

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: July 6, 2026

#### Topic:

**First Reading:** Consideration of and Action on Ordinance No. 2026-19. An Ordinance of the City Council of the City of Tomball, Texas, granting the request for Disannexation of a certain tract of land containing 11.130 acres or 484,852 square feet, situated in the Elizabeth Smith Survey, Abstract No. 70, Harris County, Texas, being out of a called 16.4724 acre tract conveyed to 11311 Holderreith Limited, L.P. as recorded under Harris County Clerk's File No. W840420, located at 11311 Holderrieth Road, Tomball, Texas; Amending the City's corporate boundaries to exclude said property; providing for savings; providing for severability; and providing for an effective date.

#### Background:

On June 8, 2026, the City Secretary received an executed petition requesting Disannexation from 11311 Holderreith Limited, L.P., the owner of approximately 11.130 acres located at 11311 Holderrieth Road. The petition was submitted pursuant to Texas Local Government Code § 43.141, which provides a process for a landowner to request disannexation when it is alleged that municipal services have not been provided in accordance with the applicable service plan. Under state law, the City Council must act on the petition within 60 days of receipt. If no action is taken within that period, the property owner may seek judicial disannexation through district court.

The petitioner contends that certain municipal services have not been provided to the property that were included in the service plan and has requested that the tract be removed from the City's full-purpose jurisdiction. The petition includes a proposed ordinance and legal description of the property.

The City Council may, at its discretion, either grant the request by ordinance under § 43.142 and Section 2.04 of the Tomball Code of Ordinances, or decline to act, which would allow the statutory 60-day period to lapse.

If approved, Ordinance No.2026-19 would amend the City's corporate boundaries to remove the subject tract from the city limits and authorize the City Secretary to file the required notices and documentation with Harris County and other appropriate agencies. If the request is not approved, the petitioner may pursue the remedies available under state law, including judicial review of the matter to evaluate whether the City fulfilled its obligations under the Municipal Service Plan adopted with the original annexation.

**Origination:** City Secretary's Office/Olson & Olson

#### Recommendation:

Staff recommends that City Council decline the petition for disannexation.

**Party(ies) responsible for placing this item on agenda:** Thomas Harris III, 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 \_\_\_\_\_ Approved by \_\_\_\_\_  
Staff Member Date City Manager Date