

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



**MONDAY, JULY 17, 2017
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, July 17, 2017 at 6:00 p.m., 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.

1.0 Call to Order

2.0 Invocation

- Led by Pastor Bob Webb, Rose Hill United Methodist Church, Tomball

3.0 Pledges to U. S. and Texas Flags

4.0 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.]*

5.0 Presentations:

- Proclamation – ***“HCA HEALTHCARE – GULF COAST DIVISION and TOMBALL REGIONAL MEDICAL CENTER DAY”***

6.0 Reports and Announcements:

- ***Tomball City Pool – 2017 Swim Season - Jerry Matheson Park Pool*** will operate with normal hours through August 20. From August 21 through September 3, the pool will be open on Saturday and Sunday only. The pool will be closed every Monday during swim season 2017, except Memorial Day (May 29), July 4th, and Labor Day (September 4). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- August 26, 2017 – **Tomball Texas Music Festival**

- September 30, 2017 – **7th Annual Beetles, Brew & Barbeque Festival** – 10:00 a.m. to 6:00 p.m.
- October 7, 2017 – **5th “Annual Paces for Pink” 5K Run**
- October 14, 2017 – **“Zomball in Tomball”**
- October 21, 2017– **2nd Annual Freight Train Food Truck Festival** – 11:00 a.m. to 5:00 p.m.
- October 28, 2017 – **6th Annual Tomball Bluegrass Festival** – 11:30 a.m. to 6:00 p.m.
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Denise Fiore – Report on the success of the **Tomball Kids Club**

7.0 Approve the Minutes of the July 5, 2017 Regular and Special Tomball City Council Meetings

8.0 Old Business:

8.1 Adopt, on Second Reading, Ordinance No. 2017-20, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, by Adding Language to Section 40-65, Streets; Specific Standards, of Article III, Design Standards, of Chapter 40, Subdivisions, Allowing for the Payment of a Fee In Lieu of the Construction of Sidewalks at the City Manager or Designee's Discretion; Providing for an Appeal to the City Council; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000.00 for Each Violation Hereof, with Each Day Constituting a New Violation; Making Findings of Fact; and Providing for Other Matters

9.0 New Business:

9.1 Approve Health Insurance Contracts for City Employees

9.2 Award Contract for E&P Project Number 2017-10026 for the Development of a Water System Master Plan for the City of Tomball to Freese & Nichols in the Amount of \$74,500.00

9.3 Award Contract for E&P Project Number 2016-10014, City Project No. 2017-01R, Sherwood Forest Drainage Improvements to Site Work Contractors, LLC in the Amount of \$288,671.00

9.4 Consideration to Approve **Zoning Case P17-0070**: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13 acres of land legally described as Lots 157, 161 and Tract 153A Tomball Outlots, Harris County, Texas, generally located on the east side of South Cherry Street north of Justin Court, from the Single-Family 20 Estate District to the Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P17-0070**
- Adopt, on First Reading, Ordinance No. 2017-21, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 13 Acres of Land, Legally Described Lots 157, 161 and Tract 153A Tomball Outlots, Within the City of Tomball, Harris County, Texas, from the Single-Family 20 Estate District to the Single-Family 6 District; Said Property Being Generally Located on the East Side of South Cherry Street North of Justin Court; 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

9.5 Consideration to Approve **Zoning Case P17-0069**: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.7 acres of land legally described as Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots, Harris County, Texas, generally located on the south side of East Hufsmith Road west of Lovett Street from the Single-Family 9 District to the Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P17-0069**
- Adopt, on First Reading, Ordinance No. 2017-22, 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 11.7 Acres Of Land, Legally Described Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots, Within The City Of Tomball, Harris County, Texas, From The Single-Family 9 District To The Single-Family 6 District; Said Property Being Generally Located On The South Side Of East Hufsmith Road West Of Lovett Street; 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

9.6 Consideration to Approve **Zoning Case P17-0068**: Request by Susan Alt for a Conditional Use Permit for an accessory dwelling at 202 Florence Street. The property is approximately 5,000 square feet, legally described as Lot 2 Block 24 Tomball Outlots, generally located on the north side of Florence Street between Cherry Street and Walnut Street and is zoned Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P17-0068**
- Adopt, on First Reading, Ordinance No. 2017-23, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (Cup) to Susan Alt to Operate an

“Accessory Dwelling” at 202 Florence Street; Said Property Being Approximately 0.11 Acres, and Being Legally Described as Lot 2 Block 24 Tomball Outlots, Harris County, Texas, Generally Located on the North Side of Florence Street between Cherry Street and Walnut Street; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability

- 9.7 Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose:
- Sec. 551.071 - Private Consultation with Attorney in Closed Meeting Regarding a Matter of Potential Litigation that the Duty of the Attorney Requires be Held in Closed Session.
- 9.8 Void the Awarding of Contract for Bid No. 2017-03, Sale of Improvements Located at 114 Fannin Street, to Rodney K. Hutson, in the Amount of \$100 and Lot 10, Block 5 of Tomball Outlots with Contingencies
- 9.9 Authorize City Attorney to Proceed with Claim and Possible Litigation Against 20.nine.20 for Failure to Perform Proper Repairs to Fire Department Brush Truck and for Return of Funds Paid by City for Agreed-Upon Repairs

10.0 Adjournment

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 12th day of July 2017 by 4:00 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.