomball, or which is presently part of and included in the limits or extraterritorial jurisdiction of any other city, town, or village, or which is not within the City of Tomball's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed hereby as fully as if such excluded and excepted territory were especially and specifically described herein.

Section 4. Severability. 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 of 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, or 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 2ND DAY OF MAY
2022.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGS	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

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 16TH DAY OF MAY
2022.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGS	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

GRETCHEN FAGAN, Mayor

ATTEST:

DORIS SPEER, City Secretary

Exhibit "A" Page 1

DESCRIPTION

3.070 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being all of that certain called 3.070 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359, said 3.070 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found in the Easterly right-of-way line of Huffsmith Kohrville Road (60 foot right-of-way) for the Northwestern corner of that certain called 5.5000 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270 and the Southwesterly corner of said 3.070 acre tract;

Thence, N 20°20'37" W, along the Easterly right-of-way line of said Huffsmith Kohrville Road, a distance of 389.00 feet to a 5/8 inch iron rod with cap found for the most Westerly Southwest corner of that certain called 5.678 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20070687993;

Thence, N 76°00'34" E, along a Southerly line of said 5.678 acre tract, a distance of 412.84 feet to a 5/8 inch iron rod with cap found for an interior corner of said 5.678 acre tract;

Thence, S 11°23'19" E, along a Westerly line of said 5.678 acre tract, a distance of 290.49 feet to a 5/8 inch iron rod with cap found in the Northwestern line of that certain called 1.000 acre of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number X517792, for the most Southerly Southwest corner of said 5.678 acre tract;

Thence, S 56°48'54" W, along the Northwestern line of said 1.000 acre tract and the Northwestern line of said 5.5000 acre tract, a distance of 215.06 feet to an angle point;

Thence, S 66°29'50" W, continuing along a Northwestern line of said 5.5000 acre tract, a distance of 155.64 feet to the POINT OF BEGINNING and containing 3.070 acres of land.

BEARING ORIENTATION BASED ON TEXAS STATE PLANE COORDINATE GRID SYSTEM OF 1983, DERIVED FROM CORS SITE RODS.

TRACT BEING SHOWN ON MAP (SEE HSC 01516-E)

HOVIS SURVEYING COMPANY, INC.
Texas Firm Registration No. 10030400

By: _____

Date: November 5, 2021
Job No: 21-154-00
Dwg No: HSC 01516-E-5
File No: A21-154.00D
Dwg File: 2115400.dwg
Revised: March 10, 2022



Exhibit "A" Page 2



EXHIBIT "B"

CITY OF TOMBALL, TEXAS

MUNICIPAL SERVICE PLAN

I. INTRODUCTION

This Municipal Service Plan (the "Plan") is made by the City of Tomball, Texas (the "City"), pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation by the City of the tract of land ("Tract") described by metes and bounds in "Exhibit A," which is attached to this Plan and to the annexation ordinance of which this Plan is a part.

II. EFFECTIVE TERM

This Plan shall be in effect for a period of ten (10) years commencing on the effective date of the annexation of the Tract, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

III. INTENT

It is the intent of the City that services under this Plan shall equal the number of services and the level of services in existence within the Tract prior to annexation and which are available in other parts of the City with land uses and population densities similar to those reasonably contemplated or projected within the Tract. However, it is not the intent of this Plan to require that a uniform level of service be provided to all areas of the City, including the Tract, where differing characteristics of topography, land utilization, and population density are considered as a sufficient basis for providing differing service levels.

The City reserves the right, granted to it by Section 43.056(k), Texas Local Government Code, to amend this Plan, if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Texas Local Government Code, or other Texas laws to make this Plan unworkable, obsolete, or unlawful.

IV. SERVICE PROGRAMS

A. In General.

1. This Plan includes the following service programs: A 60-Day Program and a Capital Improvement Program.
2. As used in this Plan, "providing services" shall include having services provided by any method or means by which the City may extend municipal services to any other area of the City. The City shall provide the area, or

cause the area to be provided, with services in accordance with the Plan. This may include, but is not limited to, causing or allowing private utilities, governmental entities, and other public service organizations to provide such services, in whole or in part.

As used in this Plan, the phrase "standard policies and procedures" shall mean those policies and procedures of the City applicable to a particular service, which are in effect either at the time that the service is requested or at the time the service is made available or provided. Such policies and procedures may require a specific type of request be made, such as an application or a petition, may require that fees or charges be paid, and may include eligibility requirements or other similar provisions.

B. 60-Day Program. The following services will be provided within the Tract within the period required by State law. State law requires the City to provide the following services within sixty (60) days after the effective date of the annexation: police protection, fire protection, solid waste collection, operation and maintenance of water, wastewater, and gas facilities, operation and maintenance of roads and streets, including lighting, operation and maintenance of parks, playgrounds, and swimming pools, and maintenance of any other publicly owned facility, building or service. The 60-Day Program plan is as follows:

1. Police Protection. The Police Department of the City will provide protection and law enforcement within the Tract. These activities will include routine patrols and responses, handling of complaints and incident reports, and, as appropriate, support by special units. In order to provide the above services, the Police Department will operate from a City facility.
2. Fire Protection. The Fire Department of the City currently provides fire protection to the Tract. Fire protection will be provided from either the southside or central fire stations. Fire protection will remain at the current level of service.
3. Solid Waste Collection. All eligible residences and businesses will be provided solid waste collection service, either by City personnel or by contract.
4. Maintenance of Water, Wastewater, and Gas Facilities. There are no City water, wastewater, or gas facilities currently located within the Tract. If any such facilities are constructed or acquired by the City within the Tract, the City's Department of Public Works will operate and maintain such facilities at levels of service and maintenance comparable to those available for other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.
5. Operation and Maintenance of Roads and Streets (including lighting). The City's Department of Public Works will provide for the maintenance of

roads and streets over which the City will have jurisdiction. Such Department will also provide services relating to traffic control devices and will provide street lighting for such roads and streets through an electric utility company or by other means. The operation and maintenance of roads and streets, including street lighting and traffic control devices, shall be provided at levels of service and maintenance comparable to those available for other roads and streets in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.

6. Operation and Maintenance of Parks, Playground and Swimming Pools. There are no public parks, playgrounds, or swimming pools currently located within the Tract. If, as a result of acquisition of park land, any such facilities are constructed by the City within the Tract, the City's Department of Parks and Recreation will operate and maintain such facilities at levels of service and maintenance comparable to those available for other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.

7. Operation and Maintenance of Any Other Publicly-Owned Facility, Building, or Service. Those drainage facilities associated with City-maintained public streets will be maintained by the City's Department of Public Works, as needed. Any other facility, building, or service existing or which may be constructed or located by the City within the Tract, will be operated and maintained by an appropriate City department at levels of service and maintenance comparable to those available to other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.

- C. Capital Improvement Program. It is the intent of the City to provide full City services within the Tract not less than four and one-half (4-1/2) years after the effective date of annexation of the Tract, in accordance with the Texas Local Government Code, § 43.056(e).

The City will initiate the acquisition and construction of the capital improvements necessary to provide municipal services adequate to serve the Tract. Any necessary construction or acquisition is indicated below, and any such construction or acquisition shall begin within two (2) years of the effective date of this Plan and shall be substantially completed within 4-1/2 years, except as otherwise indicated:

1. Police Protection. No capital improvements are necessary at this time to provide police protection services within the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded police facilities.

2. Fire Protection. No capital improvements are necessary at this time to provide fire protection services within the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded fire facilities.
3. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services within the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded solid waste facilities and/or services.
4. Wastewater Facilities. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public wastewater facilities. Wastewater services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of wastewater services is attached to and made a part of this Plan.
5. Water Distribution. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public water facilities. Water services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of water services is attached to and made a part of this Plan.
6. Gas Distribution. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public gas facilities. Gas services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of gas services is attached to and made a part of this Plan.
7. Roads and Streets (including lighting). The City will acquire jurisdiction in and over all public roads and streets within the Tract upon annexation, pursuant to Section 311.001 of the Texas Transportation Code and other similar provisions, except for public roads and streets subject to the jurisdiction of other governmental entities. Additional roads, streets, or related facilities are not necessary at this time to service the Tract. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices or street lights, within the Tract will be governed by standard policies and procedures of the City. The Tract will be included with other City territory in connection with planning for new, improved, revised, widened, or enlarged roads, streets, or related facilities.
8. Parks, Playgrounds, and Swimming Pools. No capital improvements are necessary at this time to provide park and recreational services to the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded parks, playgrounds, and/or swimming pools.

9. Other Publicly-Owned Facilities, Buildings or Services: Additional Services. In general, other City functions and services can be provided to the Tract by using existing capital improvements. At this time, additional capital improvements are not necessary to provide City services. However, the Tract will be included with other City territory in connection with planning for new, revised, or expanded facilities, functions, and services.

V. AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed, except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes at any time. This Plan is subject to, and shall be interpreted in accordance with, the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and any orders, rules, or regulations of any other governmental body having jurisdiction.

VI. FORCE MAJEURE

In the event the City is rendered unable, wholly or in part, by force majeure to carry out its obligations under this Plan, notice shall be given with full particulars of such force majeure, in writing, as soon as reasonably possible after the occurrence of the cause relied on, and the City's obligations, so far as effected by such force majeure, shall be suspended during the continuance of such inability so caused but for no longer period, and such cause shall, so far as possible, be remedied with all reasonable dispatch; provided, however, City shall not be required to settle a strike or dispute with workmen when such settlement is against the will of the City. The term "force majeure" shall mean acts of God, strikes, acts of the public enemy, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests and restraints of rulers and people, explosions, breakage or accident to machinery or lines of pipe, droughts, hurricanes and tornadoes, and any other inability of either party, whether similar to those enumerated or otherwise, not within the control of the City, which, by the exercise of reasonable diligence, the City shall not have been able to avoid.

VIII. ENTIRE PLAN

This document contains the entire and integrated Plan relating to the Tract and supersedes all other negotiations, representations, plans, and agreements, whether written or oral.

If one or more provisions of this Plan is held to be invalid, unenforceable, or illegal in any respect, the remainder the Plan shall remain valid and in full force and effect.

SUMMARY OF EXTENSION POLICY FOR WATER, WASTEWATER, AND GAS SERVICE

The following information is a summary of the City of Tomball's ("City") policies respecting water, wastewater and gas service extensions. This summary is made in compliance with the Texas Local Government Code, which requires that each annexation plan include a summary of the service extension policy. Nothing herein shall repeal any provision of the Code of Ordinances of the City of Tomball, as amended, or any of the uncodified ordinances that contain the City's policies and procedures.

The City extends water, wastewater, and gas services to existing unserved development as follows:

Construction of such service lines is based on a priority schedule that considers potential health hazards, population density, the number of existing buildings, the reasonable cost of providing service, and the desires of the residents of the unserved areas.

Extensions built by the City at its cost are included in its Capital Improvements Plan, which is updated annually. Placement of an extension or enlargement of any water and/or wastewater lines into the Capital Improvement Plan is based primarily on the following requirements: (1) to provide service to unserved areas, (2) and to provide adequate capacity for projected service requirements.

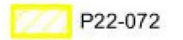
Persons or entities desiring to develop land within unserved areas must construct water, wastewater, and gas service lines and extensions to connect to City trunk lines to serve the new development.



Location Map



Legend



P22-072



Annexation Request



The City of Tomball requires annexation as a condition of extending municipal water, wastewater and/or other utility services to property located outside of the City's full-purpose jurisdiction. Following annexation, available utility services will be provided to the annexed property under the same terms and conditions as for other property located within the City of Tomball.

The undersigned property owner requests full-purpose annexation of the subject tract into the City of Tomball's full purpose jurisdiction in accordance with Chapter 43 of the Texas Local Government Code.

Requesting annexation does not change the City's obligation to provide municipal services in accordance with Chapter 43 of the Texas Local Government Code.

For information regarding the City's annexation process, please contact the City Secretary at 281-290-1002 or the Community Development Department at 281-290-1405.

Annexation must be completed prior to extension of water, wastewater, and/or other utilities.

I/We, the undersigned, am/are the current owner(s) of the tract described above and I/we request annexation into the City of Tomball for full-purposes in accordance with Chapter 43 of the Texas Local Government Code.

MEHEEDI S. HAKNOJIN

Name of Owner(s) (Type or Print)

Meheedi

02/23/22

Owner's Signature

Date

Received by City Secretary

Date

Received by Community Development Department

Date

CITY OF TOMBALL
ANNEXATION REQUEST APPLICATION
Part A: Statement of Request

City Secretary
City of Tomball
401 Market Street
Tomball, TX 77375

Mayor and Council:

1. I (we) the undersigned being the owner(s) of the property legally described as:

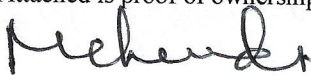
(Insert legal description [metes and bounds] here or attach separately.)

A tract of Land containing 8.750 acres located in the Jesse Pruitt Survey, Abstract 629, Harris County, Texas, being all of Tomball Outlot No. 497 and portions of Tomball Outlots No. 487, 489, 496 and 498, as recorded in Volume 2, Page 65 of the Harris County Map records, same 8.750 acres being out of that certain 1906467 acres described in trustee's deed recorded under Clerk's File No. L085706 of Harris County official public records of real property.

hereby request the annexation of described property into the City of Tomball. Included with this request for annexation are all pertinent property Harris County Appraisal District Account Numbers:
0352960000525, 0352960000529

(Obtainable through the County Clerk's Office)

2. The described property is contiguous to the City of Tomball's corporate city limits - ☒ Yes ☐ No.
3. Attached is proof of ownership of the property by the undersigned - ☐ Yes ☐ No.



Full Legal Signature

Mehendi Maknojia

Name *(print)*

Company Name *(if applicable)*

20830 Windrose Bend Dr

Mailing Address *(print)*

Spring, TX 77379-0000

City, State, Zip

(281) 839-5666

Phone Number

macmehendi@gmail.com

E-mail Address *(print)*

02/21/2022

Date

Full Legal Signature

Name *(print)*

Company Name *(if applicable)*

Mailing Address *(print)*

City, State, Zip

Phone Number

E-mail Address *(print)*

Date

Part B: Annexation Property Evaluation & Anticipated Development Information

(Please print or type.)

1. Agent's Contact Information:

Please list any agents acting on behalf of the annexation property owner that should be notified of information pertaining to this annexation request.

(Attach a list of additional agents, if necessary.) _____

Name: Golam Mostofa

Company Name: MTS Engineering and Design

Mailing Address: 9950 Westpark Dr., Suite 426, Houston, TX 77063
City/State/Zip

Phone Number: (281) 404-4438

E-mail Address: gmostofa@midstream-terminal.com

2. Property Addresses:

Please list all property addresses associated with the proposed annexation property.

(Attach a list of additional property addresses, if necessary.)

a. 21830 Hufsmith Kohrville Road, Tomball, TX 77375

b. _____

c. _____

d. _____

e. _____

f. _____

g. _____

h. _____

i. _____

j. _____

k. _____

3. Nature of Existing Property:

Property Location: Tomball ETJ Number of Acres: 3.070

Existing Zoning: NC

Is development in conformance with existing zoning districts? Not Applicable

Yes ___ No ___ Don't know

Current Assessed Valuation of Land: \$ 505,000.00

Improvements: Included

Total: \$ 505,000.00

____ Check if this property does not currently contain any structures, then proceed to #4.

a.) **Residential (existing)**

☒ Check here if there are no residential structures on the property.

No. of Units _____
No. of Lots _____ or Acres _____
Single-Family _____
Duplexes _____
Four-Plex _____
Patio Homes _____
Townhouses _____
Apartments _____

b.) **Office and Commercial (existing)**

_____ Check here if there are no office or commercial structures on the property.

Size (Sq. Ft.) 895.83, 1457.90, 868.53, 5326.39, 2158.49, 509.07, 2825.18 and 296.94, Total: 14,338

Structure Multiple existing buildings on site

Exterior Site Improvements Offices and commercial building

Total Site Coverage 14338 square feet

c.) **Institutional (existing)**

☒ Check here if there are no institutional structures on the property.

Size (Sq. Ft.) _____

Structure _____

Exterior Site Improvements _____

Total Site Coverage _____

d.) **Industrial (existing)**

☒ Check here if there are no industrial structures on the property.

Size (Sq. Ft.) _____

Structure _____

Exterior Site Improvements _____

Total Site Coverage _____

4. **Anticipated Development**

a.) **Platting Status** *(Please check the applicable box below)*

_____ A plat pertaining to this property has been submitted to the Community Development Department for review

☒ A plat pertaining to this property will be submitted to the Community Development Department in the near future

_____ A plat will not be submitted within the next 6 months

b.) **Zoning Status** - Please note that properties are annexed as Agricultural "AG", unless zoning reclassification is requested by the property owner in conjunction with annexation.

☒ If a zoning reclassification is desired in conjunction with the annexation process, please check this box and contact the Community Development Department.

Will zoning changes be required and requested in the future to accommodate anticipated development?

☒ Yes

If yes, please describe: 3.070 acres of 8.750

☐ No

c.) Residential (anticipated)

☒ Check here if no residential structures are anticipated on the proposed property.

No. of Units _____

Value of Units _____

No. of Lots or Acres _____

Total Estimated Value _____

Single-Family _____

Duplexes _____

Four-Plex _____

Patio Homes _____

Townhouses _____

Apartments _____

Total _____

d.) Office and Commercial (anticipated)

☐ Check here if no office and/or commercial structures are anticipated on the proposed property.

Size (Sq. Ft.) 15,300 square feet

Unit Value (\$/Sq. Ft.) Not Applicable

Total Estimated Value Not Applicable

Structure \$600,000.00

Exterior Site Improvements \$400,000.00

Total Site Coverage \$1,000,000.00

e.) Institutional (anticipated)

☒ Check here if no institutional structures are anticipated on the proposed property.

Size (Sq. Ft.) _____

Unit Value (\$/Sq. Ft.) _____

Total Estimated Value _____

Structure _____

Exterior Site Improvements _____

Total Site Coverage _____

f.) Industrial (anticipated)

☒ Check here if no industrial structures are anticipated on the proposed property.

Size (Sq. Ft.) _____

Unit Value (\$/Sq. Ft.) _____

Total Estimated Value _____

Structure _____

Exterior Site Improvements _____

Total Site Coverage _____

Estimated Number of Employees _____

g.) Staging of Anticipated Development (In %)

	Current						
	Yr	Yr2	Yr3	Yr4	Yr5	Yr10	Yr20
Residential	_____	_____	_____	_____	_____	_____	_____
Office / Commercial	<u>100</u>	_____	_____	_____	_____	_____	_____
Institutional	_____	_____	_____	_____	_____	_____	_____
Industrial	_____	_____	_____	_____	_____	_____	_____

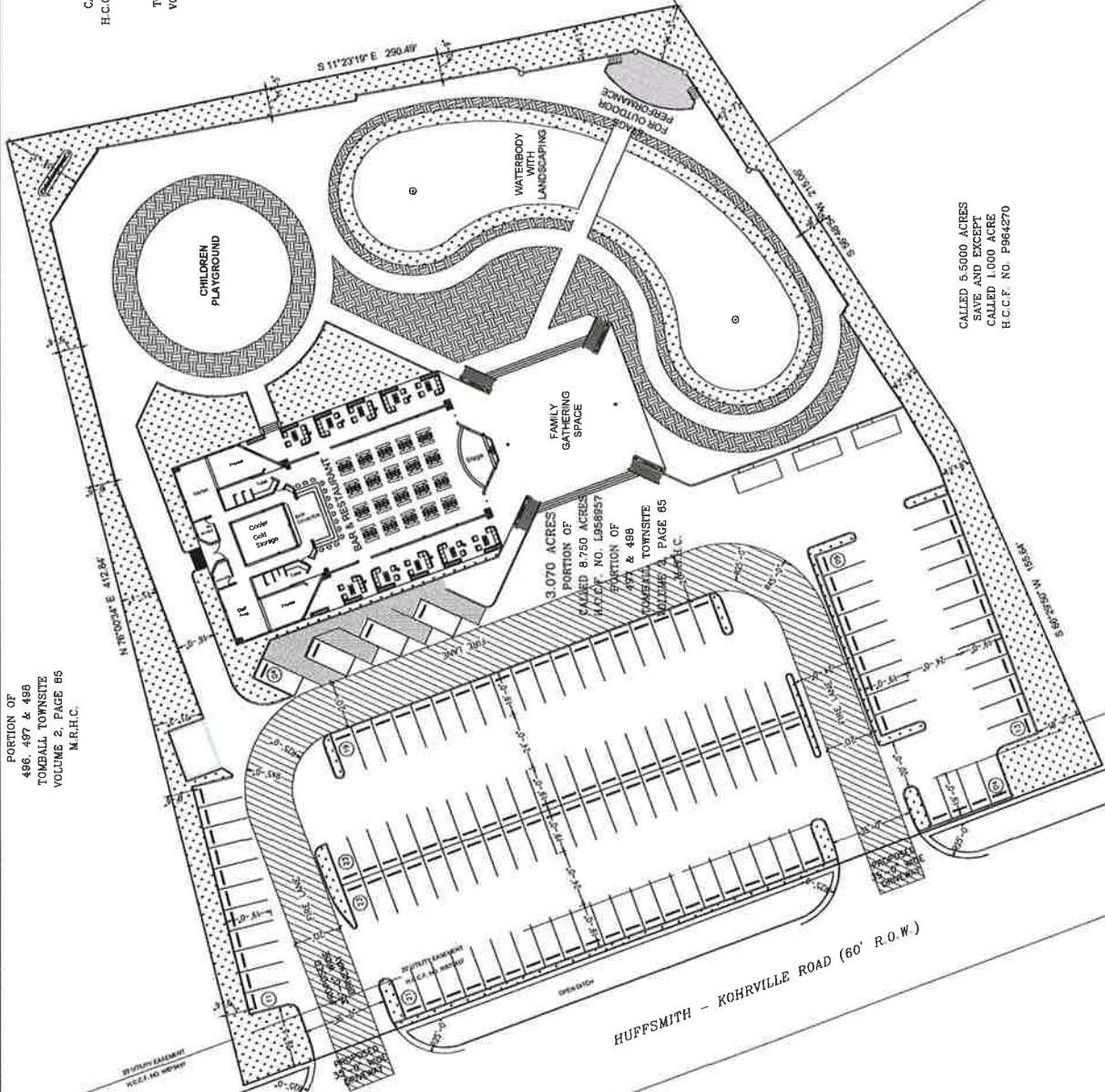
PORTION OF
496, 497 & 498
TOMBALL TOWNSITE
VOLUME 2, PAGE 65
M.R.H.C.

CALLED 5.678 ACRES
H.C.C.F. NO. 20070667983
PORTION OF
496, 497 & 498
TOMBALL TOWNSITE
VOLUME 2, PAGE 65
M.R.H.C.

CALLED 1.000 ACRE
H.C.C.F. NO. X317792

CALLED 5.5000 ACRES
SAVE AND EXCEPT
CALLED 1.000 ACRE
H.C.C.F. NO. P964270

3.070 ACRES
PORTION OF
CALLED 8.750 ACRES
H.C.C.F. NO. L858957
PORTION OF
497 & 498
TOMBALL TOWNSITE
VOLUME 2, PAGE 65
M.R.H.C.



DATE	ISSUING OFFICE	DATE	REVISION	BY	CHK	DATE	SCALE	CHARTER TITLE	DATE	MTS PROJECT NO.	MTS PROJECT NAME
		0	10/28/2021	MT	MS	DM	1/4"		09/29/2021	27524	

PROPOSED FOOD COURT
21630 HUFFSMITH - KOHRVILLE RD
TOMBALL, TX 77375

MTS ENGINEERING & DESIGN
9900 WESTPARK DR. SUITE 8408
HOUSTON, TEXAS 77063
(281) 404-4438 (281) 252-4649
FIRM NO. 18844



City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

Topic:

Consideration to Approve Zoning Case P22-072: Request by Mehendi Maknoji, represented by Midstream and Terminal Services LLC, to amend the official zoning map for the City of Tomball by rezoning approximately 3.07 acres of land out of Jesse Pruitt Survey, Abstract Number 629, from Agricultural (AG) district to a Commercial (C) district. The property is generally located within the 21700-21800 blocks (east side) of Hufsmith-Kohrville Road, at 21830 Hufsmith-Kohrville Road, within Harris County, Texas.

Conduct Public Hearing on **Zoning Case P22-072**

Adopt, on First Reading, 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 3.07 acres of land out of the Jesse Pruitt Survey, Abstract Number 629 (described in "Exhibit A"), within the City of Tomball, Harris County, Texas, from the Agricultural (AG) District to the Commercial (C) District, said property being generally located within the 21700-21800 Blocks (East Side) of Hufsmith-Kohrville Road, 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 APPROVAL (5-0)

Origination: Mehendi Maknoji

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Kim Chandler, Community Development Coordinator

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 Kim Chandler Approved by _____
Staff Member Date City Manager Date

ORDINANCE NO. 2022-07

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 3.07 ACRES OF LAND OUT OF THE JESSE PRUITT SURVEY, ABSTRACT NUMBER 629 (DESCRIBED IN “EXHIBIT A”), WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE AGRICULTURAL (AG) DISTRICT TO THE COMMERCIAL (C) DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED WITHIN THE 21700-21800 BLOCKS (EAST SIDE) OF HUFSMITH-KOHRVILLE ROAD, 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, Mehendi Maknojia has requested that approximately 3.07 acres of land out of the Jesse Pruitt Survey, Abstract Number 629, generally located within the 21700-21800 blocks (east side) of Hufsmith-Kohrville 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 Commercial 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 Commercial 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 Commercial 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 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 2nd DAY OF MAY 2022.

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

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 16th DAY OF MAY 2022.

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

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

Exhibit "A"

DESCRIPTION

3.070 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being all of that certain called 3.070 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359, said 3.070 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found in the Easterly right-of-way line of Huffsmith Kohrville Road (60 foot right-of-way) for the Northwestern corner of that certain called 5.5000 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270 and the Southwesterly corner of said 3.070 acre tract;

Thence, N 20°20'37" W, along the Easterly right-of-way line of said Huffsmith Kohrville Road, a distance of 389.00 feet to a 5/8 inch iron rod with cap found for the most Westerly Southwest corner of that certain called 5.678 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20070687993;

Thence, N 76°00'34" E, along a Southerly line of said 5.678 acre tract, a distance of 412.84 feet to a 5/8 inch iron rod with cap found for an interior corner of said 5.678 acre tract;

Thence, S 11°23'19" E, along a Westerly line of said 5.678 acre tract, a distance of 290.49 feet to a 5/8 inch iron rod with cap found in the Northwestern line of that certain called 1.000 acre of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number X517792, for the most Southerly Southwest corner of said 5.678 acre tract;

Thence, S 56°48'54" W, along the Northwestern line of said 1.000 acre tract and the Northwestern line of said 5.5000 acre tract, a distance of 215.06 feet to an angle point;

Thence, S 66°29'50" W, continuing along a Northwestern line of said 5.5000 acre tract, a distance of 155.64 feet to the POINT OF BEGINNING and containing 3.070 acres of land.

BEARING ORIENTATION BASED ON TEXAS STATE PLANE COORDINATE GRID SYSTEM OF 1983, DERIVED FROM CORS SITE RODS.

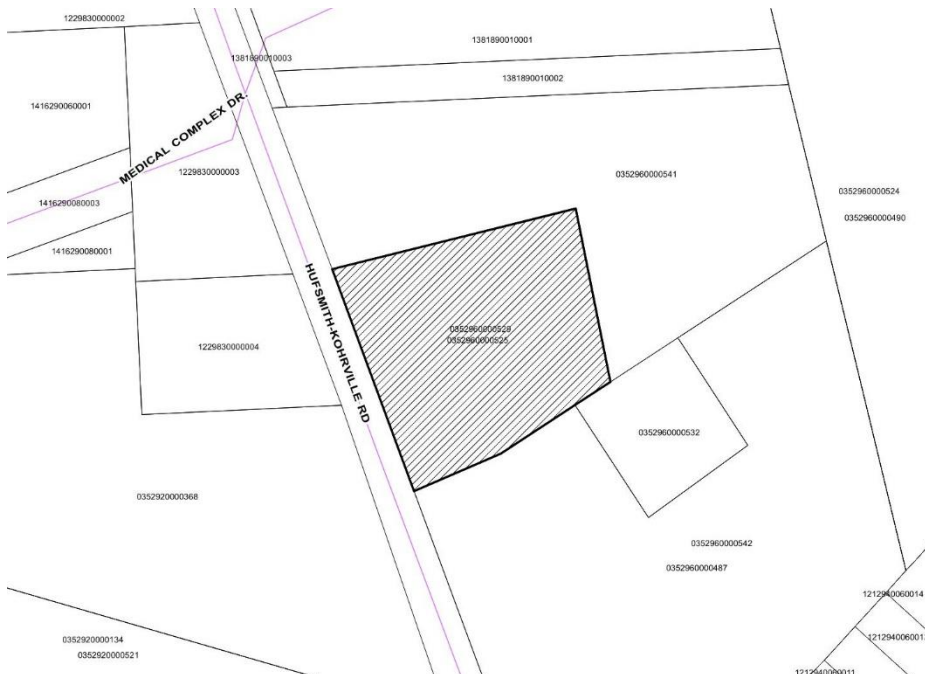
TRACT BEING SHOWN ON MAP (SEE HSC 01516-E)

HOVIS SURVEYING COMPANY, INC.
Texas Firm Registration No. 10030400

By: 



Date: November 5, 2021
Job No: 21-154-00
Dwg No: HSC 01516-E-5
File No: A21-154.00D
Dwg File: 2115400.dwg
Revised: March 10, 2022



**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
APRIL 11, 2022
&
CITY COUNCIL
MAY 2, 2022**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, April 11, 2022 at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, May 2, 2022 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 P22-072: Request by Mehendi Maknoji, represented by Midstream and Terminal Services LLC, to amend the official zoning map for the City of Tomball by rezoning approximately 3.07 acres of land out of Jesse Pruitt Survey, Abstract Number 629, from Agricultural (AG) district to a Commercial (C) district. The property is generally located within the 21700-21800 blocks (east side) of Hufsmith-Kohrville Road, at 21830 Hufsmith-Kohrville Road, within Harris County, Texas.

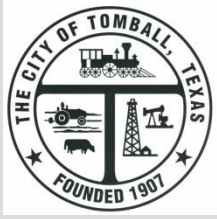
At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Jared Smith, at (281) 290-1491 or at jasmith@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 7th day of **April 2022** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith
Jared Smith
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.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: April 11, 2022

City Council Public Hearing Date: May 2, 2022

Rezoning Case: P22-072

Property Owner(s): Mehendi Maknojia

Applicant(s): Midstream and Terminal Services LLC

Legal Description: Being a portion Abstract Number 629 of the Jesse Pruitt Survey

Location: 21700-21800 blocks (east side) of Hufsmith-Kohrville Road, at 21830 Huffsmith-Kohrville Road, within Harris County, Texas.

Area: 3.07 acres

Comp Plan Designation: Neighborhood Residential (Exhibit “B”)

Present Zoning and Use: N/A (Exhibit “C”)
Single Family Residence/Vacant Commercial Building(s) (Exhibit “D”)

Request: Rezone from Agricultural (AG) to Commercial (C) District

Adjacent Zoning & Land Uses:

- North:** Not Applicable / Undeveloped
- South:** Not Applicable/ Single Family Residence
- West:** Commercial (C) / Office, professional and general business
- East:** Not Applicable / Undeveloped

BACKGROUND

The subject property presently falls outside the City Limits of Tomball. The Tomball City Council is scheduled to consider the annexation of the subject property during the May 2, 2022, public hearing. Following the annexation of the subject property, an Agricultural (AG) zoning classification will become applicable. The property owner wishes to adopt a Commercial (C) zoning district following its annexation in order to allow a “Food Court – Restaurant and Bar”.

ANALYSIS

Description: The subject property is approximately 3.07 acres located on the east side of Hufsmith Kohrville Road. Immediately south of the subject property is a single-family residence outside the City Limits within the City of Tomball's 1-mile Extraterritorial Jurisdiction (ETJ), the properties north and east of the subject property are currently undeveloped and also fall outside the City limits of Tomball. West of the subject property, across Hufsmith Kohrville Road, is an existing office building within Commercial (C) zoning as well as vacant property that falls within Single Family Estate Residential – 20 (SF-20) zoning. Based on historic aerial imagery, structures have existed on this subject property since at least 1944.

According to Section 50-77 in the City of Tomball Code of Ordinance; Commercial (C) districts “will typically utilize smaller sites and have operation characteristics which are generally not compatible with residential uses and some nonresidential uses. Convenient access to thoroughfares and collector streets is also a primary consideration.” The subject property is located along Hufsmith Khorville Road and near the intersection of Medical Complex Drive each of which are identified as major arterial streets in the City of Tomball's master thoroughfare plan. Additionally, the master thoroughfare plan identifies a proposed major arterial street running east and west immediately north of the subject property. Given the proximity to an intersection of two major streets, it would seem appropriate to locate some level of commercial activity within this area. However, because surrounding properties, north, east, and south of the subject property fall outside the city limits, zoning is not currently applicable and it is difficult to gauge exactly what uses may occupy these properties in the future. At this time the properties south of the subject property, appear to be predominately residential land uses, this includes a planned development district approximately .3 miles south of the subject property that was adopted in 2017. In 2016, property that is approximately 350-feet north of the subject property on the east side of Hufsmith Kohrville Road was rezoned from Agricultural (AG) to Commercial (C), a portion of this property has been developed with an office building the remainder is vacant at this time.

Comprehensive Plan Recommendations: The property is designated as “Neighborhood Residential” by the Comprehensive Plans Future Land Use Map. This Neighborhood Residential category is “intended for areas predominately comprised of single-family detached housing. While this area is primarily served by automobiles, the inclusion of sidewalks is important for both improved access and safety.”

According to the Comprehensive Plan, “land uses should focus on promoting safe and desirable neighborhoods, with single-family detached residential being the primary use. Secondary uses that are appropriate include parks, schools, and other public facilities. Limited commercial services and single-family attached residential that do not require large parking lots would be appropriate where residential collector streets meet arterials.

The Comprehensive Plan recommends zoning districts of SF-20-E (Single-Family Estate Residential-20), PD (Planned Development), SF-9 (Single-Family Residential-9), and SF-6 (Single-Family Residential 6).

Additionally, the Comprehensive Plan states – “The following considerations should be used as guidance for regulatory modifications or as part of decision making: Stormwater detention should be integrated into the community to act as an amenity. Subdivision should ensure connections to surrounding areas through enhanced sidewalks or multi-use sidepaths.

Staff Review Comments:

Conformance to the Comprehensive Plan: Given the lack of zoning due to the subject property and surrounding properties being located outside the city limits it is difficult to determine what the future holds for the surrounding area in regards to land use. The Future Land Use Map identifies the subject property as being within “Neighborhood Residential”, per the Comprehensive Plan such land use category may be suitable for “limited commercial services”. Traditional planning considers it to be customarily appropriate for some level of commercial activity to be located at or near the intersection of major arterial streets. Intersections such as this provide the level of accessibility, exposure, and volume of traffic that is typically necessary to ensure the success of commercial businesses. Taking this into consideration, coupled with the fact that Commercial (C) zoning districts presently exist within the surrounding area, the request seems generally consistent with the intent of the Comprehensive Plan and 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 March 30, 2022. 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 P22-072.

EXHIBITS

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

**Exhibit “A”
Aerial Photo**



**Exhibit “B”
Comprehensive Plan**

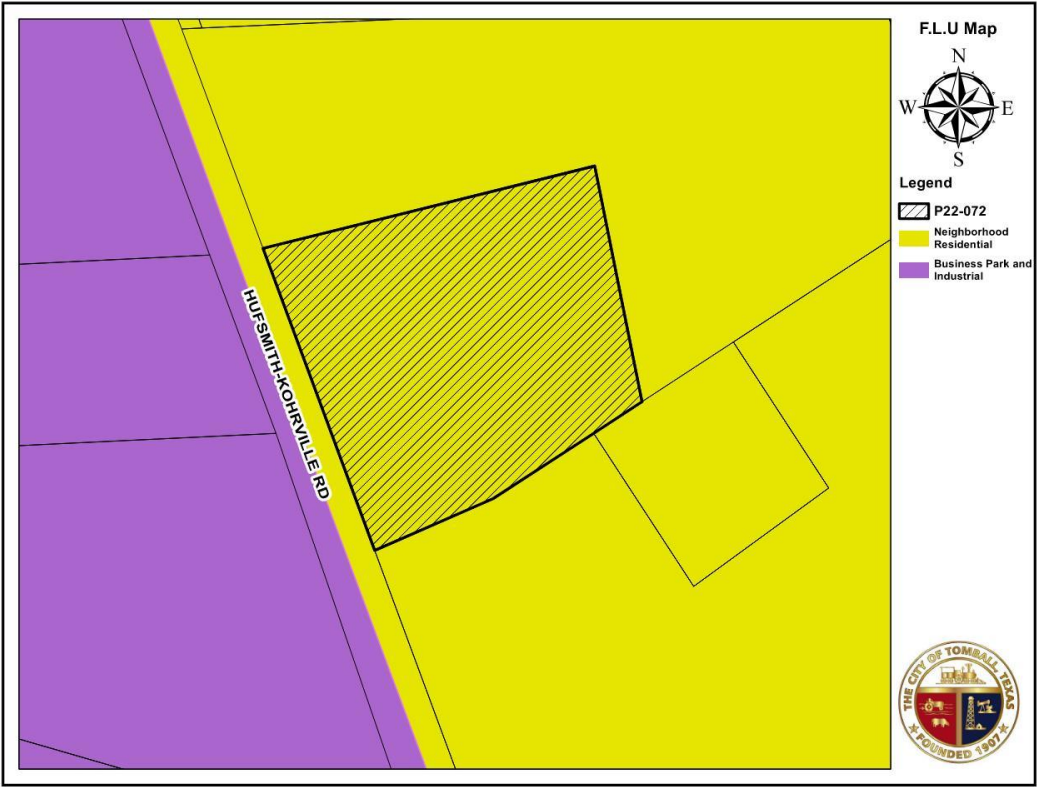


Exhibit "C" Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"

Rezoning Application



RECEIVED (KC)
03/11/2022

Revised: 4/13/2020
P&Z #P22-072

APPLICATION FOR RE-ZONING

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: Midstream and Terminal Services LLC Title: Consultant
Mailing Address: 9950 Westpark Dr., Suite 426 City: Houston State: Texas
Zip: 77063 Contact: Golam Mostofa
Phone: (281) 253-4849 Email: gmostofa@midstream-terminal.com

Owner

Name: Mehendi Maknojia Title: Owner
Mailing Address: 20830 Windrose Bend Dr City: Spring State: Texas
Zip: 77379 Contact: Mehendi Maknojia
Phone: (281) 839-5666 Email: macmehendi@gmail.com

Engineer/Surveyor (if applicable)

Name: Hovis Surveying Title: Surveyor
Mailing Address: 5000 Cabbage St. City: Spring State: Texas
Zip: 77379 Contact: Harry Hovis, RPLS
Phone: (281) 320-9591 Fax: () Email: hovis@hovissurveying.com

Description of Proposed Project: Bar and Restaurant

Physical Location of Property: 21830 Hufsmith Kohrville Rd, Tomball, Texas 77375

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

Legal Description of Property: Jesse Pruitt Survey, Abstract 629, Tomball Outlots No. 487, 489, 496, 498

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

Current Zoning District: Not Defined or Not known

Current Use of Property: A commercial contractor's office

Proposed Zoning District: C - Commercial District

Proposed Use of Property: Bar and Restaurant

HCAD Identification Number: 0352960000525/0352960000529 Acreage: 3.070

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 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 Golan Mostafa 3/10/2022
Signature of Applicant Date

X Richard 3/10/2022
Signature of Owner Date

Submittal Requirements

The following summary is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the Zoning Ordinance, subdivision regulations, and other development related ordinances of the City of Tomball.

Applications must be received by the City of Tomball at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.

- ☒ **Completed application form**
- ☐ ***Copy of Recorded/Final Plat**
- ☒ **Check for \$400.00 + \$10.00 per acre (Non-Refundable)**
- ☒ **Letter stating reason for request and issues relating to request**
- ☒ **Conceptual Site Plan (if applicable)**
- ☒ **Metes & Bounds of property**
- ☐ **Payment of all indebtedness attributed to subject property must be paid with application or an arrangement in accordance with Section 50-36(a)(3) of the Code of Ordinances as cited below: N/A**

(No person who owes delinquent taxes, delinquent paving assessments, or any other fees, delinquent debts or obligations or is otherwise indebted to the City of Tomball, and which are directly attributed to a piece of property shall be allowed to submit any application for any type of rezoning, building permit, or plan review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof to the City of Tomball shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence of proof that all taxes, fees, etc.. have been paid, or that other arrangements satisfactory to the City have been made for payment of said taxes, fees, etc.)

The City's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.

***Legal Lot Information:** If property is not platted, a plat will be required to be filed with the Community Development Department unless evidence of a legal lot is provided. To be an unplatted legal lot, the applicant is required to demonstrate that the tract existed in the same shape and form (same metes and bounds description) as it currently is described prior to August 15, 1983, the date the City adopted a subdivision ordinance.

Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (200) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

FAILURE TO APPEAR: It is the applicant/property owner's responsibility to attend all Planning and Zoning Commission and City Council meetings regarding their case. Failure of the applicant or his/her authorized representative to appear before the Planning and Zoning Commission or the City Council for more than one (1) hearing without approved delay by the City Manager, or his/her designee, may constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City Manager or his/her designee is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing. If the agenda item is tabled the Planning and Zoning Commission shall specify a specific date at which it will be reconsidered.



9950 Westpark Dr., Suite 426, Houston, Texas 77063 **Phone:** (281) 404-4438; (281) 253-4849

March 10, 2022

**City of Tomball
501 James Street
Tomball, TX 77375
Ph # (281) 290-1405**

Re: Zoning request with Annexation at 21830 Hufsmith-Kohrville Rd, Tomball, TX 77375

We are here by submitting our zoning application with all supporting documents for your review and approval.

Zoning is being requested for following property:

Legal Description of the Property: 3.070 acres of land situated in the Pruitt Survey, Abstract Number 629, Harris County, Texas, being all of that certain called 3.070 acres of land described in deed and recorded in the Official Public Records of real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359, said 3.070 acres of land being more particularly described by metes and bounds (attached with this application).

Documents Attached:

- Completed Application Form with signature attached
- Copy of recorded Plat/Final Plat is not available at this time
- Check for \$430.70 attached
- Letter Stating reason for request and issues relating to request attached
- Conceptual Site Plan attached
- Metes and Bounds Description attached
- Zoning Map with related to property location attached

Please feel free to contact us for any other information.

Sincerely,

Golam Mostofa, P.E., PMP
On behalf of the owner

1 of 1

Z

DESCRIPTION

3.070 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being all of that certain called 3.070 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359, said 3.070 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found in the Easterly right-of-way line of Huffsmith Kohrville Road (60 foot right-of-way) for the Northwestern corner of that certain called 5.5000 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270 and the Southwesterly corner of said 3.070 acre tract;

Thence, N 20°20'37" W, along the Easterly right-of-way line of said Huffsmith Kohrville Road, a distance of 389.00 feet to a 5/8 inch iron rod with cap found for the most Westerly Southwest corner of that certain called 5.678 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20070687993;

Thence, N 76°00'34" E, along a Southerly line of said 5.678 acre tract, a distance of 412.84 feet to a 5/8 inch iron rod with cap found for an interior corner of said 5.678 acre tract;

Thence, S 11°23'19" E, along a Westerly line of said 5.678 acre tract, a distance of 290.49 feet to a 5/8 inch iron rod with cap found in the Northwestern line of that certain called 1.000 acre of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number X517792, for the most Southerly Southwest corner of said 5.678 acre tract;

Thence, S 56°48'54" W, along the Northwestern line of said 1.000 acre tract and the Northwestern line of said 5.5000 acre tract, a distance of 215.06 feet to an angle point;

Thence, S 66°29'50" W, continuing along a Northwestern line of said 5.5000 acre tract, a distance of 155.64 feet to the POINT OF BEGINNING and containing 3.070 acres of land.

BEARING ORIENTATION BASED ON TEXAS STATE PLANE COORDINATE GRID SYSTEM OF 1983, DERIVED FROM CORS SITE RODS.

TRACT BEING SHOWN ON MAP (SEE HSC 01516-E)

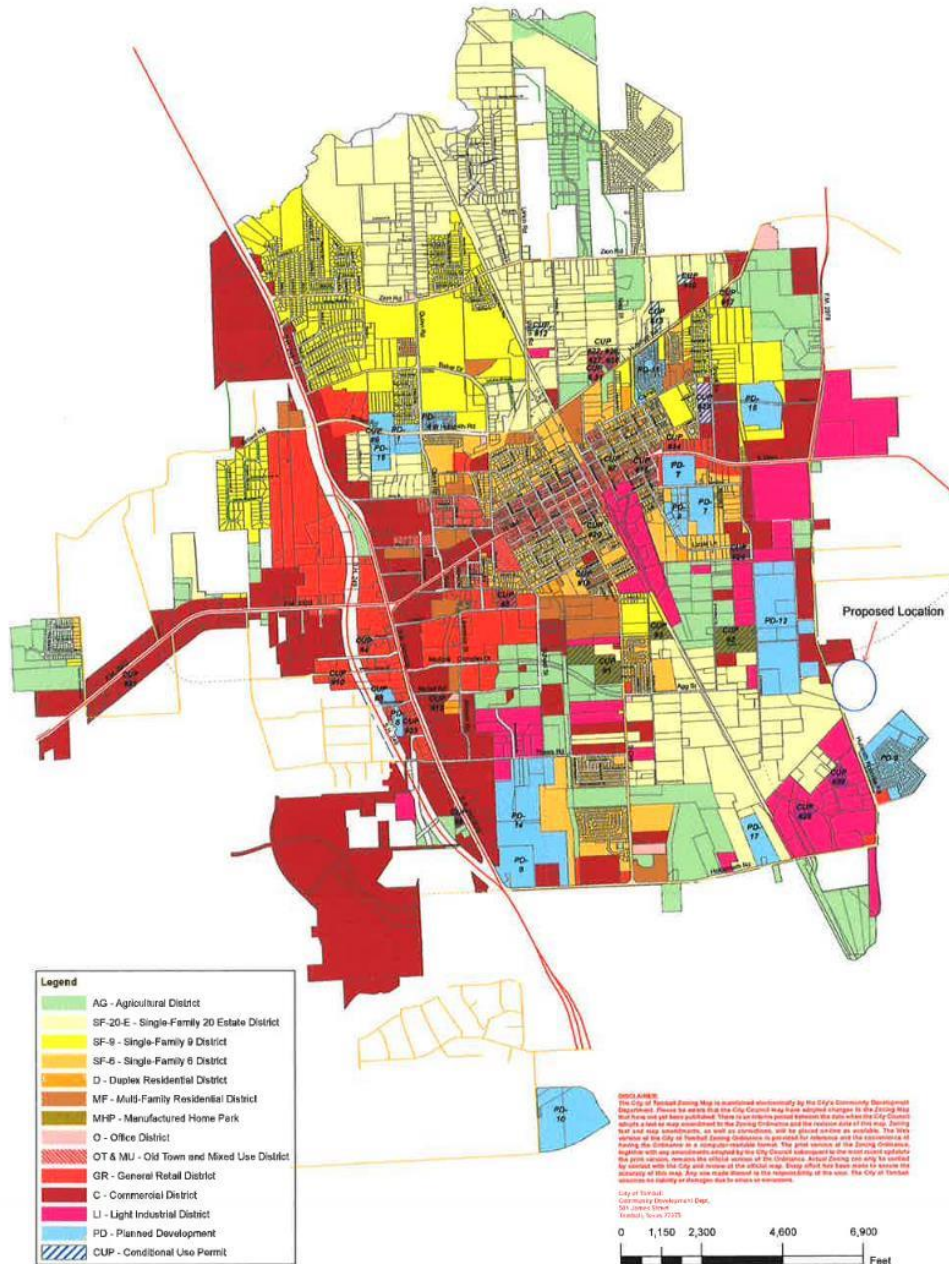
HOVIS SURVEYING COMPANY, INC.
Texas Firm Registration No. 10030400

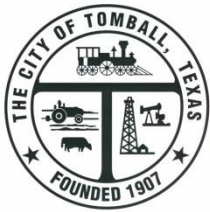
By: _____



Date: November 5, 2021
Job No: 21-154-00
Dwg No: HSC 01516-E-5
File No: A21-154.00D
Dwg File: 2115400.dwg
Revised: March 10, 2022

City of Tomball, Texas
Zoning Map
 Adopted February 4, 2008
 Current As of: August 25, 2021





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: P22-072

APPLICANT/OWNER: Mehendi Maknoji,
represented by Midstream and Terminal Services LLC

LOCATION: Generally located within the 21700-21800 blocks (east side) of Huffsmith-Kohrville Road, at 21830 Huffsmith-Kohrville Road, within Harris County, Texas.

PROPOSAL: A Rezoning to amend the official zoning map for the City of Tomball by rezoning approximately 3.07 acres of land out of Jesse Pruitt Survey, Abstract Number 629, from Agricultural (AG) district to a Commercial (C) district.

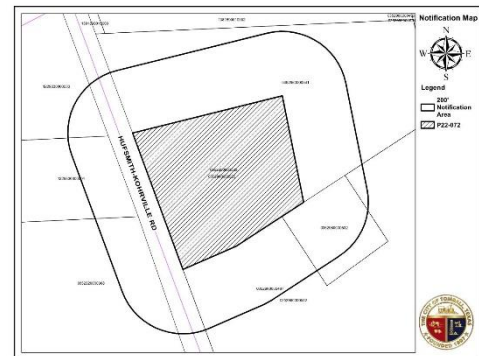
CONTACT: Jared Smith, City Planner

PHONE: (281) 290-1491

E-MAIL: jasmith@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, April 11, 2022 @ 6:00 PM**

**City Council Public Hearing:
*Monday, May 2, 2022 @ 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.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

Topic:

Authorize Reclassification of Fiscal Year 2021 Unreconciled Cash – Overage and Shortages Balance in the Amount of \$44,616.26.

Background:

During fiscal years 2019 and 2020, bank reconciliations were not completed in a timely manner. The backlog resulted in an unreconciled balance in the Cash – Overages and Shortages account.

As of September 30, 2020, the unreconciled balance totaled \$126,308.69. Staff was able to identify items included in the unreconciled balance, which decreased the balance to \$44,616.26 as of September 30, 2021. The reclassification will result in expensing the unreconciled variance in Fiscal Year 2021. This is for financial reporting purposes and does not represent a misappropriation of cash.

Staff consulted with the City’s external auditors (Weaver & Tidwell) regarding this reclassification. Due to the immaterial amount and efforts required to research the remaining balance, Staff concluded that the reclassification is appropriate for financial reporting purposes.

Origination: Finance Director

Recommendation:

Authorize Reclassification of Fiscal Year 2021 Unreconciled Cash – Overage and Shortages Balance in the Amount of \$44,616.26.

Party(ies) responsible for placing this item on agenda: Katherine DuBose, Finance Director

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>Katherine DuBose</u>	<u>4/28/2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: May 2, 2022

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 – Public Works Director
- Sec. 551.076 – Deliberation regarding Security Devices

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>4-26-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date