

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



MONDAY, APRIL 3, 2017

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, April 3, 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 Billy Hines, Affinity Life Giving Church, Tomball

3.0 Pledges to U.S. and Texas Flags

- Led by Members of the Tomball High School or Tomball Memorial High School Student Councils

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.]*

5.0 Presentations:

- Tomball Fire Department – Pinning Ceremony
 - Captain Josh Brookshire
 - Fire Marshal Joe Sykora
 - Asst. Fire Marshal Scott Mullins
 - Deputy Fire Marshal Jason Herrman
 - Lieutenant David Hill
 - D/O Curtis Garmon
 - D/O Mariah Jaquez

6.0 Reports and Announcements

- April 8, 2017 – **8th Annual 5K Bunny Run and 1 Mile Kids Walk**
- April 8, 2017 – **Ride 2 Recovery Reception** - 11:00 a.m.-12:00 Noon at the Depot
- April 8, 2017 – **2nd Saturday at the Depot**
- April 17-22, 2017 – Annual **Spring Clean-Up and Chipping Week**
- April 17, 2017 – Public Hearing - Mustang Cat Annexation
- April 22, 2017 – **Tomball Consolidated Recycling Day** at Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
- April 22, 2017 – **Tomball Rotary Club Annual Fish Fry** at the Depot, 4:00 p.m.-8:00 p.m.
- April 24, 2017 – Public Hearing - Mustang Cat Annexation
- April 29, 2017 – **Tomball Lions Club Car Show** at Lone Star College, 10:00 a.m.-2:00 p.m.
- May 6-7, 2017 – **Rails & Tails Mudbug Festival**
- May 27, 2017 – **Tomball Honky Tonk Music Festival and Chili Challenge**
- Reports by City staff and members of council about items of community interest on which no action will be taken

7.0 Approve the Minutes of the March 20, 2017 Regular Tomball City Council Meeting

8.0 Old Business:

- 8.1 Adopt, on Second Reading, Ordinance No. 2017-05, 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 Banson Ventures I, LLC to Operate a “Mini-Warehouse/Self Storage” at 1210 East Hufsmith Road; Said Property being Approximately 2.43 Acres, and Being Legally Described as Tract 3A R/S 10 Abstract 730 J S Smith, Tomball, Harris County, Texas, Generally Located on the South Side of East Hufsmith Road, between Zion Road and Snook Lane; 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
- 8.2 Adopt, on Second Reading, Ordinance No. 2017-06, 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 2 Acres of Land, Legally Described as Part of Outlots 127 and 129 Five Acre Tracts Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Office District; Said Property Being Generally Located on the East Side of South Pine Street between James Street and Cherry

Laurel 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

9.0 New Business:

- 9.1 Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending September 30, 2016
- 9.2 Approve Resolution No. 2017-03R, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Dates, Times, and Places for Two Public Hearings at Which All Interested Parties Shall Have an Opportunity to be Heard; Providing for Publication of Notices of Such Public Hearings; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (12.1624 Acres, Being Tract 3A, Abstract 70, E. Smith Survey, Located at 11311 Holderrieth Road, Harris County, Tomball, Texas)
- 9.3 Adopt, on First Reading, Ordinance No. 2017-08, 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 [Tract 1: 65.6190 Acres of Land in the William Perkins Survey, Abstract No. 621, the T. A. Duclos Survey, Abstract No. 1473, and in the C. W. Hall Survey, Abstract No. 1639, Harris County, Tomball, Texas; Located within the Extraterritorial Jurisdiction of the City of Tomball, Harris County, Texas] (Grand Parkway)
- 9.4 Approve Renewal of the Memorandum of Understanding (MOU) between the City and Lone Star College-Tomball for the Use of a Portion of LSC-T Parking Lot for an Emergency Supply Distribution Center during Emergency Disaster Incidents
- 9.5 Discussion and Possible Action regarding Patio Homes and Zero Lot Line Development Regulations in Tomball
- 9.6 Discussion and Possible Action regarding Reinstating the Waiver of Water and Wastewater Impact Fees in the Old Town Area and for Properties Along FM 2920 from Business 249 to Willow Street
- 9.7 Approve Lease Agreement with Frank and Russell DeNina, dba South Sycamore Int., LLC (Daily Workers Site), for 3.547-Acre Tract, Described as TR R10, Abstract 371 W. Hurd Survey, 0 Mechanic Road, between the City of Tomball and South Sycamore Int. LLC.
- 9.8 Approve Agreement with Developer for the Construction of Public Improvements in the Amount of \$28,636.61 for the Upsizing of Water and Sanitary Sewer Main Extensions to Serve the Premium Interests Development

10.0 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 30th day of March 2017 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

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: April 3, 2017

Topic:

- Led by Pastor Billy Hines, Affinity Life Giving Church, Tomball

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular City Council
Agenda Item
Data Sheet

Meeting Date: April 3, 2017

Topic:

- Led by Members of the Tomball High School or Tomball Memorial High School Student Councils

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval	Readings Passed	Other
☐ Yes ☐ No	☐ 1 st ☐ 2 nd	

Regular City Council
Agenda Item
Data Sheet

Meeting Date: April 3, 2017

Topic:

- Tomball Fire Department – Pinning Ceremony
 - Captain Josh Brookshire
 - Fire Marshal Joe Sykora
 - Asst. Fire Marshal Scott Mullins
 - Deputy Fire Marshal Jason Herrman
 - Lieutenant David Hill
 - D/O Curtis Garmon
 - D/O Mariah Jaquez

Background:

Origination:

Tomball Fire Department

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

- April 8, 2017 – **8th Annual 5K Bunny Run and 1 Mile Kids Walk**
- April 8, 2017 – **Ride 2 Recovery Reception** - 11:00 a.m.-12:00 Noon at the Depot
- April 8, 2017 – **2nd Saturday at the Depot**
- April 17-22, 2017 – Annual **Spring Clean-Up and Chipping Week**
- April 17, 2017 – Public Hearing - Mustang Cat Annexation
- April 22, 2017 – **Tomball Consolidated Recycling Day** at Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
- April 22, 2017 – **Tomball Rotary Club Annual Fish Fry** at the Depot, 4:00 p.m.-8:00 p.m.
- April 24, 2017 – Public Hearing - Mustang Cat Annexation
- April 29, 2017 – **Tomball Lions Club Car Show** at Lone Star College, 10:00 a.m.-2:00 p.m.
- May 6-7, 2017 – **Rails & Tails Mudbug Festival**
- May 27, 2017 – **Tomball Honky Tonk Music Festival and Chili Challenge**
- Reports by City staff and members of council about items of community interest on which no action will be taken

Background:

Origination:

Various

Recommendation:

N/A

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

City Secretary

ACTION TAKEN		
Approval	Readings Passed	Other
☐ Yes ☐ No	☐ 1 st ☐ 2 nd	

ATTACHMENTS:

7th Annual 5K Bunny Run and 1 Mile Kids Walk
Public Hearings - Mustang Cat Annexation

BUNNY RUN

TOMBALL, TEXAS



HOP
TO IT,
Y'ALL!

Saturday, April 8th

- 5K run and 1-mile walk throughout downtown
- Run starts at 8 a.m. at the historic downtown Depot, 201 South Elm Street
- Best blinged bunny ears and tutu contest
- Mascot Depot Dash
- Vendors, snacks and more
- Register NOW at Racesonline.com

THIS INFORMATION IS BEING
DISTRIBUTED ASA
COMMUNITY SERVICE AND
TOMBALL ISD IS NOT A
SPONSORING ORGANIZATION

Call 281-351-5484 for info

2017

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



**REGULAR CITY COUNCIL MEETING
MONDAY, APRIL 17, 2017
AT
6:00 P.M.**

AND

**SPECIAL CITY COUNCIL MEETING
MONDAY, APRIL 24, 2017
AT
5:30 P.M.**

Notice is hereby given that **PUBLIC HEARINGS** will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at the Regular Council Meeting on Monday, APRIL 17, 2017 at 6:00 p.m., and at a **SPECIAL** Council Meeting on **Monday, APRIL 24, 2017 at 5:30 p.m.**, at City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following Annexation:

A TRACT OR PARCEL CONTAINING 11.130 ACRES OR 484,852 SQUARE FEET OF LAND, 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 (H.C.C.F.) NO. W840420, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW, WITH ALL BEARINGS BEING BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83:

COMMENCING AT A 1 INCH IRON PIPE FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HOLDERREITH ROAD (WIDTH VARIES) RECORDED UNDER FILM CODE (F.C.) NO. 594151, HARRIS COUNTY MAP RECORDS (H.C.M.R.), MARKING THE NORTHEAST CORNER OF A CALLED 18.778 ACRE TRACT CONVEYED TO BERNHARD AND ALVINA HOLDERREITH AS RECORDED UNDER H.C.C.F. NO. P225191;

THENCE NORTH 81 DEG. 09 MIN. 40 SEC. EAST, ALONG AND WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID HOLDERREITH ROAD, A DISTANCE OF 409.45 FEET TO A POINT MARKING THE NORTHWEST CORNER OF A CALLED 1.2504 ACRE TRACT CONVEYED TO THE COUNTY OF HARRIS AS RECORDED UNDER H.C.C.F. NO. 2016466901 AND SAID 16.4724 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 18.778 ACRE TRACT, FROM WHICH A CORNER BEARS FOR REFERENCE, NORTH 81 DEG. 09 MIN. 40 SEC. EAST, 244.50 FEET TO THE NORTHEAST CORNER OF SAID 1.2504 ACRE TRACT AT THE INTERSECTION OF THE SOUTHERLY R.O.W. LINE OF SAID HOLDERREITH ROAD AND THE WESTERLY R.O.W. LINE OF HUFFSMITH-KOHRVILLE ROAD, FROM WHICH A FOUND 3/4 INCH IRON ROD BEARS FOR REFERENCE, NORTH 00 DEG. 33 MIN. 11 SEC. EAST, 0.32 FEET;

Notice of Public Hearings - City of Tomball City Council

April 17, 2017 and April 24, 2017

Page 2 of 3

THENCE, SOUTH 01 DEG. 30 MIN. 23 SEC. EAST, LEAVING SAID R.O.W. LINE, A DISTANCE OF 20.25 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE COMMON LINE OF SAID 18.778 ACRE TRACT AND SAID 16.4724 ACR E TRACT, MARKING A WESTERLY CORNER OF SAID 1.2504 ACRE TRACT AND THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, THROUGH AND ACROSS SAID 16.4724 ACRE TRACT AND A LONG THE SOUTH AND WEST LINES OF SAID 1.2504 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 81 DEG. 09 MIN. 42 SEC. EAST, 203.13 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

SOUTH 49 DEG. 19 MIN. 45 SEC. EAST, 26.30 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR A N ANGLE POINT;

SOUTH 00 DEG. 10 MIN. 48 SEC. WEST, 317.41 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A CURVE TO THE LEFT;

ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2050.00 FEET, A CENTRAL ANGLE OF 07 DEG. 42 MIN. 23 SEC., AN ARC LENGTH OF 275.73 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03 DEG. 40 MIN. 24 SEC. EAST, 275.52 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;

SOUTH 07 DEG. 31 MIN. 35 SEC. EAST, 430.17 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A CURVE TO THE RIGHT;

ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4450.00 FEET, A CENTRAL ANGLE OF 03 DEG. 18 MIN. 53 SEC., AN ARC LENGTH OF 257.44 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 05 DEG. 52 MIN. 09 SEC. EAST, 257.40 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

SOUTH 85 DEG. 47 MIN. 18 SEC. WEST, 12.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT;

ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4438.00 FEET, A CENTRAL ANGLE OF 07 DEG. 40 MIN. 46 SEC., AN ARC LENGTH OF 594.83 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 00 DEG. 22 MIN. 20 SEC. EAST, 594.38 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE WESTERLY R.O.W. LINE OF SAID HUFFSMITH-KOHRVILLE ROAD, MARKING THE SOUTH CORNER OF SAID 1.2504 ACRE TRACT AND AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE WESTERLY R.O.W. LINE OF SAID HUFFSMITH-KOHRVILLE ROAD, SOUTH 44 DEG. 53 MIN. 35 SEC. WEST, A DISTANCE OF 105.45 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTHEAST CORNER OF A CALLED 3.989 ACRE TRACT CONVEYED TO THE CITY OF TOMBALL AS RECORDED UNDER H.C.C.F. NO. X787363 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS FOR REFERENCE, NORTH 00 DEG. 43 MIN. 29 SEC. WEST, 0.54 FEET;

THENCE, DEPARTING SAID R.O.W., SOUTH 88 DEG. 29 MIN. 37 SEC. WEST, A DISTANCE OF 186.62 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE EAST LINE OF A CALLED 26.0841 ACRE TRACT CONVEYED TO THE CITY OF

Notice of Public Hearings - City of Tomball City Council

April 17, 2017 and April 24, 2017

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TOMBALL AS RECORDED UNDER H.C.C.F. NO. X346741 AND MARKING THE NORTHWEST CORNER OF SAID 3.989 ACRE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 01 DEG. 30 MIN 23 SEC. WEST, A DISTANCE OF 1936.33 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.1307 ACRES OR 484,852 SQUARE FEET OF LAND AS SHOWN ON THE SURVEY, JOB NO. 53491 FILED IN THE OFFICES OF WINDROSE LAND SERVICES, INC.

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 30th day of March 2017 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

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Regular City Council
Agenda Item
Data Sheet

Meeting Date: April 3, 2017

Topic:
Approve the Minutes of the March 20, 2017 Regular Tomball City Council Meeting

Background:

Origination:
City Secretary

Recommendation:

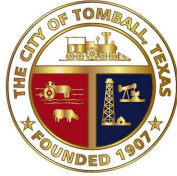
Party(ies) responsible for placing this item on agenda:
City Secretary

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Draft Minutes of the March 20, 2017 Regular Tomball City Council Meeting

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



MONDAY, MARCH 20, 2017

6:00 P.M.

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Fagan. Other members present:

Councilman Hudgens
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
City Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
CSO Administrative Assistant – Monica Duran
Fire Marshal – Joe Sykora

2.0 The invocation was led by Pastor Greg Jenkins, Tomball Assembly of God

3.0 The pledges to U. S. and Texas Flags were led by Robert Hauck.

4.0 The following public comments were received:

Paula Whitaker 12026 Live Oak Dr., 77354	-	Extended an invitation to the assembly to attend the dedication and first lighting of the Cross of Tomball, Sunday, April 9, 2017, 6:30 p.m.
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5.0 Reports and Announcements:

- March 31-April 2, 2017 – **17th Annual Tomball German Heritage Festival at the Depot**
- April 8, 2017 – **7th Annual 5K Bunny Run and 1 Mile Kids Walk**
- April 8, 2017 – **2nd Saturday at the Depot**
- April 17-22, 2017 – **Annual Spring Clean-Up and Chipping Week**
- April 22, 2017 – **Tomball Consolidated Recycling Day** at Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
- April 22, 2017 – **Tomball Rotary Club Annual Fish Fry** at the Depot, 4:00 p.m.-8:00 p.m.
- April 29, 2017 – **Tomball Lions Club Car Show** at Lone Star College, 10:00 a.m.-2:00 p.m.
- May 6-7, 2017 – ***Rails & Tails Mudbug Festival***
- May 27, 2017 – ***Tomball Honky Tonk Music Festival and Chili Challenge***
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Doris Speer reported on the success of the ***Sam Houston Trail Ride Reception***
 - David Esquivel presented Dwayne Osgood and Will Goff, members of the Tomball Public Works Utility/Gas Department, for recognition of the City's outstanding gas services.

6.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the March 6, 2017 Regular Tomball City Council Meeting and the March 13, 2017 Special Tomball City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

- 7.1 Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2017-04, an Ordinance Altering the Prima Facie Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within

the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of this Ordinance. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

8.0 New Business:

- 8.1 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Resolution No. 2017-03, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Dates, Times, and Places for Two Public Hearings at Which All Interested Parties Shall Have an Opportunity to be Heard; Providing for Publication of Notices of Such Public Hearings; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (11.130 Acres or 484,852 Square Feet of Land, Situated in the Elizabeth Smith Survey, Abstract No. 70, Harris County, Texas, Being out of a Called 16.4724-Acre Tract Conveyed to 11311 Holderrieth Limited, L.P. as Recorded under Harris County Clerk's File (H.C.C.F.) No. W840420, Located at 11311 Holderrieth Road, Harris County, Tomball, Texas) – Mustang Cat

Motion carried unanimously.

- 8.2 Consideration to Approve **Zoning Case P17-0006**: Request by Banson Ventures I, LLC for a Conditional Use Permit to Operate a Mini-Warehouse/Self-Storage Facility at 1210 East Hufsmith Road. The property is approximately 2.43 acres, generally located on the south side of East Hufsmith Road between Snook Lane and Zion Road, is legally described as Tract 3A R/S 10 Abstract 730 J S Smith and is zoned General Retail.

- Conduct Public Hearing on **Zoning Case P17-0006**

Mayor Fagan called the Public Hearing regarding the above-described Zoning Case to order at 6:24 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:24 p.m.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2017-05 by caption only on First Reading.

Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2017-05, 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 Banson Ventures I, LLC to Operate a “Mini-Warehouse/Self Storage” at 1210 East Hufsmith Road; Said Property being Approximately 2.43 Acres, and Being Legally Described as Tract 3A R/S 10 Abstract 730 J S Smith, Tomball, Harris County, Texas, Generally Located on the South Side of East Hufsmith Road, between Zion Road and Snook Lane; 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. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.3 Consideration to Approve **Zoning Case P17-0007**: Request by Francisco Choi, on Behalf of TamiroWood LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by Rezoning Approximately 2 acres of Land, Legally Described as Part of Outlots 127 and 129 Five Acre Tracts Tomball Outlots, Generally Located on the East Side of South Pine Street between James Street and Cherry Laurel Street at 609 South Pine Street, from the Single-Family 6 District to the Office District.

- Conduct a Public Hearing on **Zoning Case P17-0007**

Mayor Fagan called the Public Hearing regarding the above-described Zoning Case to order at 6:29 p.m.

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

- Motion was made by Councilman Stoll, second by Councilman Townsend, to read Ordinance No. 2017-06 by caption only on First Reading.

Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2017-06, 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 2 Acres of Land, Legally Described as Part of Outlots 127 and 129 Five Acre Tracts Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Office District; Said Property Being Generally Located on the East Side of South Pine Street between James Street and Cherry Laurel 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. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.4 Consideration to Approve **Zoning Case P17-0008**: Request by Baker Investors Group LLC to Amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by Rezoning Approximately 1.01 Acres of Land, Legally Described as Reserve H Block 1 Leslie's Park, Generally Located at the Southwest Corner of Brown Road and Baker Road, from the Single-Family 6 District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P17-0008**
- Adopt, on First Reading, Ordinance No. 2017-07, 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 1.01 Acres of Land, Legally Described as Reserve H Block 1 Leslie's Park, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Commercial District; Said Property Being Generally Located at the Southwest Corner of Brown Road and Baker 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.

Mayor Fagan advised that Item 8.4 will be withdrawn from consideration by Council at the request of the applicant.

- 8.5 Executive Session: The City Council recessed at 6:34 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 - Consultation with the City Attorney regarding a matter that the Attorney's duty requires to be discussed in closed session.

Upon reconvening into regular session at 7:01 p.m., no action was taken.

9.0 Motion was made by Councilman Hudgens, second by Councilman Townsend, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 3rd day of April 2017.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Adopt, on Second Reading, Ordinance No. 2017-05, 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 Banson Ventures I, LLC to Operate a “Mini-Warehouse/Self Storage” at 1210 East Hufsmith Road; Said Property being Approximately 2.43 Acres, and Being Legally Described as Tract 3A R/S 10 Abstract 730 J S Smith, Tomball, Harris County, Texas, Generally Located on the South Side of East Hufsmith Road, between Zion Road and Snook Lane; Providing Requirements and Conditions for this CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability

Background:

On Thursday, March 9, 2017, after conducting a public hearing, the Planning and Zoning Commission unanimously voted to recommend approval of zoning case P17-0006.

Origination:

Banson Ventures, LLC

Recommendation:

Approval

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
---	---	--------------

ATTACHMENTS:

Ordinance No. 2017-05

P17-0006 Staff Report

Response Form

Notice of Public Hearing

Property Owner Notification

ORDINANCE NO. 2017-05

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 BANSON VENTURES I, LLC TO OPERATE A “MINI-WAREHOUSE / SELF STORAGE” AT 1210 EAST HUFSMITH ROAD; SAID PROPERTY BEING APPROXIMATELY 2.43 ACRES, AND BEING LEGALLY DESCRIBED AS TRACT 3A R/S 10 ABSTRACT 730 J S SMITH, TOMBALL, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON THE SOUTH SIDE OF EAST HUFSMITH ROAD, BETWEEN ZION ROAD AND SNOOK LANE; PROVIDING REQUIREMENTS AND CONDITIONS FOR THIS CUP; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATIONS HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

Whereas, Banson Ventures I, LLC has requested a CUP to operate a “Mini-warehouse / self-storage” at 1210 East Hufsmith Road on approximately 2.43 acres of land, legally described as Tract 3A R/S 10 Abstract 730 J S Smith, generally located on the south side of East Hufsmith Road, between Zion Road and Snook Lane, in the City of Tomball, Harris County, Texas, (the "Property"), and

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

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

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

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

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

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

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

Section 2. A CUP to operate a “Mini-warehouse / self-storage” at the Property and subject to the terms and conditions set forth below, is hereby granted to Banson Ventures I, LLC.

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

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

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

Section 6. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 8. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 20th DAY OF MARCH 2017.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN QUINN	<u>AYE</u>

SECOND READING:

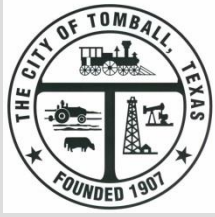
READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE
CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3rd DAY OF APRIL 2017.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: March 9, 2017

City Council Public Hearing Date: March 20, 2017

Rezoning Case: P17-0006

Property Owner(s): Iglesia Evangelina La Voz

Applicant(s): Banson Ventures I, LLC

Legal Description: Tract 3A R/S 10 Abstract 730 J S Smith

Location: Southside of East Hufsmith Road between Snook Lane and Zion Road (Exhibit "A")

Area: 2.43 acres

Comp Plan Designation: Medium Density Residential (Exhibit "B")

Present Zoning and Use: General Retail (Exhibit "C") / No use established (Exhibit "D")

Proposed Use(s): Boat and recreational vehicle storage

Request: CUP to allow the operation of a *mini-warehouse/storage* facility

Adjacent Zoning & Land Uses:

- North:** Single-family 20 Estate District / Single-family residence
- South:** Single-family 9 District / Undeveloped property
- West:** Single-family 9 District / Undeveloped property
- East:** Agricultural District / Undeveloped property

BACKGROUND

In January 2017, City Staff met with the applicant to discuss the possibility of developing a boat and recreational vehicle storage facility at the subject site. Staff informed the applicant that the proposed use, *Mini-warehouse/self-storage*, requires approval of a Conditional Use Permit through the Planning and Zoning Commission and City Council.

ANALYSIS

According to Section 50-2 (Definitions), a *mini-warehouse/self-storage* facility "means small, individual, storage unites for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited".

Section 50-112 (f) (8) requires "four [parking] spaces per establishment, plus two for an on-site manager's residence (if applicable), plus one appropriately sized space for any type of vehicle to

be stored on-site (e.g., rental trucks, boats, RVs, etc.)”. The proposed concept plan (Exhibit “F”) meets this requirement.

According to Section 50-81 (f) of the Chapter 50 (Zoning), when considering applications for a Conditional Use Permit, the City shall, on the basis of the concept plan and other information submitted, evaluate the impact of the conditional use on and the compatibility of the use with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. Specific considerations shall include the extent to which:

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

The Comprehensive Plan identifies the subject site as Medium Density Residential. The proposed land use is not compatible with this designation, however, since the property is zoned General Retail, it is unlikely that any proposed use will fit the Medium Density Residential designation.

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

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

According to Section 50-76 (General Retail District), the purpose of this district is “to provide areas for local neighborhood shopping and service facilities for the retail sales of goods and services”. While the proposed use will not facilitate retail sales, it will offer services to the public, which does meet the intent of the General Retail District intent.

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

Should the CUP application be approved by City Council, the applicant will be required to submit a site plan and building plan application and supporting documents to the City for review and approval. Specific details of site modifications will be shown at the time of plan review.

A majority of the site will be constructed of crushed concrete/gravel which does not meet the standards of Chapter 50 (Zoning), however, the applicant is requesting a special exception from the Board of Adjustments.

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

Properties in the area are large lots with various uses established on them. There are a few single-family residences in the area. Cornerstone Electric Co. is located at the intersection of East Hufsmith Road and Snook Lane and various commercial uses are

located less than a half mile north including Johnny Bang's Bang & Bump Shop, DPIS Engineering and Galindo's Auto Diesel Marine. The proposed use appears to be generally compatible with the surrounding commercial uses in the area.

While the proposed development does not appear to be compatible with the residential uses in the surrounding area, some of the land uses that are permitted by-right in the General Retail District may be considered more intense than the proposed storage facility. Some land uses permitted by-right at this location include *Auto repair (minor)*, *Automobile wash (full service/detail shop)*, *Convenience store (with or without gasoline sales)*, *Drinking establishment*, *Eating establishment (with no drive-through service)*, *Food or grocery store*, *General retail stores no outside storage*, *Hospital*, *Laundromat/ washateria/ self-service*, *Office*, *parole-probation*, *Quick lube/ oil change/ minor inspection*, and *Tool and machinery rental (indoor storage only)*.

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

Staff does not anticipate any adverse effects on surrounding properties. The proposed use should not generate a significant increase in traffic on East Hufsmith Road. The Code of Ordinances has regulations in place that will protect the adjacent residential uses such as lighting and noise restrictions, greater setback requirements, landscape buffers, etc.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on February 17, 2017. Notice was published in the Potpourri and a sign was placed on the property on February 22, 2017. No public comment forms have been received as of the date of this report.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P16-0006 for the following reasons:

1. The proposed use is less intense than some of the uses that are permitted by-right in the General Retail District and therefore should have less impact on the surrounding residential properties;
2. The proposed use should not generate a significant increase in traffic in the area;
3. The Conditional Use Permit process allows the Planning and Zoning Commission and City Council the ability to place greater restrictions on the layout of the property that a use permitted by-right would not be subject to.

EXHIBITS

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

Exhibit "A"
Aerial Photo

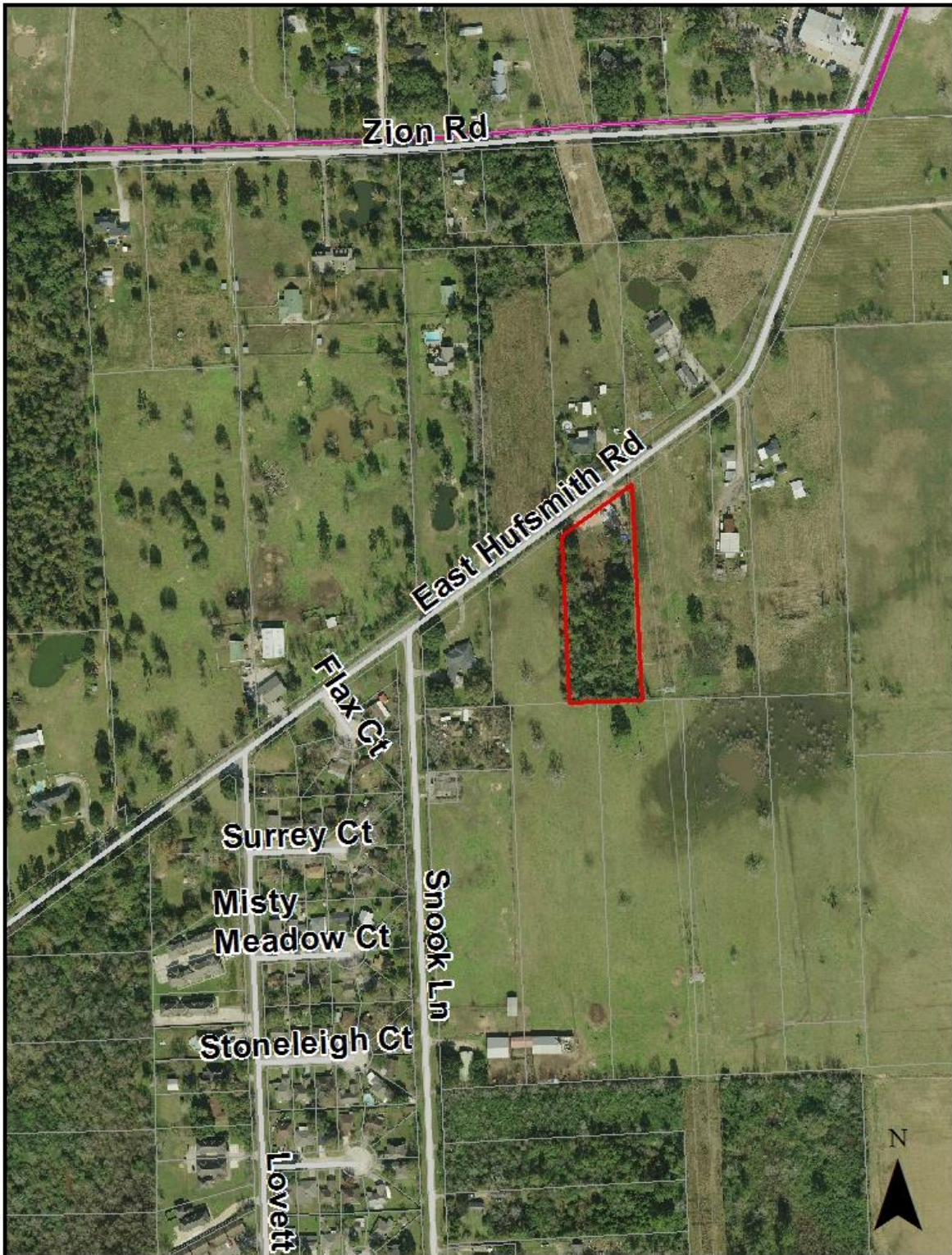
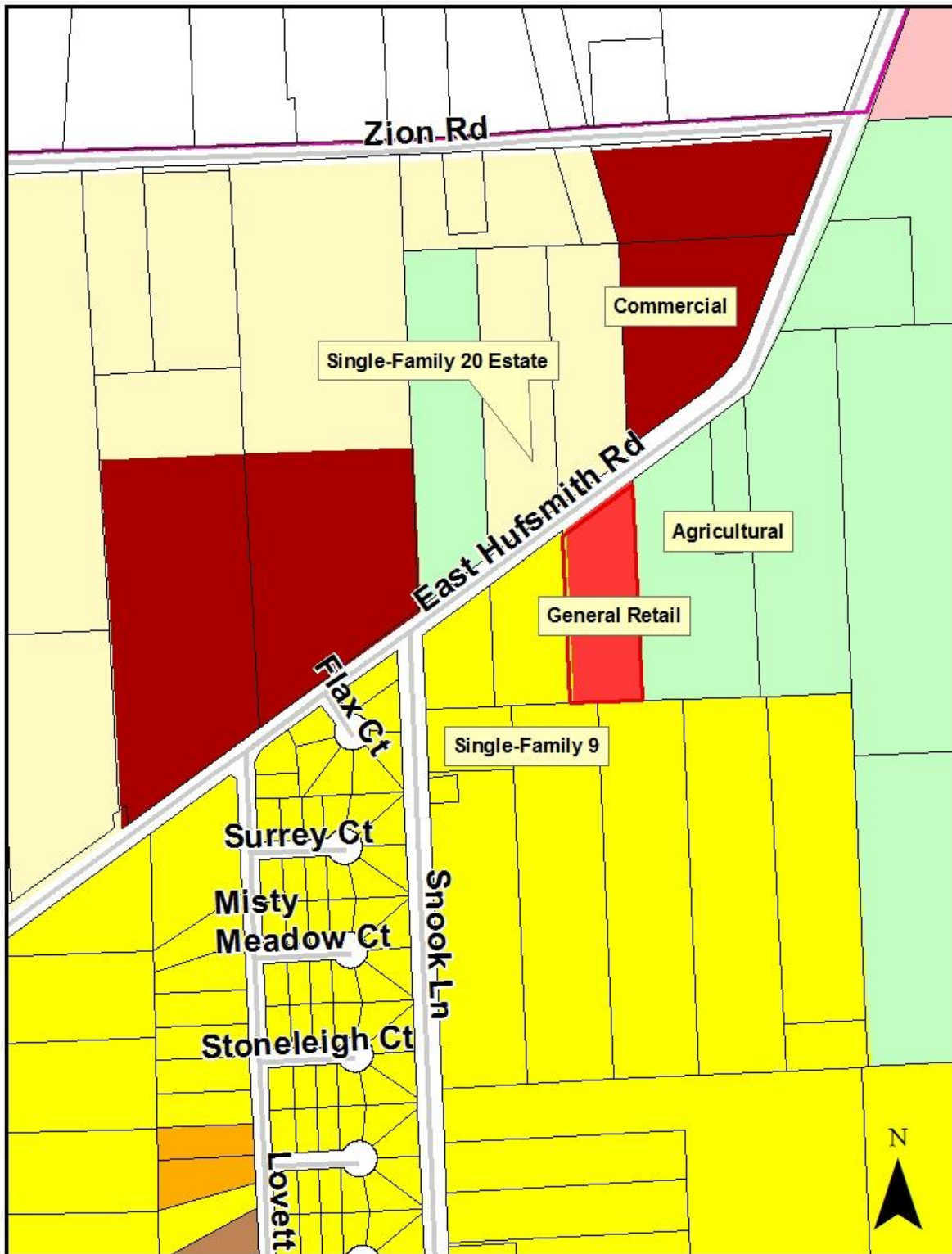


Exhibit "B"
Comprehensive Plan



Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Exhibit "E"
CUP Application

COUNTS BONACCI & SMITH

ATTORNEYS AND COUNSELORS AT LAW
THE WEBB BUILDING
25511 Budde Road, Ste. 2701
The Woodlands, Texas 77380
Phone: 713-222-7100
Fax: 713-222-7102

markcounts@cbsemail.net
MARK A. COUNTS

January 24, 2017

City of Tomball
Attn: Amelia Lindley / Planning Division
501 James Street
Tomball, Texas 77375

Via Email – alindley@tomballtx.gov

Re: Application for Conditional Use Permit for 1210 E. Hufsmith Road, Tomball,
Texas 77375 ("the Property" hereafter).

Dear Ms. Lindley:

I represent Banson Ventures I, LLC d/b/a Oakwood Storage ("my client" hereafter), in the above captioned matter. Please direct all future communications and correspondence regarding this matter to me at the above captioned address.

Please find attached hereto a Conditional Use Permit application, supporting documentation and a check in the amount of \$600.00. Please process this paperwork in your usual and customary manner.

As shown by the attached application, my client wishes to construct a storage facility for boats and recreational vehicles within the jurisdictional limits of the City of Tomball ("the City"). My client currently owns a similar facility on Hufsmith Road. This facility lies outside the City's jurisdictional limits but is within five (5) miles of planned facility's proposed location.

In pursuit of this endeavor, my client previously authorized me to meet with you to determine the feasibility of its planned endeavor. During this meeting, you explained to me that the City would have to grant the proposed use and could place certain restrictions on it. After this conversation, the only obstacle that arose to the eventual construction of the planned facility concerned the type of surface that needed to be used within the storage lot. It is my client's belief that the only economical manner by which to construct the planned facility is through the use of crushed concrete and/or gravel. If the use of these materials is not possible then my client cannot pursue the construction of the facility.

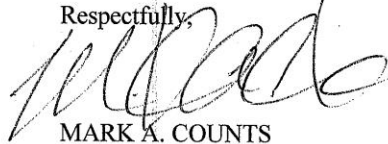
In order to make certain that the City understands the proposed use of the property, please find attached hereto a proposed site plan and several photographs of a facility that is similar to

01/24/2017
Page 2

what my client intends to build. This site plan and these photographs are for representational purposes only and do not depict the final facility that will be built. Obviously, in the construction of its planned facility, my client is willing to meet any and all the requirements placed on its by the City. However, please understand that the economics of its business dictates the use of crushed concrete and/or gravel on the interior of the facility.

In closing, I thank you for your time and attention to this matter and, if you have questions or concerns regarding this application then please feel free to contact me.

Respectfully,

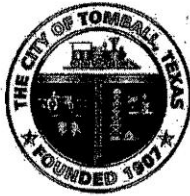
A handwritten signature in black ink, appearing to read 'Mark A. Counts', is written over the word 'Respectfully,'.

MARK A. COUNTS

Encls - 3

Cc:

Client



APPLICATION FOR CONDITIONAL USE PERMIT

Community Development Department
Planning Division

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

No conditional use shall be established and no building permit shall be issued for any use designated as a conditional use within any zoning district until a conditional use permit (CUP) is approved and issued in accordance with the provisions of Section 50-34 of the Code of Ordinances.

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: Benson Ventures I, LLC Title: _____
 Mailing Address: 9428 Rutsmith Road City: Tomball State: TX
 Zip: 77375
 Phone: (713) 320-3059 Fax: (713) 222-7100 Email: markcarr@hotmaail.com

Owner

Name: Iglesia Evangelica La Voz De Jesus Title: _____
 Mailing Address: 15015 Green Stone Dr City: Houston State: TX
 Zip: 77084
 Phone: () _____ Fax: () _____ Email: _____

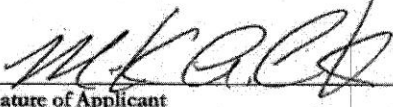
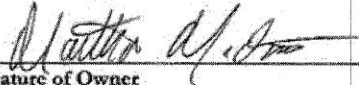
Engineer/Surveyor (if applicable)

Name: N/A Title: _____
 Mailing Address: _____ City: _____ State: _____
 Zip: _____
 Phone: () _____ Fax: () _____ Email: _____

Description of Proposed Project: Storage facility for boats & RV's
Physical Location of Property: 1210 E. Huffman, Tomball, Tx 77375
[General Location -- approximate distance to nearest existing street corner]
Legal Description of Property: 2.4216 Acres in the J.S. Smith Survey (attached)
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
HCAD Identification Number: 0450340010180 Acreage: 2.43
Current Use of Property: Vacant land
Proposed Use of Property: Storage facility for boats & RV's

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	<u></u>	<u>1/13/17</u>
	Signature of Applicant	Date
X	<u></u>	<u>1/23/17</u>
	Signature of Owner	Date

HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
0450340010180

Tax Year: 2016



Owner and Property Information									
Owner Name & Mailing Address: IGLESIA EVANGELINA LA VOZ DE JESUCRISTO 15015 GREEN STONE DR HOUSTON TX 77084-6239					Legal Description: TR 3A R/S 10 ABST 730 J S SMITH Property Address: 1210 E HUFSMITH RD TOMBALL TX 77375				
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Map Facet	Key Map®
F1 -- Real, Commercial	8000 -- Land Neighborhood General Assignment	E	0	105,737 SF	800	0	9925.02	4872C	289A

Value Status Information

Value Status	Notice Date	Shared CAD
Noticed	04/08/2016	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2015 Rate	2016 Rate
None	026	TOMBALL ISD		Certified: 08/12/2016	1.340000	1.340000
	040	HARRIS COUNTY		Certified: 08/12/2016	0.419230	0.416560
	041	HARRIS CO FLOOD CNTRL		Certified: 08/12/2016	0.027330	0.028290
	042	PORT OF HOUSTON AUTHY		Certified: 08/12/2016	0.013420	0.013340
	043	HARRIS CO HOSP DIST		Certified: 08/12/2016	0.170000	0.171790
	044	HARRIS CO EDUC DEPT		Certified: 08/12/2016	0.005422	0.005200
	045	LONE STAR COLLEGE SYS		Certified: 08/12/2016	0.107900	0.107800
	083	CITY OF TOMBALL		Certified: 08/12/2016	0.341455	0.341455
	679	HC EMERG SERV DIST 8		Certified: 08/12/2016	0.100000	0.095470

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

Valuations

Value as of January 1, 2015			Value as of January 1, 2016		
	Market	Appraised		Market	Appraised
Land	52,869		Land	132,171	
Improvement	1,975		Improvement	1,940	
Total	54,844	54,844	Total	134,111	134,111

Land

Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	8000 -- Land Neighborhood General Assignment	4373	SF	43,560	1.00	1.00	1.00	--	1.00	1.25	1.25	54,450.00
2	8000 -- Land Neighborhood General Assignment	4373	SF	62,177	1.00	1.00	1.00	--	1.00	1.25	1.25	77,721.00

Building

Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	1988	Retail Single-Occupancy	Retail Store	Very Low	800	Displayed

<http://www.hcad.org/records/print.asp?crypt=%94%9A%B0%94%BFg%84%91%84zkh%...> 1/11/2017

Building Details (1)

Building Data	
Element	Detail
Cooling Type	None
Construction Type	Wood / Steel Joist
Functional Utility	Poor
Heating Type	None
Partition Type	Normal
Physical Condition	Poor
Plumbing Type	Adequate
Sprinkler Type	None
Exterior Wall	Metal, Light
Economic Obsolescence	Very Poor
Element	Units
Wall Height	9
Interior Finish Percent	50

Building Areas	
Description	Area
BASE AREA PRI	800
CNPY ONLY -C	100

<http://www.hcad.org/records/print.asp?crypt=%94%9A%B0%94%BFG%84%91%84zkh%...> 1/11/2017

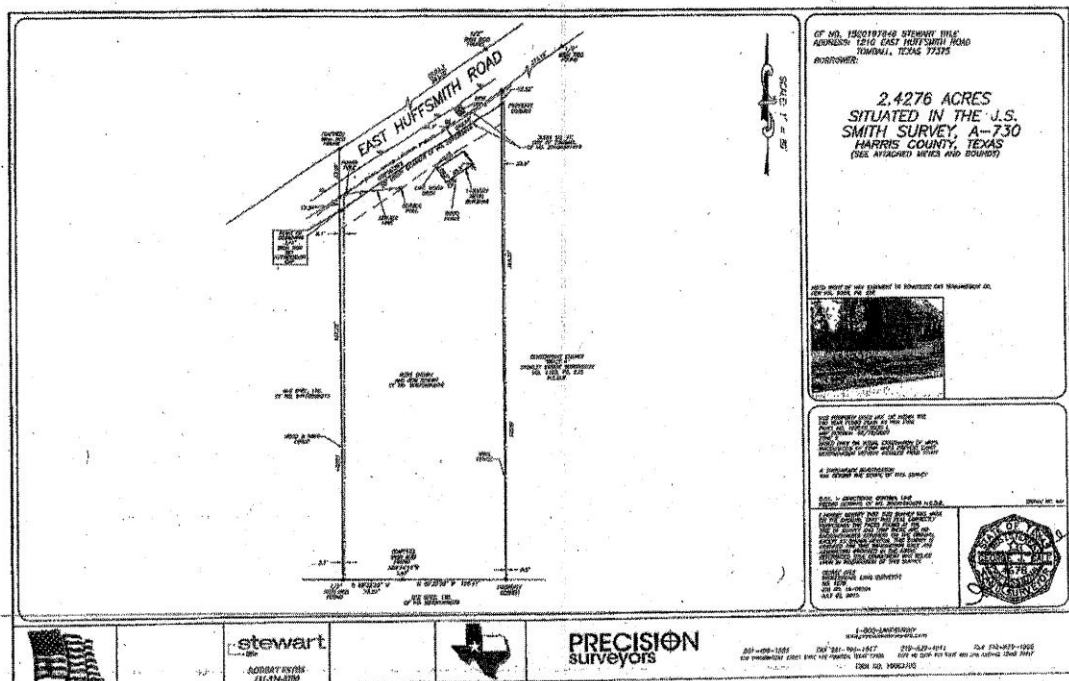
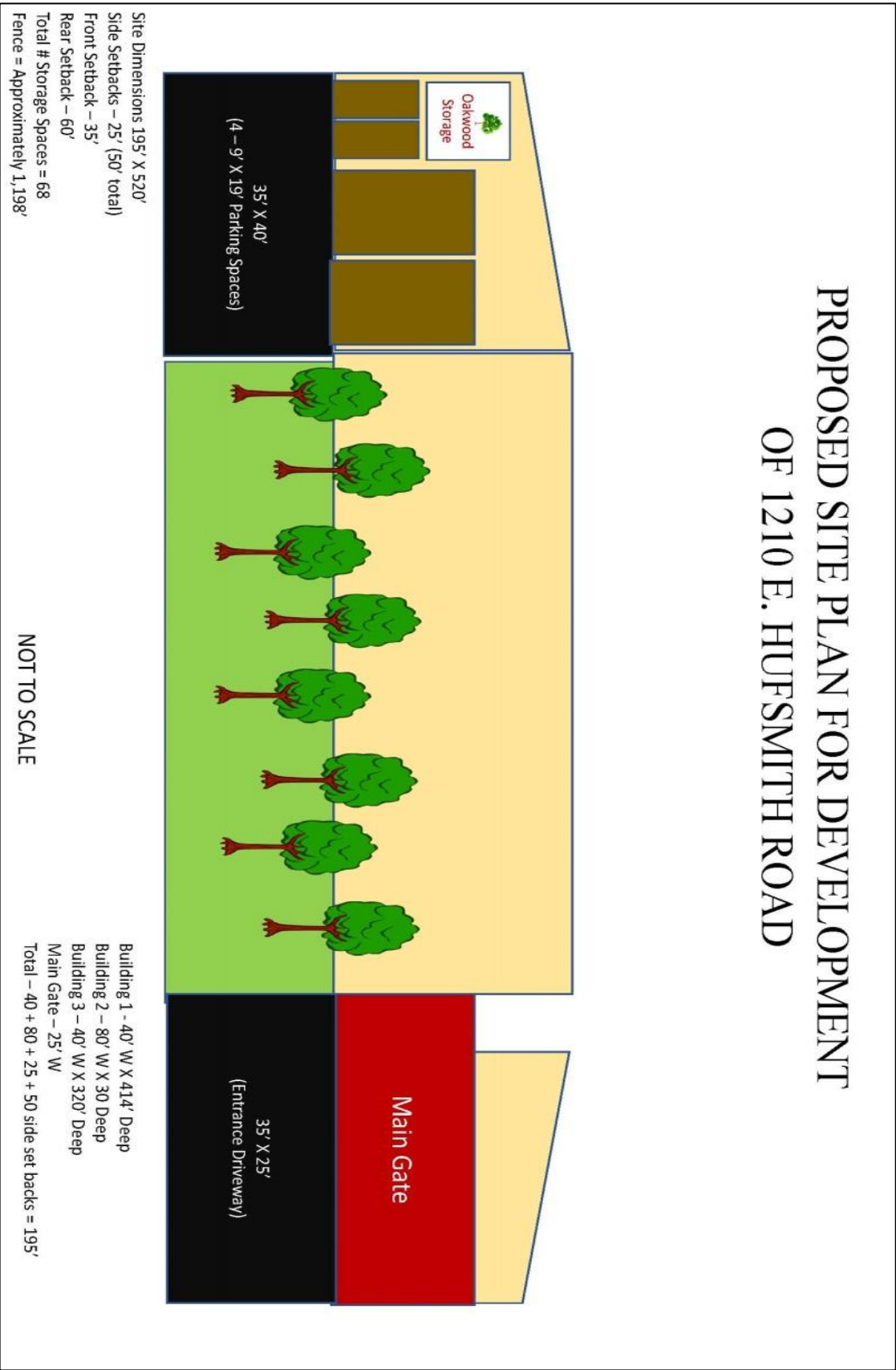


Exhibit “F”
Concept Plan

PROPOSED SITE PLAN FOR DEVELOPMENT
OF 1210 E. HUFSMITH ROAD



PROPOSED SITE PLAN FOR DEVELOPMENT OF 1210 E. HUFSMITH ROAD

- Key

Asphalt Parking

Metal Buildings

Crushed Concret / Gravel

Side Greenspace (25' W)

Greenspace (35' F / 60' R)

Detention

Planned Trees

25' Gate / Opaque Fence

Office

Site Dimensions 195' X 520'

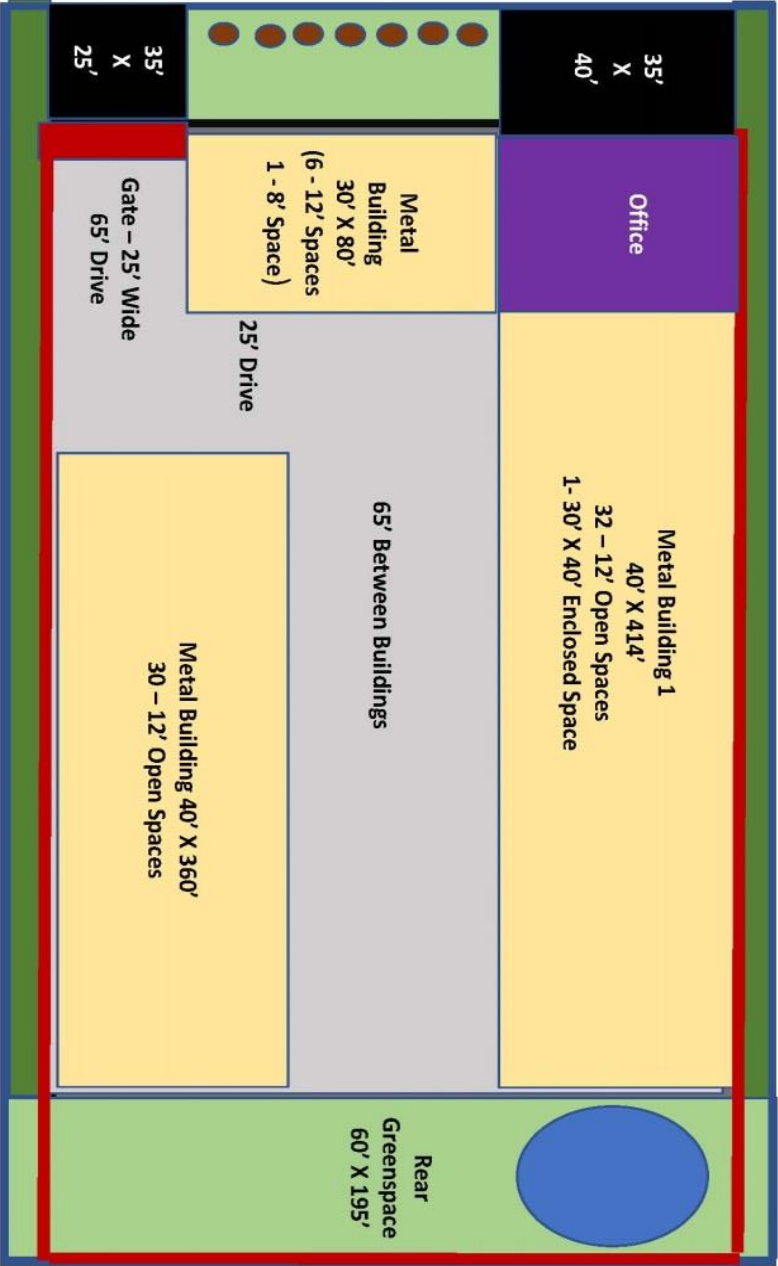
Side Setbacks – 25' (50' total)

Front Setback – 35'

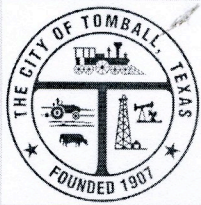
Rear Setback – 60'

Total # Storage Spaces = 68

Fence = Approximately 1,198'



NOT TO SCALE



Public Comment Form

(Please type or use black ink)

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

Please return to:

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

Name: TOM CROFOOT

(please print)

Address: 1430 NEAL DR.

TOMBALL, TX 77375

Signature: Tom Crofoot

Date: 3/07/2017

I am **FOR** the requested Conditional Use Permit as explained on the attached public notice for Zoning Case P17-0006. (Please state reasons below)

X
I am **AGAINST** the requested Conditional Use Permit as explained on the attached public notice for Zoning Case P17-0006. (Please state reasons below)

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

Thursday, March 9, 2017, 6:00 PM

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

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

Monday, March 20, 2017 6:00 PM

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

COMMENTS:

I am opposed to no concrete or asphalt for
the reasons of both function & appearance.
I am OK with no curbs.

You may also comment via email to ALindley@tomballtx.gov

Please reference the case number in the subject line.

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

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
MARCH 9, 2017
&
CITY COUNCIL
MARCH 20, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Thursday, March 9, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, March 20, 2017, 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 P17-0006: Request by Banson Ventures I, LLC for a Conditional Use Permit to operate a *Mini-warehouse/self-storage* facility at 1210 East Hufsmith Road. The property is approximately 2.43 acres, generally located on the south side of East Hufsmith Road between Snook Lane and Zion Road, is legally described as Tract 3A R/S 10 Abstract 730 J S Smith and is zoned General Retail.

Zoning Case P17-0007: Request by Francisco Choi, on behalf of TamiroWood LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Part of Outlots 127 and 129 five acre tracts Tomball Outlots, generally located on the east side of South Pine Street between James Street and Cherry Laurel Street at 609 South Pine Street, from the Single-family 6 District to the Office District.

Zoning Case P17-0008: Request by Baker Investors Group LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.01 acres of land, legally described as Reserve H Block 1 Leslie's Park, generally located at the southwest corner of Brown Road and Baker Road, from the Single-family 6 District to the Commercial District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

CERTIFICATION

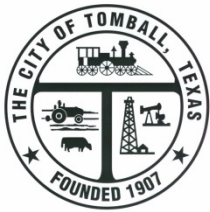
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **6th** day of **March 2017** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kim Chandler

Kim Chandler

Secretary of the Board

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.



Notice of Public Hearing

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

CASE NUMBER: P17-0006

APPLICANT/OWNER: Request by Banson Ventures I, LLC

LOCATION: South side of East Hufsmith Road between Snook Lane and Zion Road

PROPOSAL: A Conditional Use Permit to operate a *Mini-warehouse/self-storage* facility at 1210 East Hufsmith Road. The property is approximately 2.43 acres, is legally described as Tract 3A R/S 10 Abstract 730 J S Smith, and is zoned General Retail.

CONTACT: Amelia Lindley

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

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

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll. Interested parties may appear and speak on the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.



**Planning & Zoning Commission
Public Hearing:
Thursday, March 9, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, March 20, 2017, 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.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Adopt, on Second Reading, Ordinance No. 2017-06, 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 2 Acres of Land, Legally Described as Part of Outlots 127 and 129 Five Acre Tracts Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Office District; Said Property Being Generally Located on the East Side of South Pine Street between James Street and Cherry Laurel 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

Background:

On Thursday, March 9, 2017, after conducting a public hearing, the Planning and Zoning Commission unanimously voted to recommend approval for zoning case P17-0007.

Origination:

Francisco Choi on behalf of Tamiro Wood LLC

Recommendation:

Approval

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

Craig T. Meyers, Community Development Director

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Ordinance No. 2017-06
P17-0007 Staff Report
Notice of Public Hearing
Property Owner Notification

ORDINANCE NO. 2017-06

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 2 ACRES OF LAND, LEGALLY DESCRIBED AS PART OF OUTLOTS 127 AND 129 FIVE ACRE TRACTS TOMBALL OUTLOTS, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE SINGLE-FAMILY 6 DISTRICT TO THE OFFICE DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED ON THE EAST SIDE OF SOUTH PINE STREET BETWEEN JAMES STREET AND CHERRY LAUREL 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.

* * * * *

Whereas, Francisco Choi, on behalf of TamiroWood LLC, has requested that approximately 2 acres of land, legally described as Part of Outlots 127 and 129 five acre tracts Tomball Outlots, City of Tomball, Harris County, Texas, generally located on the east side of South Pine Street, between James Street and Cherry Laurel Street at 609 South Pine Street, in 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 approve the requested rezoning of Office; and

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

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

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

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

Section 2. The zoning classification of the Property is hereby changed from the Single-Family 6 District to the Office 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 Office 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 Office 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 20th DAY OF MARCH 2017.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE
CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3rd DAY OF APRIL 2017.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: March 9, 2017

City Council Public Hearing Date: March 20, 2017

Rezoning Case: P17-0007

Property Owner(s): Jesus Gonzalez

Applicant(s): Francisco Choi, for TamiroWood, LLC

Legal Description: Part of Outlots 127 and 129 five acre tracts Tomball Outlots

Location: East side of South Pine Street between James Street and Cherry Laurel Street (Exhibit "A")

Area: 2 acres

Comp Plan Designation: High Density Residential (Exhibit "B")

Present Zoning and Use: Single-Family 6 District (Exhibit "C") / Undeveloped land (Exhibit "D")

Request: Rezone from Single-Family 6 to Office

Adjacent Zoning & Land Uses:

- North:** Single-Family 6 / Assisted living facility
- South:** Single-Family 6 / Single-family residences
- West:** Single-Family 6/ City of Tomball Public Works facility
- East:** Single-Family 6 and Multi-Family / Single-family and multi-family residences

BACKGROUND

In December 2016, City Staff met with the property owner and potential purchaser of the subject site to discuss a proposed assisted living facility. After discussing different options, the applicant submitted a rezoning application with intentions of filing a subsequent Conditional Use Permit application for an *assisted living facility (continuing care retirement community)* if the rezoning request is approved. The applicant is the current owner of the adjacent assisted living facility, Forever Young Senior Living.

ANALYSIS

There are a few different land uses in the area. To the north of the subject site, there is an established assisted living facility that is considered a legal nonconforming use, as it is zoned Single-Family 6 but operated as that use prior to the adoption of zoning in 2008. To the east, there are single-family and multi-family residences. To the south, there are single-family residences and to the west, the City's Public Works building.

The Future Land Use Map designates the property as High Density Residential. Properties to the east and south are also designated High Density Residential while properties to the north are Medium Density Residential. The subject site does abut property designated Employment/Office to the west.

Chapter 9 of the Comprehensive Plan states, “At times, the City will likely encounter development proposals that do not directly reflect the purpose and intent of the Comprehensive Plan. The Planning & Zoning Commission and City Council may find that a request for a zoning amendment is not consistent with the Future Land Use Plan but should be approved due to changed circumstances or additional, relevant information affecting the appropriate use of the parcel. Review of such development proposals should include the following considerations:

- Will the proposed development enhance the City economically?
- Will the proposed development enhance the City aesthetically?
- Is the proposed development consistent with the City’s Goals, Objectives, and Actions?
- Is the proposed development a better use of land/property, both for the owner/developer and the City, than that recommended by the Plan?
- Will the proposed development impact adjacent residential areas in a positive or negative manner?
- Will the proposed development have adequate access; have considerations been made for roadway capacity, ingress and egress, traffic impact?
- Are uses adjacent to the proposed development similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?
- Does the proposed development present a significant benefit to the public health, safety and welfare of the community?”

The applicant has provided the following justifications for the request (Exhibit “E”):

1. “Will the proposed development enhance the City economically?
Lots 127 & 129 have remained undeveloped for a variety of reasons: size, easement, setbacks, location, adjacent uses, land use plan, and access. The proposed use maximizes the property tax potential of these lots.
2. Will the proposed development enhance the City aesthetically?
Given the location of these lots, they will never be a focal point. But the proposed development will be a better prospect for the neighbors than vacant lots.
3. Is the proposed development consistent with the City’s goals, objectives, and actions?
Yes. The proposed use complies with the intention of High Density Residential; the Assisted Living Facility produces 12 residents per acre. (That is, 24 residents on the 1.98 acre site.) The Assisted Living Facility provides a good transition between the duplex and single family neighborhoods and the municipal use.
4. Is the proposed development a better use of land/property, for both owner/developer and the City, than that recommended by the Plan?
Yes, because the use actually follows the intent of the Plan. Not only does the proposed use attach an Assisted Living Facility to the adjacent Memory Care Facility, providing a continuum of care, but the Assisted Living Facility fulfills the intent for High Density Residential.
5. Will the proposed development impact adjacent residential areas in a positive or negative manner?
Positive. As opposed to the vacant lots with unknown future uses, the proposed Assisted Living Facility is an attractive and quiet use, compatible with the adjacent residential

neighbors. It is the perfect use to be adjacent to the existing memory care facility. And it is a good visual and sound buffer between the existing residential uses and the municipal facilities.

6. Will the proposed development have adequate access; have considerations been made for roadway capacity, ingress, egress, traffic impact?

The assisted living facility is proposed to be connected to the existing memory care facility – sharing the same driveway and address, and needing no more roadway. An assisted living facility has very little traffic due to residents, and predictable low traffic impacts due to staff.

7. Are uses adjacent to the proposed development similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?

Yes. The attached memory care facility is similar in nature and appearance. Hours of operation apply mostly to staff because, unfortunately, there are few visitors.

8. Does the proposed development present a significant benefit to the public health, safety and welfare of the community?

Yes. Our market study shows an ongoing need for the continuum of care provided by the proposed assisted living facility adjacent to the existing memory care facility.”

ZONING CONSIDERATIONS

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:

- A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole.**

According to Section 50-75 (Office District), the purpose of the Office District is to “create an appropriate setting for low intensity office and professional uses” and should be “used as a transition district between residential uses and more intense uses”. The land uses permitted in the Office District are intended to be the least intense non-residential uses and would be appropriate in the immediate area.

The Office District offers a buffer between the existing residences and the Tomball Public Works Building.

The Office District and Chapter 50 (Zoning) as a whole have regulations in place to protect adjacent residential property owners.

- B. Whether the proposed change is in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.**

Utilities are available to serve this property and the existing streets can accommodate traffic generated by an Office District use.

- C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.**

Assisted living facilities are permitted by-right in the Multi-Family, General Retail, Commercial, and Old Town & Mixed Use Districts. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

The Office District makes up less than 1% of the City. There are no properties in the surrounding area zoned Office. There is also no vacant land zoned Office.

E. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved.

The applicant is proposing to develop an assisted living facility. There has been one similar development in the City recently. Southern Knights Senior Living Community, located on Johnson Road, is in the process of expanding their operations.

F. Any other factors that will substantially affect the public health, safety, morals, or general welfare.

Generally, the proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare. There are regulations in place that will protect the adjacent residential property owners.

G. Whether the request is consistent with the Comprehensive Plan.

The Future Land Use plan designates the property High Density Residential. While the proposed rezoning appears to be inconsistent with the Comprehensive Plan, it does appear to be consistent with the surrounding land uses.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on February 17, 2017. The Notice of Public Hearing was published in the paper and a sign was placed on the property on February 22, 2017. No public comment forms have been received as of the date of this report.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P17-0007 for the following reasons:

1. The request is generally appropriate with the surrounding land uses;
2. The property's unique shape and size could deem it difficult to develop single-family homes as currently zoned;
3. The potential uses on this property would not negatively affect the health, safety and welfare of the general public.

EXHIBITS

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

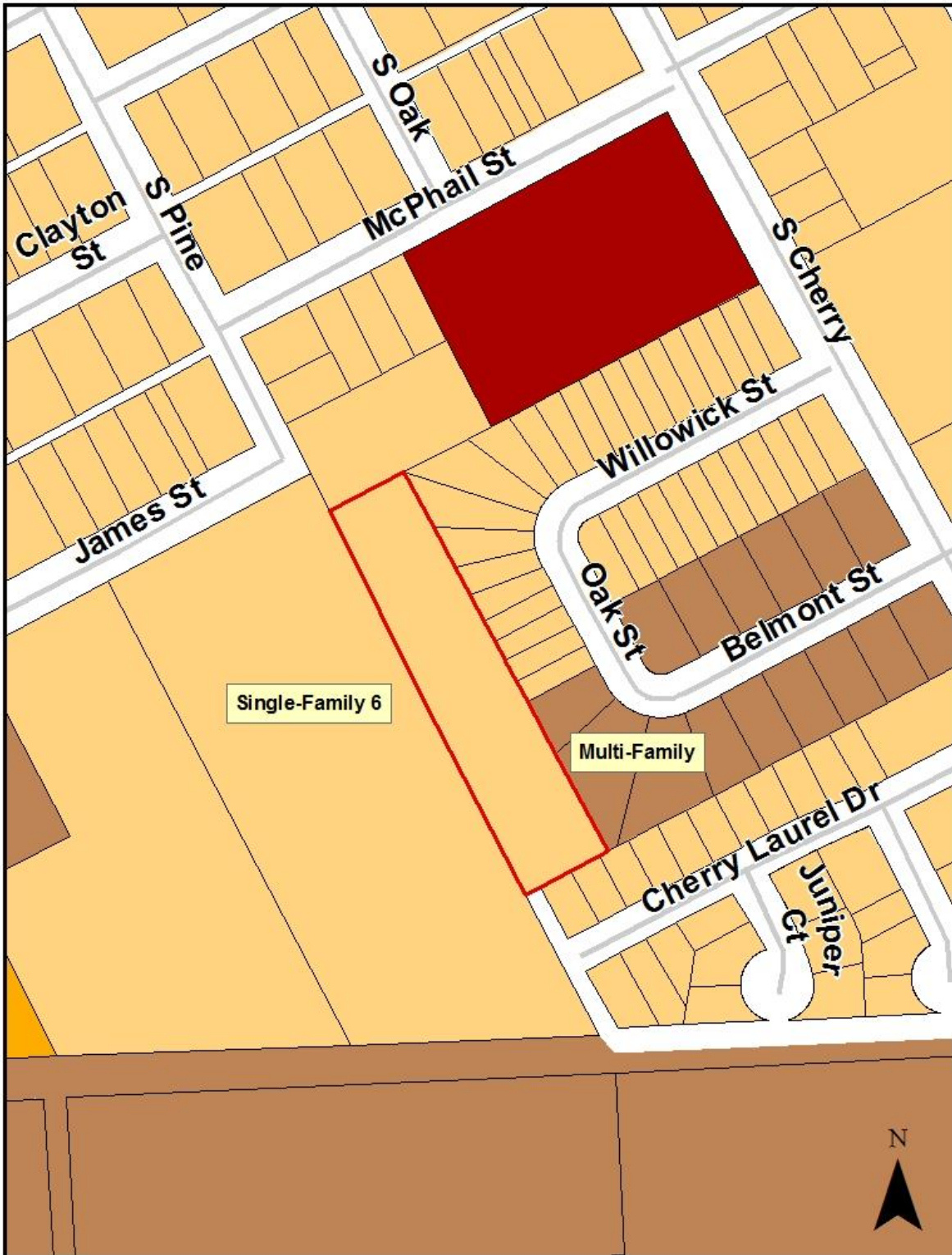
Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan



Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Exhibit "E" Application

Revised 5/19/15



APPLICATION FOR REZONING

Community Development Department
Planning Division

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

Applicant

Name: Francisco Choi, for TamiroWood, LLC Title: Partner
Mailing Address: P.O. Box 864 City: Georgetown State: TX
Zip: 78627
Phone: (512) 297-7263 Fax: () Email: francisco@ftcarch.com

Owner R&MB Property Mgmt, Inc
Name: Jesus Gonzalez Rodolfo Barvera Title: President
Mailing Address: 18106 Ridge Stream Lane City: Cypress Hockley State: TX
Zip: 77429-1782 23910 Saxxon way
Phone: (832) 597-1652 77447 Fax: () Email: rudyj99@yahoo.com

Engineer/Surveyor (if applicable)

Name: Precision Surveyors, Edilberto V. Barrientos Title: Professional Land Surveyor
Mailing Address: 950 Threadneedle St, Suite 150 City: Houston State: TX
Zip: 77079
Phone: (281) 496-1586 Fax: (281) 496-1867 Email: orders@precisionsurveyors.com

Description of Proposed Project: Assisted Living Facility

Physical Location of Property: 609 South Pine Street
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: .9583 U/D INT IN TRS 127 & 129 (1.9835 AC) Tomball Outlots
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: Single Family

Current Use of Property: Vacant

Proposed Zoning District: Office (Conditional Use Permit)

Proposed Use of Property: Assisted Living Facility

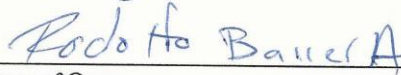
HCAD Identification Number: 0352840000129 Acreage: 1.9835

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  26 JAN 2017
Signature of Applicant Date

X  26 JAN 2017
Signature of Owner Date

TamiroWood, LLC
803 Riverforest Drive
New Braunfels, TX 78132

26 January 2017

City of Tomball
501 James Street
Tomball, TX 77375

Subject: Rezoning of Outlots 127 and 129

Applicant TamiroWood, LLC, requests rezoning of Outlots 127 and 129 from Single Family to Office, with the intent of requesting a subsequent Conditional Use Permit for an Assisted Living Facility.

These lots are adjacent to an existing Memory Care facility owned by the intended owners of these lots. The continuum of use, from Assisted Living to Memory Care, inspired this request.

The current zoning of Single Family, while congruent with the neighboring duplex and single family development, is not compatible with the development standards. And the location of the lots lend themselves to a different transitional use.

Single family lots are required to be 120 feet deep. Outlots 127 and 129 (not including the easement) are only about 114 feet deep.

Outlots 127 and 129 back up to duplex and single family development, but are across the street from heavier uses of the Public Works building and a water tower. Rezoning to Office is an acceptable interface between the heavy civic use and the neighborhood use.

As currently configured, zoned and constrained, Outlots 127 and 129 are undevelopable.

In addition to the Conditional Use Permit, Applicant intends to apply for one or more variances to permit viable office development.

Absent these changes, Outlots 127 and 129 will forever be undeveloped. Of no value to the owners and of little taxable value to the City.



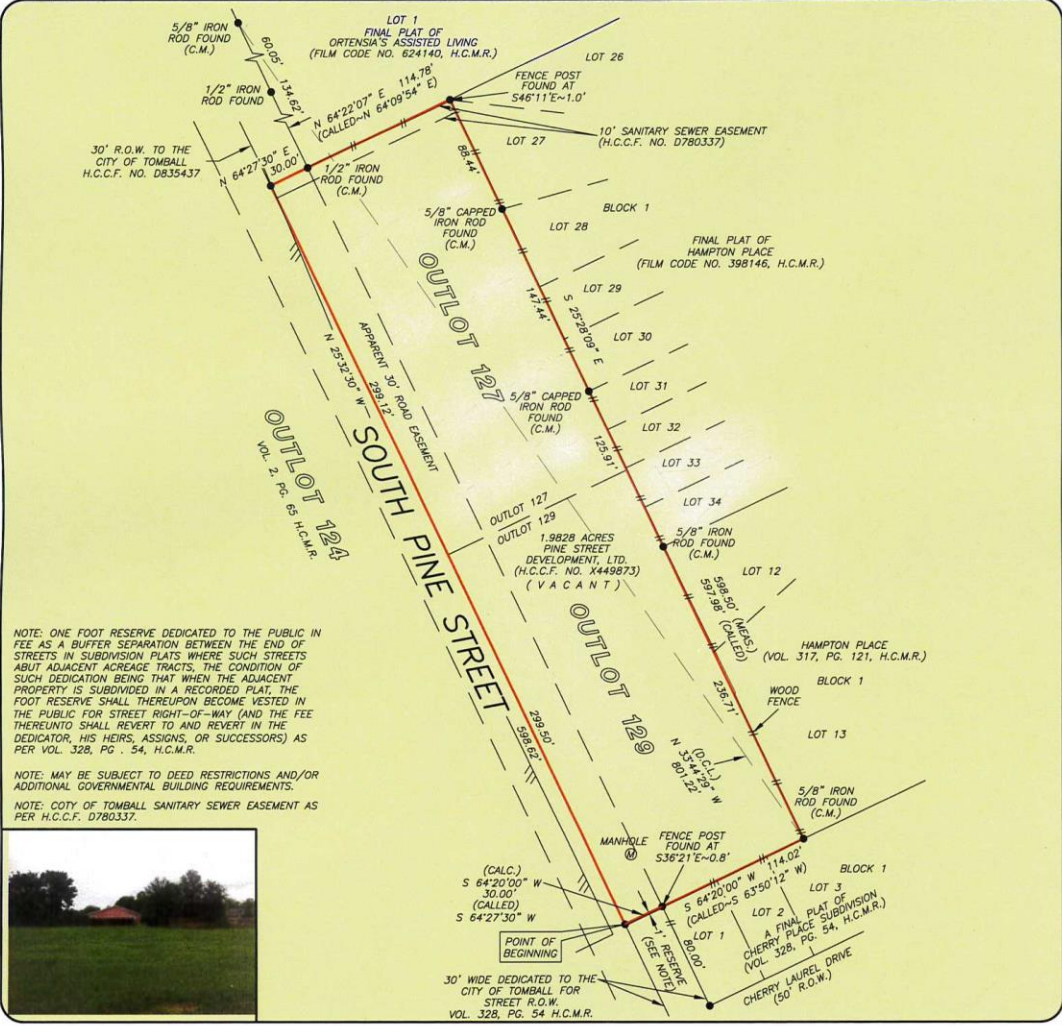
Francisco Choi
TamiroWood, LLC

GF NO. 1520195061 STEWART TITLE
 ADDRESS: 609 SOUTH PINE STREET
 TOMBALL, TEXAS 77375
 BORROWER: JESUS GONZALEZ

1.9828 ACRES
 (86,429 SQUARE FEET)
 PART OF OUTLOTS 127 AND 129
 FIVE ACRE TRACTS TOMBALL TOWNSITE

A SUBDIVISION IN HARRIS COUNTY, TEXAS
 ACCORDING TO THE MAP OR PLAT THEREOF RECORDED
 IN VOLUME 2, PAGE 65 OF THE MAP RECORDS
 OF HARRIS COUNTY, TEXAS
 (SEE ATTACHED METES AND BOUNDS)

SCALE: 1" = 100'



THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AS PER FIRM PANEL NO. 49201C 0230 L MAP REVISION: 06/18/07 ZONE X BASED ONLY ON VISUAL EXAMINATION OF MAPS. INACCURACIES OF FEMA MAPS PREVENT EXACT DETERMINATION WITHOUT DETAILED FIELD STUDY

A SUBSURFACE INVESTIGATION WAS BEYOND THE SCOPE OF THIS SURVEY

D.C.L. = DIRECTIONAL CONTROL LINE
 RECORD BEARING: H.C.C.F. NO. X449873

DRAWN BY: RC

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN HEREON. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY AND ABSTRACTING PROVIDED IN THE ABOVE REFERENCED TITLE COMMITMENT WAS RELIED UPON IN PREPARATION OF THIS SURVEY.

EDILBERTO V. BARRIENTOS
 PROFESSIONAL LAND SURVEYOR
 NO. 5364
 JOB NO. 15-03699
 APRIL 29, 2015



stewart
 title
 DANA DUNCAN
 281-374-8700



PRECISION
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 950 THREADNEEDLE STREET SUITE 150 HOUSTON, TEXAS 77079 1777 NE LOOP 410 SUITE 600 SAN ANTONIO, TEXAS 78217
 FIRM NO. 10063700

HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
0352840000129

Tax Year: 2017

 **Print**

Owner and Property Information									
Owner Name & Mailing Address: GONZALEZ JESUS 18106 RIDGE STREAM LN CYPRESS TX 77429-1782			Legal Description: .9583 U/D INT IN TRS 127 & 129 (1.9835 AC) TOMBALL OUTLOTS Property Address: 609 S PINE ST TOMBALL TX 77375						
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Map Facet	Key Map®
C2 -- Real, Vacant Commercial	8000 -- Land Neighborhood General Assignment		0	82,798 SF	0	0	9928.02	4771D	288M

Value Status Information

Value Status	Shared CAD
All Values Pending	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2016 Rate	2017 Rate
None	026	TOMBALL ISD	Pending	Pending	1.340000	
	040	HARRIS COUNTY	Pending	Pending	0.416560	
	041	HARRIS CO FLOOD CNTRL	Pending	Pending	0.028290	
	042	PORT OF HOUSTON AUTHY	Pending	Pending	0.013340	
	043	HARRIS CO HOSP DIST	Pending	Pending	0.171790	
	044	HARRIS CO EDUC DEPT	Pending	Pending	0.005200	
	045	LONE STAR COLLEGE SYS	Pending	Pending	0.107800	
	083	CITY OF TOMBALL	Pending	Pending	0.341455	
	679	HC EMERG SERV DIST 8	Pending	Pending	0.095470	

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

Valuations

Value as of January 1, 2016			Value as of January 1, 2017		
	Market	Appraised		Market	Appraised
Land	248,394		Land		
Improvement	0		Improvement		
Total	248,394	248,394	Total	Pending	Pending

Land

Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	8000 -- Land Neighborhood General Assignment	4300	SF	82,798	1.00	1.00	1.00	--	1.00	Pending	Pending	Pending

Building

Vacant (No Building Data)

STATE OF TEXAS §
 §
 §
 §
 §
COUNTY OF HARRIS §

PROPERTY DESCRIPTION:

A TRACT OF LAND CONTAINING 1.9828 ACRES (86,429 SQUARE FEET) (CALLED-1.9835 ACRES), SITUATED IN THE WILLIAM HURD SURVEY, ABSTRACT NO. 371, IN HARRIS COUNTY, TEXAS, BEING OUT OF AND A PART OF OUTLOTS 127 AND 129, FIVE ACRE TRACTS TOMBALL TOWNSITE, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 65 OF THE HARRIS COUNTY MAP RECORDS (H.C.M.R.). SAID 1.9828 ACRE TRACT ALSO BEING THAT SAME TRACT RECORDED IN HARRIS COUNTY CLERK'S FILE NUMBER (H.C.C.F. NO.) X449873 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
(BEARINGS ARE BASED IN H.C.C.F. NO. X449873)

BEGINNING at a point in the east line of Outlot 124 of said Five Acre Tracts Tomball Townsite for the southwest corner of said Outlot 129 and the herein described tract and the northwest corner of a 30-foot wide strip of land to be used for road widening shown in Cherry Place Subdivision, according to the Map or Plat recorded in Volume 328, Page 54 H.C.M.R.;

THENCE N 25° 32' 30" W, along the common line of the east line of said Outlot 124 with the west line of said Outlots 127 and 129 and the herein described tract, at 299.50 feet passing the common corner of said Outlots 127 and 129 and continuing for a total distance of 598.62 feet to a point in the centerline of South Pine Street extended for the northwest corner of said Outlot 127 and the herein described tract and the southwest corner of a certain called 30-foot wide tract recorded in H.C.C.F. No. D835437;

THENCE N 64° 27' 30" E, along the south line of said 30-foot wide tract and the common line of the north line of said Outlot 127 and the herein described tract with the south line of said Outlot 125, a distance of 30.00 feet to a 1/2 inch iron rod found at an angle point for corner and the southeast corner of said 30-foot wide tract and the southwest corner of Lot 1 of the Final Plat of Ortenia's Assisted Living recorded in Film Code No. 624140 H.C.M.R.;

THENCE N 64° 22' 07" E (called-N 64° 09' 54" E), along the common line of the north line of said Outlot 127 and the herein described tract with the south line of said Lot 1, a distance of 114.78 feet to point for the northeast corner of the herein described tract and the northwest corner of the Final Plat of Hampton Place recorded in Film Code No. 398146 H.C.M.R. from which a fence post found at S 46° 11' E, a distance of 1.0 feet;

THENCE S 25° 28' 09" E, across said Outlots 127 and 129, being the common line of the east line of the herein described tract with the west line of said Final Plat of Hampton Place and the west line of Hampton Place recorded in Volume 317, Page 121 H.C.M.R., a distance of 598.50 feet (called-597.98 feet) to a 5/8 inch iron rod found marking the southeast corner of the herein described tract and the southwest corner of said Hampton Place, said corner also being in the north line of aforesaid Cherry Place Subdivision;

THENCE S 64° 20' 00" W (called-S 63° 50' 12" W), along the common line of the south line of the herein described tract with the north line of said Hampton Place, a distance of 114.02 feet to a point for the northeast corner of aforesaid 30-foot wide road from which a fence post found at S 36° 21' E, a distance of 0.8 feet;

THENCE S 64° 20' 00" W (called-S 64° 27' 30" W), along the common line of the south line of said Outlot 129 and the herein described tract with the north line of said 30-foot wide road, a distance of 30.00 feet to the POINT OF BEGINNING containing 1.9828 acres of land.



EDILBERTO V. BARRIENTOS
Professional Land Surveyor, No. 5364
April 29, 2015
Job No. 15-03699

TamiroWood, LLC
803 Riverforest Drive
New Braunfels, TX 78132

27 February 2017

City of Tomball
501 James Street
Tomball, TX 77375

Subject: Outlots 127 and 129, Future Land Use Plan Questions

The Request for Information from the City of Tomball

According to Chapter 9 of the City of Tomball's Comprehensive Plan, when rezoning requests are not consistent with the Future Land Use Plan, the Planning and Zoning Commission and City Council should review the proposed development with the following considerations:

- Will the proposed development enhance the City economically?
- Will the proposed development enhance the City aesthetically?
- Is the proposed development consistent with the City's goals, objectives, and actions?
- Is the proposed development a better use of land/property, for both the owner/developer and the City, than that recommended by the Plan?
- Will the proposed development impact adjacent residential areas in a positive or negative manner?
- Will the proposed development have adequate access; have considerations been made for roadway capacity, ingress and egress, traffic impact?
- Are uses adjacent to the proposed development similar in nature in terms of appearance, house of operation, and other general aspects of compatibility?
- Does the proposed development present a significant benefit to the public health, safety and welfare of the community?

The Response from TamiroWood

A city's Comprehensive Plan and subsequent Future Land Use Plan are aspirational, but not strictly prescriptive. Indeed, Tomball's Comprehensive Plan anticipated that discretion would be necessary in its application, as Chapter 1 says:

'It is impossible to create the perfect plan or zoning regulations to address every possible situation that might arise over time; that is why both the Plan and

the Zoning Ordinance will be reviewed, updated, and modified regularly as Tomball evolves.

The Comprehensive Plan can assist Tomball City Council and staff in ensuring that public improvements and facilities are developed to meet community needs. Additionally, it can serve as a guide for City service planning, budgeting, and capital improvements.’

TamiroWood calls attention to the current status of Outlots 127 & 129. They are currently surrounded by a Memory Care Facility, duplex housing, single family housing and municipal uses that appear more Light Industrial than Employment/Office.

The Future Land Use Plan map does not show South Pine Street extending along the boundary of the lots. Other city maps do show South Pine Street extending along the lots. There is, in fact, a dead end rudimentary track through and along an easement that gives the city access to the well and water tower near the southwest end of the property.

However, the proposed use does not require a roadway along Lots 127 & 129 because access is intended to be through the parking lot of the adjacent Memory Care Facility which the same owners own, and which address could be used for the combined facility.

Inspection of the lots, including the easement and setback requirements, leads us to the conclusion that normal high density residential is not likely.

So, let us address the questions.

1. Will the proposed development enhance the City economically?
Lots 127 & 129 have remained undeveloped for a variety of reasons: size, easement, setbacks, location, adjacent uses, land use plan, and access. The proposed use maximizes the property tax potential of these lots.
2. Will the proposed development enhance the City aesthetically?
Given the location of these lots, they will never be a focal point. But the proposed development will be a better prospect for the neighbors than vacant lots.
3. Is the proposed development consistent with the City’s goals, objectives, and actions?
Yes. The proposed use complies with the intention of High Density Residential; the Assisted Living Facility produces 12 residents per acre. (That is, 24 residents on the 1.98 acre site.) The Assisted Living Facility provides a good transition between the duplex and single family neighborhoods and the municipal use.
4. Is the proposed development a better use of land/property, for both owner/developer and the City, than that recommended by the Plan?
Yes, because the use actually follows the intent of the Plan. Not only does the proposed use attach an Assisted Living Facility to the adjacent Memory Care Facility, providing a continuum of care, but the Assisted Living Facility fulfills the intent for High Density Residential.
5. Will the proposed development impact adjacent residential areas in a positive or negative manner?
Positive. As opposed to the vacant lots with unknown future uses, the proposed Assisted Living Facility is an attractive and quiet use, compatible with the adjacent residential neighbors. It is the perfect use to be adjacent to the existing memory care facility. And it is a good visual and sound buffer between the existing residential uses and the municipal facilities.

6. Will the proposed development have adequate access; have considerations been made for roadway capacity, ingress, egress, traffic impact?
The assisted living facility is proposed to be connected to the existing memory care facility – sharing the same driveway and address, and needing no more roadway. An assisted living facility has very little traffic due to residents, and predictable low traffic impacts due to staff.
7. Are uses adjacent to the proposed development similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?
Yes. The attached memory care facility is similar in nature and appearance. Hours of operation apply mostly to staff because, unfortunately, there are few visitors.
8. Does the proposed development present a significant benefit to the public health, safety and welfare of the community?
Yes. Our market study shows an ongoing need for the continuum of care provided by the proposed assisted living facility adjacent to the existing memory care facility.

Phil Duprey for TamiroWood
Tri-County Consultants

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
MARCH 9, 2017
&
CITY COUNCIL
MARCH 20, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Thursday, March 9, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, March 20, 2017, 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 P17-0006: Request by Banson Ventures I, LLC for a Conditional Use Permit to operate a *Mini-warehouse/self-storage* facility at 1210 East Hufsmith Road. The property is approximately 2.43 acres, generally located on the south side of East Hufsmith Road between Snook Lane and Zion Road, is legally described as Tract 3A R/S 10 Abstract 730 J S Smith and is zoned General Retail.

Zoning Case P17-0007: Request by Francisco Choi, on behalf of TamiroWood LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Part of Outlots 127 and 129 five acre tracts Tomball Outlots, generally located on the east side of South Pine Street between James Street and Cherry Laurel Street at 609 South Pine Street, from the Single-family 6 District to the Office District.

Zoning Case P17-0008: Request by Baker Investors Group LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.01 acres of land, legally described as Reserve H Block 1 Leslie's Park, generally located at the southwest corner of Brown Road and Baker Road, from the Single-family 6 District to the Commercial District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

CERTIFICATION

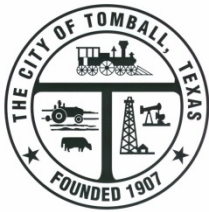
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 6th day of **March 2017** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kim Chandler

Kim Chandler

Secretary of the Board

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.



Notice of Public Hearing

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

CASE NUMBER: P17-0007

APPLICANT/OWNER: Francisco Choi, on behalf of TamiroWood LLC

LOCATION: East side of South Pine Street between James Street and Cherry Laurel Street at 609 South Pine Street

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Part of Outlots 127 and 129 five acre tracts Tomball Outlots, from the Single-family 6 District to the Office District.

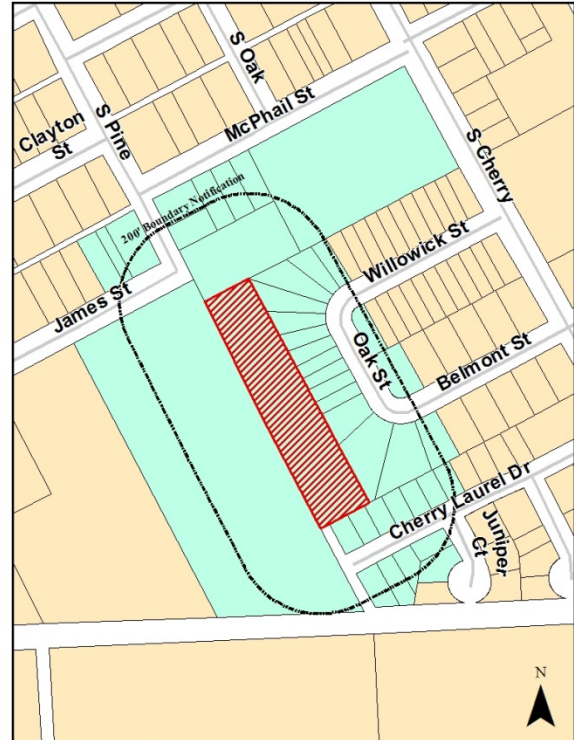
CONTACT: Amelia Lindley

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

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

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



**Planning & Zoning Commission
Public Hearing:
Thursday, March 9, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, March 20, 2017, 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.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending September 30, 2016

Background:

The firm of Weaver & Tidwell, LLP has completed the audit of our financial statements for the fiscal year ending September 30, 2016.

Sarah Roberts, CPA and Laura Lambert, CPA will be at the meeting to present a summary of the CAFR.

Origination:

Finance

Recommendation:

Acceptance of the Report by the City Council

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

Glenn Windsor, CPA, Finance Director

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Comprehensive Annual Financial Report for the Fiscal Year Ending September 30, 2016

CITY OF TOMBALL, TEXAS

COMPREHENSIVE ANNUAL FINANCIAL REPORT

YEAR ENDED SEPTEMBER 30, 2016

City Manager

George Shackelford

Prepared by:

Glenn Windsor, CPA, CGFO
Finance Director

Kacie Richardson, CGFO
Senior Accountant

**CITY OF TOMBALL, TEXAS
COMPREHENSIVE ANNUAL FINANCIAL REPORT
YEAR ENDED SEPTEMBER 30, 2016**

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**CITY OF TOMBALL, TEXAS
COMPREHENSIVE ANNUAL FINANCIAL REPORT
YEAR ENDED SEPTEMBER 30, 2016**

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INTRODUCTORY SECTION



City of Tomball

Gretchen Fagan

Mayor

George Shackelford

City Manager

March 24, 2017

To the Honorable Mayor, Members of the City Council, and Citizens of the City of Tomball, Texas:

It is with great pleasure that we present to you a copy of the Comprehensive Annual Financial Report (CAFR) of the City of Tomball, Texas (the “City”) for the fiscal year ended September 30, 2016. The responsibility for both the accuracy of the presented information and the completeness and fairness of the presentation of the data, including all disclosures, rests with the City. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the results of operations of the various funds of the City, as well as the fund balances. All disclosures necessary to enable the reader to gain an understanding of the City’s financial activities have been included.

The CAFR is presented in three sections: Introductory, Financial, and Statistical. The Introductory Section includes this transmittal letter, the City’s organizational chart, and a list of principal officials, elected and appointed. The Financial Section includes Management’s Discussion and Analysis (MD&A), Basic Financial Statements, Required Supplementary Information, Combining and Individual Fund Financial Statements and Other Supplemental Information, as well as the independent auditor’s report. The Statistical Section includes selected financial and demographic information generally presented on a multi-year basis.

Management’s Discussion and Analysis (MD&A) immediately follows the independent auditor’s report and provides a narrative introduction, overview, and analysis of the basic financial statements. MD&A complements this letter of transmittal and should be read in conjunction with it.

Profile of the Government

The City, incorporated on July 18, 1933, is located northwest of Houston, Texas, in a rapidly growing area of Harris County. The City currently occupies a land area of 12.31 square miles and serves an estimated population of 11,540. The City of Tomball is empowered to levy a property tax on both real and personal properties located within its boundaries. It also is empowered by state statute to extend its corporate limits by annexation, which occurs when deemed appropriate by the governing council.

The City has operated under the council-manager form of government since 1980. Policy-making and legislative authority are vested in a governing council consisting of the mayor and five council members. The council is elected on a non-partisan basis. Council members serve three-year terms, with two council members elected every year. The mayor is elected to serve a three-year term. The mayor and council are elected at large. The governing council is responsible for, among other things, passing ordinances, adopting the budget, appointing committees, and hiring both the City Manager and City Attorney. The City Manager is responsible for carrying out the policies and ordinances of the governing council, for overseeing the day-to-day operations of the government, and for appointing the heads of the various departments.

The City provides a full range of services, including police and fire protection; the construction and maintenance of streets and other infrastructure; recreational activities and cultural events. Solid waste services are provided through a contract with Waste Corporation of America.

The annual budget serves as the foundation for the City's financial planning and control. All departments of the City are required to submit requests for appropriation to the Finance Director. These requests serve as a starting point for developing a proposed budget. The Finance Director provides the information to the City Manager who then presents this proposed budget to the council for review. The council is required to hold public hearings on the proposed budget and to adopt a final budget no later than September 30, the close of the City's fiscal year. The appropriated budget is prepared by fund, function, and department. Department heads may make requests to the City Manager for transfers of appropriations within a department. Transfers of appropriations between departments, however, require the approval of the City Council. Budget-to-actual comparisons are provided in this report for each individual governmental fund for which an appropriated annual budget has been adopted. For the general fund, this comparison is presented on page 63 as part of required supplementary information. For governmental funds, other than the general fund, with appropriated annual budgets, this comparison is presented in the non-major governmental fund subsection of this report, which starts on page 69.

Factors Affecting Financial Condition

The information presented in the financial statements is better understood when it is considered from the broader perspective of the specific environment within which the City of Tomball operates.

Local Economy

The City is located approximately 32 miles northwest of Houston and is primarily surrounded by municipal utility districts, making it one of the only incorporated areas in this portion of Harris County. As a result, the City has evolved into the area's principal commercial center. Assessed values for fiscal 2016 reflect an increase of 6.14% to \$1.77 billion. This property value increase is the result of continued commercial development within the City including development in the new business park on the east side of the City, continued development of the medical complex, and additional growth in the retail sector. New single-family residential development continues with the addition of PID number 5, Yaupon Trails. This sub-division will include 37 homes with an average value of \$350,000.

Sales tax revenues declined 2.4% during fiscal year 2016. The City had anticipated this revenue source remaining level when the budget was adopted. At this writing, for fiscal year 2017, sales taxes are 0.69% higher than the first four months of fiscal year 2016. Additionally, new retail businesses continue to open in the retail district located on the City's west side and the Old Town Tomball District so we anticipate these revenues remaining level for fiscal year 2017.

The region (which covers an area within a five-mile radius from the center of the City) has an employed labor force of approximately 26,000 within a 5 mile radius. The largest groups of employers are in service and retail trade.

Long-Term Financial Planning

The City completed the construction of Medical Complex Drive Segment 3 and plans were in place at year-end to issue bonds for the design and construction of Segment 4. Construction continued on the M121 drainage channel which was designed to mitigate flooding in the downtown area.

In conjunction with the Tomball Economic Development Corporation (TEDC), the City issued \$8,500,000 in Certificates of Obligation (May 2013) to finance the construction of infrastructure to service a new business park on the southeast corner of the City. This project was nearing completion at September 30, 2016.

In July 2015, bids were awarded for the construction of roadways, water, sewer, gas, and drainage within the park as well as turn lanes and box culverts within the public right-of way adjacent to the park entrances. At September 30, 2016, the turn lanes had been completed, the perimeter storm sewer had been installed, and the first 500 feet of Spell Road, west of Hufsmith-Korville was complete. Additionally, the park entrances had been completed and the M118 box crossing was finished.

The TEDC sold its second lot, a 5.5018 acre tract, to GE Betz, Inc. for \$726,969.30 in August, 2016.

Additionally, infrastructure projects for water, sewer, drainage, and natural gas distribution continue to be funded through the budget process. All capital projects and major infrastructure needs are reviewed periodically during the year to assess both the progress of construction and the actual versus projected costs.

Major Initiatives

The largest revenue source in the General Fund is sales tax. The City has experienced significant commercial and retail growth over the last several years. However, because of the recession experienced in 2008-2009, the City continued a conservative approach in budgeting sales tax revenues. For fiscal 2016, sales tax revenues were projected at \$ 10,700,000 but with a possible decline in the area due to reduced oil prices, a conservative approach projects these revenues at the same level for fiscal 2017.

The City made an application to the Harris Galveston Area Council in 2015 for a grant to fund major improvements along FM 2920 (Main Street) from the downtown area to State Highway 249. At that time the City Council approved local funding in the amount of \$3,000,000 assist in expediting the project. The fiscal year 2017 budget includes funding in the amount of \$1,500,000 to begin surveying, engineering design, and the possible purchase of rights-of-way.

Additionally, because of significant amounts of rainfall and related drainage issues, planning was in process at year-end for possible drainage projects in future years.

Financial Information

The City's management team is responsible for establishing and maintaining internal controls designed to ensure that the assets of the City are protected from loss, theft, or misuse and to ensure that adequate accounting data is compiled to allow for the preparation of financial statements in conformity with generally accepted accounting principles. Internal controls are designed to provide reasonable but not absolute assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of the controls should not exceed the benefits likely to be derived and (2) the valuation of cost and benefits requires estimates and judgments to be made by management.

Budgeting Controls

The City maintains budgetary controls to ensure compliance with legal provisions embodied in the annual appropriated budget approved by the City Council. Activities of the General Fund, Debt Service Fund, Special Revenue Funds, Utility Fund, and Internal Service Funds are included in the annual operating budget. The Tomball Economic Development Corporation, a component unit of the City, is budgeted separately. A capital improvement plan is approved each year by the city council and funded through a separate capital projects fund. The level of budgetary control (i.e., the level at which expenditures cannot legally exceed the appropriated

amount) is established at the division level within an individual fund. The City maintains an encumbrance accounting system as a means of accomplishing budgetary controls and a technique of budgetary “lock out” which will prevent a transaction from exceeding legally appropriated budgetary amounts. As demonstrated by the statements and schedules included in the financial section of this report, the City continues to meet its responsibility for sound financial management.

Debt Administration

The City may issue General Obligation bonds that are approved by voters in a capital improvements plan. Certificates of Obligation can be used for major construction projects and for the financing of vehicles and equipment.

When available, sales tax revenue in excess of budgeted projections can be dedicated to one-time capital purchases.

Independent Audit

The City Charter requires an independent audit of the accounts of the City by an independent auditor. The firm of Weaver and Tidwell, LLP, Certified Public Accountants, has issued an unmodified (“clean”) opinion on the City of Tomball’s financial statements for the year ended September 30, 2016. The independent auditor’s report is located at the front of the financial section of this report.

Awards

The Government Finance Officers’ Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City for its Comprehensive Annual Financial Report for the fiscal year ended September 30, 2015. This was the 26th consecutive year that the City has received this award. In order to be awarded the Certificate of Achievement, the City published an easily readable and efficiently organized Comprehensive Annual Financial Report. This report satisfies both generally accepted accounting principles and applicable legal requirements. The Certificate of Achievement is held for a period of one year only. Our current Comprehensive Annual Financial Report continues to meet the Certificate of Achievement requirements, and will be submitted to GFOA to determine its eligibility for another certificate.

The City also received the Distinguished Budget Presentation Award for the fiscal year beginning October 1, 2015. This is the eighth consecutive year that the City has received this award from the GFOA. The award is made to those cities whose budget presentations meet very stringent presentation guidelines. The budget document must be of the very highest quality that reflects both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA’s recommended practices on budgeting.

For the fifth consecutive year, the City was also awarded the Leadership Award as part of the “Texas Transparency” program from the Texas Comptroller of Public Accounts. This past year the State Comptroller’s office revised the program to what is now called the “Five Star Rating Designation” for transparency. Under the new guidelines, the City recently received the 2nd Star of the Five Star format. This program involves publishing financial information such as CAFRs, budgets, and check registers to demonstrate transparent government to both the citizens and other members of the public.

Acknowledgements

The preparation of this report would not have been possible without the efficient and dedicated services of the administrative staff of the City and the members of the Finance Department. We also would like to express our appreciation to all members of the departments who assisted and contributed to the preparation of this report. Credit must also be given to the Mayor and the City Council for their unfailing support for maintaining the highest standards of professionalism in the management of the City of Tomball's finances.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Glenn Windsor".

Glenn Windsor, CPA, CFE, CGFO
Finance Director

CITY OF TOMBALL, TEXAS

PRINCIPAL OFFICIALS AS OF SEPTEMBER 30, 2016

City Officials	Elected Position	Term Expires
Gretchen Fagan	Mayor	2019
F. S. "Field" Hudgens	Councilman Position 1	2017
Mark Stoll	Councilman Position 2	2018
Chad Degges	Councilman Position 3	2019
Derek Townsend, Sr.	Councilman Position 4	2018
Lori Klein Quinn	Councilman Position 5	2017

Department Heads	Appointive Position
George Shackelford	City Manager
Robert Hauck	Assistant City Manager
Doris Speer	City Secretary
Billy Tidwell	Chief of Police
David Esquivel	Director of Public Works
Randall Parr	Fire Chief
Craig Meyers	Community Development Director
Glenn Windsor	Finance Director



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**City of Tomball
Texas**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2015

A handwritten signature in black ink, reading "Jeffrey R. Enos". The signature is written in a cursive, flowing style.

Executive Director/CEO

Staff Organizational Chart

Tomball Citizens

Mayor and City Council

- Tomball Economic Development Corporation
- Planning Commission
- Municipal Judge
- City Attorney
- Other Boards & Commissions

City Manager

- City Secretary
 - Reception/Vital Statistics
- Director of Human Resources
 - Personnel
 - Payroll
 - Risk Management
- Director of Finance
 - Accounting
 - Budgeting
 - Purchasing
 - Utility Billing
- Fire Chief
 - Fire Marshal
 - Fire Department
 - Emergency Management
- Police Chief
 - Investigations
 - Patrol
 - Special Services

Assistant City Manager

- Director of Community Development
 - Engineering
 - Planning
 - Construction Inspection
 - Building Inspections
 - Permits
 - Code Compliance
- Director of Public Works
 - General Services
 - Facilities
 - Streets
 - Parks
 - Garage
 - Sanitation
 - Utility Services
 - Water
 - Sewer
 - Gas
- Director of Information Systems
 - Information Technology
 - Geographical Information Systems
- Municipal Court
- Director of Marketing
 - Community Center

FINANCIAL SECTION

INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and
City Council Members of the
City of Tomball, Texas

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Tomball, Texas (the City) as of and for the year ended September 30, 2016, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

The City's management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

To the Honorable Mayor and
City Council Members of the
City of Tomball, Texas

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City as of September 30, 2016, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, Schedule of Changes in Net Pension Liability and Related Ratios, Schedule of Contributions, Schedule of Funding Progress – Post Employment Benefits Plan Other Than Pensions and Schedule of Revenues Expenditures, and Changes in Fund Balance, Budget and Actual – General Fund be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, combining and individual nonmajor fund financial statements and schedules, and statistical section are presented for purposes of additional analysis and are not a required part of the basic financial statements.

To the Honorable Mayor and
City Council Members of the
City of Tomball, Texas

The combining and individual nonmajor fund financial statements and schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Weaver and Tidwell, L.L.P.

WEAVER AND TIDWELL, L.L.P.

Houston, Texas
March 24, 2017

Management's Discussion and Analysis (Unaudited)

As Management of the City of Tomball, we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2016. This information is not intended to be a complete statement of the City's financial condition. We recommend and encourage readers to consider the information presented here in conjunction with the accompanying transmittal letter and basic financial statements.

FINANCIAL HIGHLIGHTS

- The assets of the City of Tomball exceeded its liabilities at the close of the most recent fiscal year by \$ 94,887,165 (net position). Of this amount, \$10,340,744 is unrestricted net position for governmental activities and \$11,445,362 for business-type activities.
- The City's net position increased by \$4,222,331. This included an increase of \$130,454 in unrestricted net position, an increase of \$2,578,962 in net investment in capital assets, and an increase of \$1,512,915 in restricted net position.
- As of the close of the current fiscal year, the City of Tomball's governmental funds reported combined ending fund balances of \$ 32,855,748. Of the ending fund balance, \$19,434,478 is restricted for capital projects, debt service, and enabling legislation; \$128,489 is committed for city functions; \$35,379 is assigned by the City for specific purposes; \$12,047 is non-spendable and \$13,245,355 is unassigned and available to meet the government's ongoing obligations in accordance with the City's fund designation and fiscal policies.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The Statement of Net Position presents information on all of the City's assets plus deferred outflows of resources, and liabilities plus deferred inflows of resources, with the difference between the two reported as net position. Over time, increases or decreases in net position serve as useful indicators of whether the financial position of the City is improving or deteriorating. This statement combines and consolidates governmental funds' current financial resources (short-term spendable resources) with capital assets and long-term obligations. Other non-financial factors should also be taken into consideration, such as changes in the City's property tax base and the condition of the City's infrastructure (i.e. roads, drainage improvements, storm sewer, gas distribution, water distribution and sewer collection lines, etc.), to assess the overall financial condition of the City.

The Statement of Activities presents information showing how the City's net position changed during the fiscal year. All of the current year's revenues and expenses are taken into account regardless of when cash is received or paid. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but not used compensated absences). Both the statement of net position and the statement of activities are prepared utilizing the accrual basis of accounting as opposed to the modified accrual basis used in the governmental fund statements.

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from functions that are intended to recover all or a significant portion of their costs through user fees (business-type activities).

- Governmental activities include most of the City's basic services, (general government, public safety, public works and community services). Property taxes, sales taxes, and franchise fees primarily finance these activities.
- Business-type activities include the City's water, sewer, and gas system. Charges for services cover all or most of the costs for these services.
- Component Unit activities include activities of The Tomball Economic Development Corporation.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Fund accounting is used by state and local governments to control and manage money for particular purposes and to ensure finance-related legal requirements. The City uses two fund types – governmental and proprietary.

- **Governmental funds** – Similar to the governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental funds focus on current sources and uses of spendable resources. The governmental fund statements provide a detailed short-term view of the City's general government operations and help you to determine whether resources are available in the near future to finance City programs. Comparing the information presented for governmental funds with the information presented for governmental activities in the government-wide financial statements will help the reader to better understand the long-term impact of the government's near-term financing decisions. The governmental funds balance sheet and statement of revenues, expenditures, and changes in fund balances include a reconciliation to provide such comparison.

The City maintains ten governmental funds. Information is presented separately in the governmental funds balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances for the General Fund, the Debt Service Fund and the Capital Projects Fund; these funds are considered to be major funds. The other seven funds are combined into a single, aggregated presentation. Individual fund data for each of these non-major governmental funds is provided in the form of combining statements found in this report.

- **Proprietary funds** – The City maintains two types of proprietary funds. The City uses the Enterprise Fund for water, sewer, and gas operations. The Enterprise Fund reports the same functions presented as business-type activities in the government-wide financial statements. The second proprietary fund is the Internal Service Fund. This fund is used to account for fleet replacements and employee benefits. The Internal Service Fund is included within the governmental activities in the government-wide financial statements.

Proprietary fund financial statements provide the same type of information as the government-wide financial statements, with more detail, and include the Internal Service Fund type activity.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

Other Information

In addition to the basic financial statements and accompanying notes, this report also presents combining and individual fund statements and schedules that further support the information in the financial statements. These statements are presented immediately following the notes to the financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

The City's total assets and deferred outflows of resources exceed the City's total liabilities and deferred inflows of resources by \$94.9 million as of September 30, 2016. The largest portion of the City's net position (71%) reflects its investments in capital assets (e.g., land, buildings, equipment, improvements, construction in progress and infrastructure), less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; therefore, these assets are not available for future spending. It should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

CITY OF TOMBALL'S NET POSITION

	Governmental Activities		Business-type Activities		Totals	
	2016	2015	2016	2015	2016	2015
Current and other assets	\$ 39,283,486	\$ 41,754,802	\$ 13,850,988	\$ 13,036,258	\$ 53,134,474	\$ 54,791,060
Capital assets	48,405,068	42,280,309	36,547,567	37,546,729	84,952,635	79,827,038
Total assets	87,688,554	84,035,111	50,398,555	50,582,987	138,087,109	134,618,098
Total deferred outflows of resources	2,700,657	1,381,985	453,549	180,257	3,154,206	1,562,242
Long-term liabilities	33,442,730	33,882,012	4,210,353	4,412,941	37,653,083	38,294,953
Other liabilities	6,523,989	5,212,757	2,130,244	1,946,830	8,654,233	7,159,587
Total liabilities	39,966,719	39,094,769	6,340,597	6,359,771	46,307,316	45,454,540
Total deferred inflows of resources	40,123	52,014	6,711	8,952	46,834	60,966
Net position:						
Net investment in capital assets	34,220,115	31,267,016	33,059,434	33,433,571	67,279,549	64,700,587
Restricted	5,821,510	4,308,595	-	-	5,821,510	4,308,595
Unrestricted	10,340,744	10,694,702	11,445,362	10,960,950	21,786,106	21,655,652
Total net position	\$ 50,382,369	\$ 46,270,313	\$ 44,504,796	\$ 44,394,521	\$ 94,887,165	\$ 90,664,834

Combined governmental and business-type activities increased the City's net position by \$4,222,331 in 2016. The following table provides a summary of the City's operations for the year ended September 30, 2016. Governmental activities increased the City of Tomball's net position by \$4,112,056. This increase is primarily related to the increase in capital assets over the fiscal year. Business-type activities increased the City's net position by \$110,275. This increase is related primarily to an excess of revenues over inter-fund transfers.

CITY OF TOMBALL'S CHANGES IN NET POSITION

	Governmental Activities		Business-type Activities		Totals	
	2016	2015	2016	2015	2016	2015
Revenues:						
Program revenues:						
Charges for services	\$ 4,008,937	\$ 3,694,337	\$ 10,722,767	\$ 10,908,120	\$ 14,731,704	\$ 14,602,457
Operating grants and contributions	544,607	1,039,237	558,148	670,000	1,102,755	1,709,237
Capital grants and contributions	-	-	-	-	-	-
General revenues:						
Property taxes	5,674,692	5,241,928	-	-	5,674,692	5,241,928
Sales taxes	10,578,683	10,839,818	-	-	10,578,683	10,839,818
Franchise taxes	1,331,077	1,282,598	-	-	1,331,077	1,282,598
Other taxes	628,932	538,843	-	-	628,932	538,843
Gain on sale of capital assets	127,134	17,634	39,850	-	166,984	17,634
Investment earnings	133,673	40,115	43,741	33,771	177,414	73,886
Miscellaneous	395,060	475,712	47,454	47,847	442,514	523,559
Total revenues	<u>23,422,795</u>	<u>23,170,222</u>	<u>11,411,960</u>	<u>11,659,738</u>	<u>34,834,755</u>	<u>34,829,960</u>
Expenses:						
General government	5,391,624	4,968,344	1,179,100	979,161	6,570,724	5,947,505
Public safety	9,028,841	8,493,353	-	-	9,028,841	8,493,353
Public works	6,436,355	6,181,783	-	-	6,436,355	6,181,783
Community services	421,381	313,713	-	-	421,381	313,713
Water	-	-	3,410,534	3,087,563	3,410,534	3,087,563
Sewer	-	-	2,483,923	2,418,443	2,483,923	2,418,443
Gas	-	-	1,429,950	1,963,162	1,429,950	1,963,162
Interest on long-term debt, fiscal agent fees	830,716	891,258	-	-	830,716	891,258
Total expenses	<u>22,108,917</u>	<u>20,848,451</u>	<u>8,503,507</u>	<u>8,448,329</u>	<u>30,612,424</u>	<u>29,296,780</u>
Increases/(Decrease) in net position before transfers	1,313,878	2,321,771	2,908,453	3,211,409	4,222,331	5,533,180
Transfers	<u>2,798,178</u>	<u>1,607,068</u>	<u>(2,798,178)</u>	<u>(1,607,068)</u>	<u>-</u>	<u>-</u>
Change in net position	4,112,056	3,928,839	110,275	1,604,341	4,222,331	5,533,180
Net position, beginning	<u>46,270,313</u>	<u>42,341,474</u>	<u>44,394,521</u>	<u>42,790,180</u>	<u>90,664,834</u>	<u>85,131,654</u>
Net position, ending	<u>\$ 50,382,369</u>	<u>\$ 46,270,313</u>	<u>\$ 44,504,796</u>	<u>\$ 44,394,521</u>	<u>\$ 94,887,165</u>	<u>\$ 90,664,834</u>

FINANCIAL ANALYSIS OF THE GOVERNMENT'S FUNDS

Governmental Funds

At the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$32,855,748. Approximately 40% of this amount (\$13,245,355) is unassigned fund balance; however, \$35,379 is assigned for encumbrances at year-end for the General Fund and \$128,489 is committed in the Special Revenue Funds; \$19,446,525 is non-spendable or restricted as follows:

Non-spendable (.04%)

- Prepaid items \$ 12,047

Restricted (59%)

- Debt service \$ 4,334,798
- Construction 13,495,697
- Enabling legislation 1,603,983

In the General Fund, fund balance decreased by \$189,797. This decrease was primarily due to a reduction in Sales Tax revenues. The Debt Service Fund Balance increased by \$1,253,095 primarily from an increase in property tax revenues.

Proprietary Fund

Unrestricted net position of the respective proprietary funds are Enterprise (water, sewer, gas) of \$11,313,012 and Internal Service Fund (Fleet Replacement Fund and Employee Benefits Trust Fund) of \$2,968,081. The net position of the water, sewer, and gas fund increased \$167,052 primarily from an increase in investment revenues and a decrease in operating expenses. Inter-fund transfers were more than the previous year. Actual revenues from water, sewer, and gas sales decreased to a mild winter and an increase in the amount of rainfall over the previous year. Net position of the internal service fund increased \$224,954. This was due primarily to an increase in the participant's cost of group health insurance coverage.

General Fund Budgetary Highlights

The budget for the 2015-2016 General Fund decreased from the previous year, 2014-2015. The amount of approved supplemental expenditures decreased by \$102,263. Additionally, the Police and Fire Department budgets had a combined decrease of \$1,032,555. Some of this decrease resulted from a one-time transfer in FY 15 and the remainder from temporary vacancies in personnel during the year.

A reduction in fund balance was due primarily to the decrease in sales tax revenues.

CAPITAL ASSETS

The City of Tomball's investment in capital assets (net of accumulated depreciation) for its governmental and business-type activities as of September 30, 2016 is \$84,952,635. The investment in capital assets includes land, buildings and improvements, equipment, infrastructure, and construction in progress.

CITY OF TOMBALL'S CAPITAL ASSETS AT YEAR-END

	Governmental Activities		Business-type Activities		Totals	
	2016	2015	2016	2015	2016	2015
Land	\$ 6,579,329	\$ 6,379,852	\$ 1,403,735	\$ 1,403,735	\$ 7,983,064	\$ 7,783,587
Buildings and improvements	7,128,526	7,349,574	-	-	7,128,526	7,349,574
Gas system	-	-	2,926,422	3,066,176	2,926,422	3,066,176
Water and Sewer system	-	-	27,507,586	28,661,983	27,507,586	28,661,983
Equipment	1,135,159	1,284,818	2,798,436	2,755,395	3,933,595	4,040,213
Vehicles	1,079,006	1,236,473	-	-	1,079,006	1,236,473
Infrastructure	16,349,455	14,647,502	-	-	16,349,455	14,647,502
Construction in progress	16,133,593	11,382,090	1,911,388	1,659,440	18,044,981	13,041,530
Total capital assets	\$ 48,405,068	\$ 42,280,309	\$ 36,547,567	\$ 37,546,729	\$ 84,952,635	\$ 79,827,038

Additional information on the City's capital assets can be found in the notes on pages 41 through 44 of this report.

DEBT ADMINISTRATION

At the end of the current fiscal year, the City of Tomball had a total bonded debt and capital lease obligation of \$31,021,142.

CITY OF TOMBALL'S OUTSTANDING DEBT AT YEAR-END

	Governmental Activities		Business-type Activities		Totals	
	2016	2015	2016	2015	2016	2015
General obligations	\$ 7,165,750	\$ 8,437,500	\$ 3,429,250	\$ 4,042,500	\$ 10,595,000	\$ 12,480,000
Certificates of Obligation	19,695,000	20,640,000	-	-	19,695,000	20,640,000
Capital leases	731,142	800,000	-	-	731,142	800,000
	\$ 27,591,892	\$ 29,877,500	\$ 3,429,250	\$ 4,042,500	\$ 31,021,142	\$ 33,920,000

The City's most recent bond ratings are listed below:

	<u>Standard & Poor's</u>	<u>Moody's</u>
General Obligation Bonds	AA+	
Certificates of Obligation	AA+	Aa3

Additional information on the City's outstanding debt can be found on pages 45 through 48 of this report.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

Tomball continues to experience growth, both within the corporate City limits and the surrounding area. The City's current population is estimated to be 11,540. However, within a 3 mile radius it is estimated to be 15,789. Within a 5 mile radius, the estimate rises to 77,560.

The City is continuing to focus on Economic Development initiatives, including the revitalization of the historic downtown area and the continuing development of two major retail developments on the west side of the City. Residential development continues on the north side of the City.

The City's largest source of revenue continues to be sales taxes. During the fiscal year the City experienced a decrease in this resource of 2.4%. This decrease was minimal considering the downturn in the surrounding petrochemical industry. City management continues to closely monitor sales tax revenues and will budget accordingly to ensure that financial goals and objectives are achieved.

At the end of fiscal year, the City was involved in negotiations to annex an area to the south near the intersections of the recently completed Grand Parkway and State Highway 249. This area will include several large retail stores and restaurants. Additional development continues within the City and is expected to continue with the growth that is taking place in the Tomball area.

The City's largest taxpayer, Baker-Hughes, continues to maintain its central operations and its Western Hemisphere training facility on the northeast corner of the city. Additional development is expected in this northeast quadrant of the City.

The ad valorem property tax rate remained at \$ 0.341455, one of the lowest in Harris County.

Pursuant to the City's financial management policy, fund balances in all funds exceeded the charter requirement of 25 percent of annual expenditures.

For the 2016-2017 annual budget the City expects to maintain current levels of sales tax revenues along with no changes to the existing tax rates or utility fees. Construction will continue on several capital projects, including the extension of Medical Complex Drive and the M-121 drainage channel.

CONTACTING THE CITY'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, customers, investors, and creditors with a general overview of the City's finances and to show the City's accountability for the money it receives. Questions concerning this report or requests for additional financial information should be directed to, Finance Department, 501 James Street, Tomball, Texas, 77375, telephone 281-351-5484, or for general City information, please visit the City's web-site at <http://www.tomballtx.gov>.

BASIC FINANCIAL STATEMENTS

**CITY OF TOMBALL, TEXAS
STATEMENT OF NET POSITION
SEPTEMBER 30, 2016**

	Primary Government			Component Unit
	Governmental Activities	Business-type Activities	Total	
ASSETS				
Cash and cash equivalents	\$ 30,952,565	\$ 11,658,480	\$ 42,611,045	\$ 5,882,212
Investments	900,692	500,151	1,400,843	7,180,983
Receivables, net	2,498,171	1,452,403	3,950,574	591,046
Internal balances	(132,350)	132,350	-	-
Inventory	-	107,604	107,604	-
Prepaid expenses	12,047	-	12,047	-
Cash and cash equivalents restricted for				
Debt service	2,972,216	-	2,972,216	-
Construction	2,080,145	-	2,080,145	-
Capital assets				
Nondepreciable	22,712,922	3,315,123	26,028,045	3,087,825
Depreciable capital assets, net	25,692,146	33,232,444	58,924,590	-
Total assets	87,688,554	50,398,555	138,087,109	16,742,066
DEFERRED OUTFLOWS OF RESOURCES				
Deferred outflows - pensions	2,425,721	453,549	2,879,270	-
Deferred loss on issuance of refunding bonds	274,936	-	274,936	-
Total deferred outflows of resources	2,700,657	453,549	3,154,206	-
Total assets and deferred outflows of resources	90,389,211	50,852,104	141,241,315	16,742,066
LIABILITIES				
Accounts payable and other current liabilities	3,589,807	602,535	4,192,342	202,425
Accrued interest payable	117,271	14,577	131,848	-
Customer deposits	2,200	847,296	849,496	-
Noncurrent liabilities				
Due within one year	2,814,711	665,836	3,480,547	-
Due in more than one year	33,442,730	4,210,353	37,653,083	-
Total liabilities	39,966,719	6,340,597	46,307,316	202,425
DEFERRED INFLOWS OF RESOURCES				
Deferred inflows - pensions	40,123	6,711	46,834	-
Total deferred inflows of resources	40,123	6,711	46,834	-
Total liabilities and deferred inflows of resources	40,006,842	6,347,308	46,354,150	202,425
NET POSITION				
Net investment in capital assets	34,220,115	33,059,434	67,279,549	3,087,825
Restricted for				
Debt service	4,217,527	-	4,217,527	-
Enabling legislation	1,603,983	-	1,603,983	-
Unrestricted	10,340,744	11,445,362	21,786,106	13,451,816
Total net position	\$ 50,382,369	\$ 44,504,796	\$ 94,887,165	\$ 16,539,641

The Notes to the Basic Financial Statements
are an integral part of this statement.

**CITY OF TOMBALL, TEXAS
STATEMENT OF ACTIVITIES
YEAR ENDED SEPTEMBER 30, 2016**

Program Activities	Expenses	Program Revenues		Net (Expense) Revenue and Changes in Net Position			
		Charges for Services	Operating Grants and Contributions	Governmental Activities	Primary Government Business - Type Activities	Total	Component Unit
Primary government							
Governmental activities							
General government	\$ 5,391,624	\$ -	\$ 538,012	\$ (4,853,612)	\$ -	\$ (4,853,612)	\$ -
Public safety	9,028,841	1,334,938	-	(7,693,903)	-	(7,693,903)	-
Public works	6,436,355	2,673,999	-	(3,762,356)	-	(3,762,356)	-
Community services	421,381	-	6,595	(414,786)	-	(414,786)	-
Interest and fiscal agent fees	830,716	-	-	(830,716)	-	(830,716)	-
Total governmental activities	22,108,917	4,008,937	544,607	(17,555,373)	-	(17,555,373)	-
Business-type activities							
General government	1,179,100	907,654	558,148	-	286,702	286,702	-
Water	3,410,534	4,654,613	-	-	1,244,079	1,244,079	-
Sewer	2,483,923	2,316,495	-	-	(167,428)	(167,428)	-
Gas	1,429,950	2,844,005	-	-	1,414,055	1,414,055	-
Total business-type activities	8,503,507	10,722,767	558,148	-	2,777,408	2,777,408	-
Total primary government	\$ 30,612,424	\$ 14,731,704	\$ 1,102,755	(17,555,373)	2,777,408	(14,777,965)	-
Component unit							
Tomball Economic Development Corporation	2,247,942	-	-	-	-	-	(2,247,942)
	\$ 2,247,942	\$ -	\$ -	-	-	-	(2,247,942)
GENERAL REVENUES							
Taxes:							
Property taxes				5,674,692	-	5,674,692	-
Sales taxes				10,578,683	-	10,578,683	3,525,279
Franchise taxes				1,331,077	-	1,331,077	-
Other taxes				628,932	-	628,932	-
Gain on sale of capital assets				127,134	39,850	166,984	632,757
Miscellaneous				395,060	47,454	442,514	7,036
Unrestricted investment earnings				133,673	43,741	177,414	70,985
TRANSFERS				2,798,178	(2,798,178)	-	-
Total general revenues and transfers				21,667,429	(2,667,133)	19,000,296	4,236,057
Change in net position				4,112,056	110,275	4,222,331	1,988,115
NET POSITION, beginning of year				46,270,313	44,394,521	90,664,834	14,551,526
NET POSITION, end of year				\$ 50,382,369	\$ 44,504,796	\$ 94,887,165	\$ 16,539,641

The Notes to the Basic Financial Statements are an integral part of this statement.

**CITY OF TOMBALL, TEXAS
BALANCE SHEET – GOVERNMENTAL FUNDS
SEPTEMBER 30, 2016**

	General Fund	Debt Service
ASSETS		
Current assets		
Cash and cash equivalents	\$ 11,914,326	\$ 974,805
Investments	515,000	385,692
Receivables, net	2,442,278	2,085
Cash and cash equivalents restricted for		
Debt service	-	2,972,216
Construction	-	-
Prepaid items	12,047	-
TOTAL ASSETS	\$ 14,883,651	\$ 4,334,798
LIABILITIES AND FUND BALANCES		
LIABILITIES		
Accounts payable and accrued liabilities	\$ 1,588,670	\$ -
Customer deposits	2,200	-
Total liabilities	1,590,870	-
FUND BALANCES		
Nonspendable		
Prepaid items	12,047	-
Restricted for		
Debt service	-	4,334,798
Construction	-	-
Enabling legislation	-	-
Committed		
City functions	-	-
Assigned		
Other purposes	35,379	-
Unassigned	13,245,355	-
Total fund balances	13,292,781	4,334,798
TOTAL LIABILITIES AND FUND BALANCES	\$ 14,883,651	\$ 4,334,798

The Notes to the Basic Financial Statements
are an integral part of this statement.

Capital Projects Fund	Other Governmental Funds	Total Governmental Funds
\$ 12,896,246	\$ 1,995,794	\$ 27,781,171
-	-	900,692
-	39,544	2,483,907
-	-	2,972,216
2,080,145	-	2,080,145
-	-	12,047
<u>\$ 14,976,391</u>	<u>\$ 2,035,338</u>	<u>\$ 36,230,178</u>
\$ 1,480,694	\$ 302,866	\$ 3,372,230
-	-	2,200
<u>1,480,694</u>	<u>302,866</u>	<u>3,374,430</u>
-	-	12,047
-	-	4,334,798
13,495,697	-	13,495,697
-	1,603,983	1,603,983
-	128,489	128,489
-	-	35,379
-	-	13,245,355
<u>13,495,697</u>	<u>1,732,472</u>	<u>32,855,748</u>
<u>\$ 14,976,391</u>	<u>\$ 2,035,338</u>	<u>\$ 36,230,178</u>

**CITY OF TOMBALL, TEXAS
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2016**

Total fund balances - governmental funds \$ 32,855,748

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not current financial resources, and therefore are not reported in the governmental funds balance sheet. 47,617,540

Deferred loss on issuance of refunding bonds is not recorded in the fund financial statements but is recorded as a deferred outflow of resources on the statement of net position. 274,936

The accrual for other post employment benefits does not require the use of current financial resources and is therefore not recorded in the governmental fund financial statements. (773,374)

The net pension liability and related deferred outflows and inflows of resources are recorded in the statement of net position.

Net pension liability	(5,703,852)	
Deferred outflows - pensions	2,425,721	
Deferred inflows - pensions	<u>(40,123)</u>	(3,318,254)

Interest payable on long term debt does not require current financial resources; therefore, interest payable is not reported as a liability in the governmental funds balance sheet. (117,271)

Internal service funds are used by management to charge the cost of certain activities, such as fleet management, to individual funds. A portion of the assets and liabilities of the internal service funds are included in the governmental activities in the statement of net position. 3,623,259

Long-term liabilities, including bonds payable, capital leases payable, bond premiums and compensated absences are not due and payable in the current period, and therefore are not reported in the fund financial statements. The components of long-term liabilities at September 30, 2016 are:

Bonded debt payable	(26,860,750)	
Capital lease payable	(731,142)	
Landfill post closure costs	(379,500)	
Compensated absences payable	(1,445,129)	
Premiums received on issuance of bonds	<u>(363,694)</u>	(29,780,215)

Net position - governmental activities \$ 50,382,369

CITY OF TOMBALL, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES – GOVERNMENTAL FUNDS
YEAR ENDED SEPTEMBER 30, 2016

	General Fund	Debt Service	Capital Projects Fund	Other Governmental Funds	Total Governmental Funds
Revenues					
Property taxes	\$ 1,855,706	\$ 3,818,986	\$ -	\$ -	\$ 5,674,692
Sales, franchise, and other taxes	11,972,924	-	-	565,768	12,538,692
Permits and licenses	439,677	-	-	-	439,677
Fines and forfeitures	536,934	-	-	355,720	892,654
Service revenue	2,234,322	-	-	-	2,234,322
Intergovernmental	288,988	-	-	-	288,988
Contributions from component unit	10,000	528,012	-	-	538,012
Interest on investments	39,148	13,854	66,705	5,385	125,092
Other revenue	591,947	-	1,498	43,659	637,104
Total revenues	17,969,646	4,360,852	68,203	970,532	23,369,233
Expenditures					
Current					
Administrative	4,841,186	-	-	385,375	5,226,561
Police	5,036,804	-	-	157,294	5,194,098
Fire	2,997,111	-	-	-	2,997,111
Court	318,390	-	-	-	318,390
Public works	1,219,934	-	-	-	1,219,934
Sanitation	2,166,414	-	-	-	2,166,414
Streets	1,149,668	-	7,055,496	-	8,205,164
Permits	391,462	-	-	-	391,462
Garage	172,311	-	-	-	172,311
Parks	902,923	-	12,687	-	915,610
Community services	182,088	-	-	234,665	416,753
Debt service					
Principal	-	2,285,608	-	-	2,285,608
Interest	-	811,986	-	-	811,986
Bond issuance costs and fees	-	10,163	-	-	10,163
Total expenditures	19,378,291	3,107,757	7,068,183	777,334	30,331,565
Excess (deficiency) of revenues over expenditures	(1,408,645)	1,253,095	(6,999,980)	193,198	(6,962,332)
Other financing sources (uses)					
Transfers out	(1,181,277)	-	-	-	(1,181,277)
Transfers in	2,400,125	-	1,559,330	20,000	3,979,455
Total other financing sources (uses)	1,218,848	-	1,559,330	20,000	2,798,178
Net change in fund balances	(189,797)	1,253,095	(5,440,650)	213,198	(4,164,154)
Fund balances, beginning of year	13,482,578	3,081,703	18,936,347	1,519,274	37,019,902
Fund balances, end of year	\$ 13,292,781	\$ 4,334,798	\$ 13,495,697	\$ 1,732,472	\$ 32,855,748

The Notes to the Basic Financial Statements
are an integral part of this statement.

CITY OF TOMBALL, TEXAS
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES
YEAR ENDED SEPTEMBER 30, 2016

Net change in fund balances - total governmental funds \$ (4,164,154)

Amounts reported for governmental activities in the statement of activities are different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount of capital assets recorded in the current period. 7,384,704

Depreciation expense on capital assets is reported in the statement of activities, but does not require the use of current financial resources. Therefore, depreciation expense is not reported as expenditures in the governmental funds. (1,113,397)

The issuance of long term debt (e.g. bonds, capital leases) provides current financial resources to governmental funds, while the repayment of the principal of long term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of bond premiums, discounts, and similar items when debt is first issued, whereas the amounts are deferred and amortized in the statement of activities. The effect of these differences in the treatment of long-term debt and related items was:

Amortization of premium on bonds payable	43,056	
Amortization of deferred loss on refunding	(59,674)	
Repayment of long term debt	<u>2,285,608</u>	2,268,990

Current year changes in the long term liability for compensated absences do not require the use of current financial resources; therefore, are not reported as expenditures in governmental funds. (103,837)

Current year changes in the long term liability for landfill post-closure costs do not require the use of current financial resources; therefore, are not reported as expenditures in 96,000

Current year changes in accrued interest payable do not require the use of current financial resources; therefore, are not reported as an expenditure in the governmental funds. 8,051

Current year changes in the accrual for other post employment benefits do not require the use of current financial resources; therefore, are not reported as expenditures in the governmental funds. (115,565)

The net change in the pension-related deferred outflows and inflows of resources and net pension liability was: (430,467)

An internal service fund is used by management to charge the cost of certain activities, such as fleet management, to individual funds. A portion of the change in net position of the internal service funds is included in governmental activities in the statement of activities. 281,731

Change in net position - governmental activities \$ 4,112,056

CITY OF TOMBALL, TEXAS
STATEMENT OF NET POSITION – PROPRIETARY FUNDS
SEPTEMBER 30, 2016

	Business Type Activities	Governmental Activities
	Enterprise Fund	Internal Service
ASSETS		
Current assets		
Cash and cash equivalents	\$ 11,658,480	\$ 3,171,394
Investments	500,151	-
Accounts receivable, net	1,452,403	14,264
Inventory	107,604	-
Total current assets	13,718,638	3,185,658
Noncurrent assets		
Nondepreciable capital assets	3,315,123	-
Depreciable capital assets	57,947,949	2,653,752
Less accumulated depreciation	(25,004,755)	(1,576,974)
Net capital assets	36,258,317	1,076,778
Total noncurrent assets	36,258,317	1,076,778
Total assets	49,976,955	4,262,436
DEFERRED OUTFLOWS OF RESOURCES		
Deferred outflows - pensions	453,549	-
Total deferred outflows of resources	453,549	-
Total assets and deferred outflows of resources	\$ 50,430,504	\$ 4,262,436

CITY OF TOMBALL, TEXAS
STATEMENT OF NET POSITION – PROPRIETARY FUNDS
SEPTEMBER 30, 2016
(CONTINUED)

	Business Type Activities	Governmental Activities
	Enterprise Fund	Internal Service
LIABILITIES		
Current liabilities		
Accounts payable and accrued liabilities	\$ 602,535	\$ 217,577
Customer deposits	847,296	-
Current portion of bonds and other debt	608,526	-
Compensated absences	57,310	-
Accrued interest payable	14,577	-
Total current liabilities	2,130,244	217,577
Noncurrent liabilities		
Compensated absences	171,928	-
Pensions	1,011,509	-
Other post employment benefits	147,309	-
Long-term portion of bonds payable	2,879,607	-
Total noncurrent liabilities	4,210,353	-
Total liabilities	6,340,597	217,577
DEFERRED INFLOWS OF RESOURCES		
Deferred inflows - pensions	6,711	-
Total deferred inflows of resources	6,711	-
Total liabilities and deferred inflows of resources	6,347,308	217,577
NET POSITION		
Net investment in capital assets	32,770,184	1,076,778
Unrestricted	11,313,012	2,968,081
Total net position	44,083,196	\$ 4,044,859
Reconciliation to government-wide statement of net position		
Adjustments to reflect the consolidation of internal service fund activities related to enterprise funds	421,600	
Net position of business-type activities	\$ 44,504,796	

The Notes to the Basic Financial Statements
are an integral part of this statement.

CITY OF TOMBALL, TEXAS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION
PROPRIETARY FUNDS
YEAR ENDED SEPTEMBER 30, 2016

	Business Type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
OPERATING REVENUES		
Charges for services	\$ 9,815,113	\$ 2,712,638
Taps and connections	132,454	-
Penalties	111,565	-
Capital recovery fees	663,635	-
Miscellaneous	47,454	-
Total operating revenues	10,770,221	2,712,638
OPERATING EXPENSES		
Costs of sales and services	6,917,814	2,203,314
Depreciation	1,415,841	337,932
Total operating expenses	8,333,655	2,541,246
Operating income	2,436,566	171,392
NONOPERATING REVENUES (EXPENSES)		
Investment income	43,590	8,581
Unrealized gain on investments	151	-
Interest expense	(113,075)	-
Gain on disposal of capital assets	39,850	44,981
Contribution from component unit	558,148	-
Total nonoperating revenues (expenses)	528,664	53,562
Income before transfers	2,965,230	224,954
Transfers out, net	(2,798,178)	-
Change in net position	167,052	224,954
NET POSITION, beginning of year	43,916,144	3,819,905
NET POSITION, end of year	\$ 44,083,196	\$ 4,044,859
Reconciliation to government-wide statement of activities		
Change in net position	\$ 167,052	
Adjustment to reflect the consolidation of internal service fund activities related to enterprise funds	(56,777)	
Change in net position of business-type activities	\$ 110,275	

The Notes to the Basic Financial Statements
are an integral part of this statement.

CITY OF TOMBALL, TEXAS
STATEMENT OF CASH FLOWS – PROPRIETARY FUNDS
YEAR ENDED SEPTEMBER 30, 2016

	Business Type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
OPERATING ACTIVITIES		
Cash received from customers	\$ 10,760,572	\$ 2,707,859
Cash payments to suppliers for goods and services	(4,773,352)	(1,989,401)
Cash payments to employees for services	(1,865,236)	-
Net cash provided by operating activities	4,121,984	718,458
NONCAPITAL FINANCING ACTIVITIES		
Transfers	(2,798,178)	-
Contribution from component unit	558,148	-
Net cash used in noncapital financing activities	(2,240,030)	-
CAPITAL AND RELATED FINANCING ACTIVITIES		
Acquisition and construction of capital assets	(329,810)	(303,366)
Proceeds from sale of capital assets	39,850	70,094
Principal paid on capital debt	(613,250)	-
Interest paid on capital debt	(126,767)	-
Net cash used in capital and related financing activities	(1,029,977)	(233,272)
INVESTING ACTIVITIES		
Interest and other nonoperating income	43,590	8,581
Purchases of investments	(500,000)	-
Net cash provided by (used in) investing activities	(456,410)	8,581
Net change in cash and cash equivalents	395,567	493,767
CASH AND CASH EQUIVALENTS, beginning of year	11,262,913	2,677,627
CASH AND CASH EQUIVALENTS, end of year	<u>\$ 11,658,480</u>	<u>\$ 3,171,394</u>

The Notes to the Basic Financial Statements
are an integral part of this statement.

CITY OF TOMBALL, TEXAS
STATEMENT OF CASH FLOWS – PROPRIETARY FUNDS
YEAR ENDED SEPTEMBER 30, 2016
(CONTINUED)

	Business Type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES		
Operating income	\$ 2,436,566	\$ 171,392
Adjustments to reconcile operating income to net cash provided by operating activities		
Depreciation and amortization	1,415,841	337,932
Pension expense	67,671	-
Change in assets and liabilities		
Accounts receivable	(21,942)	(4,779)
Inventory	(40,716)	-
Accounts payable and accrued liabilities	252,271	213,913
Customer deposits	12,293	-
Net cash provided by operating activities	\$ 4,121,984	\$ 718,458

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Financial Reporting Entity

The City of Tomball, Texas (the City) was incorporated on July 18, 1933. The City has operated under a "Home Rule Charter," which provides for a Council-City Manager form of government, since 1987. The City Council is the principal legislative body of the City. The City Manager is appointed by a majority vote of the City Council and is responsible to the Council for the administration of all the affairs of the City. The City Manager is responsible for the appointment and removal of department directors and employees, supervision and control of all City departments, and preparation of the annual budget.

The City provides the following services: public safety to include police and fire services; municipal court; streets; drainage; water and sewer services; solid waste collection and disposal; community development; and general administration.

The City is an independent political subdivision of the State of Texas governed by an elected council and a mayor and is considered a primary government. As required by generally accepted accounting principles, these basic financial statements have been prepared based on considerations regarding the potential for inclusion of other entities, organizations, or functions as part of the City's financial reporting entity. The Tomball Economic Development Corporation, Employee Benefits Trust, and Tomball Legacy Fund, Inc., although legally separate organizations, are considered part of the reporting entity. No other entities have been included in the City's reporting entity. Additionally, as the City is considered a primary government for financial reporting purposes, its activities are not considered a part of any other governmental or other type of reporting entity.

Considerations regarding the potential for inclusion of other entities, organizations, or functions in the City's financial reporting entity are based on criteria prescribed by generally accepted accounting principles. These same criteria are evaluated in considering whether the City is a part of any other governmental or other type of reporting entity. The overriding elements associated with prescribed criteria considered in determining that the City's financial reporting entity status is that of a primary government are that it has a separately elected governing body; it is legally separate; and it is fiscally independent of other state and local governments. Additionally, prescribed criteria under generally accepted accounting principles include considerations pertaining to organizations for which the primary government is financially accountable and considerations pertaining to organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Financial Reporting Entity – Continued

Discretely Presented Component Unit

Tomball Economic Development Corporation – This Corporation was formed in 1994 pursuant to the Development Corporation Act of 1979, governed under Section 4B of the Act. It receives and utilizes the proceeds of a one-half cent sales tax to promote and assist in the economic development of the City. The seven directors of the Corporation are appointed by the governing body of the City. Directors are removable by the governing body of the City at any time without cause.

Financial information for the Tomball Economic Development Corporation may be obtained from the following address:

Tomball Economic Development Corporation
401 West Market Street
Tomball, Texas 77375

Blended Component Units

Employee Benefits Trust – Employee Benefits Trust (the Trust) has been included in the reporting entity as a blended component unit. The Trust is a not-for-profit entity and is organized under Section 222.002(c)(5) of the Texas Insurance Code. The Trust's Board of Trustees are the members of City Council. The Trust is organized for the purpose of providing or offering City officers, employees, and qualified retirees and their dependents with life, disability, sickness, accident, and other health benefits either directly or through the purchase of insurance. The operations of the Trust are presented as a proprietary fund type in an internal service fund.

Tomball Legacy Fund, Inc. – Tomball Legacy Fund, Inc. has been included in the reporting entity as a blended component unit. Tomball Legacy Fund, Inc. is a not-for-profit 501(c)3 foundation managed by a seven-member Board of Directors consisting of the Mayor and City Council of the City of Tomball, plus one appointed individual. Tomball Legacy Fund, Inc. was established to allow the City to receive private and corporate grant funds to be used on behalf of the City. The operations of Tomball Legacy Fund, Inc. are presented as a governmental fund type in a special revenue fund.

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information about the City as a whole. These statements include all activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. Interfund services provided and used are not eliminated in the process of consolidation. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

The statement of activities presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the City and for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include charges paid by the recipients of goods or services offered by the programs and grants that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, such as taxes and investment earnings, are presented as general revenues.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements. In the fund financial statements, the accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, deferred outflows and deferred inflows of resources, fund equity, revenues, and expenditures or expenses, as appropriate. Following is a description of the various funds:

Governmental Funds

Governmental funds are those funds through which most governmental functions are typically financed.

General Fund

The general fund is used to account for and report all financial resources not accounted for and reported in another fund. The principal sources of revenues include local property taxes, sales and franchise taxes, licenses and permits, fines and forfeitures, and charges for services. Expenditures include administrative, police, fire, municipal court, public works, sanitation, streets, permits, garage, parks, and community services.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Government-Wide and Fund Financial Statements – Continued

Governmental Funds – Continued

Special Revenue Funds

The special revenue funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditures for specified purposes other than debt service or capital projects. The special revenue funds include Court Security Fund, Court Technology Fund, Hotel Occupancy Tax Fund, Red Light Camera Fund, Bunny Run Fund, the Special General Fund, and Tomball Legacy Fund, Inc. The special revenue funds are considered nonmajor funds for reporting purposes.

Debt Service Fund

The debt service fund is used to account for and report the payment of interest and principal on all general obligation bonds and other long-term debt of the City. The primary source of revenue for debt service is local property taxes. The debt service fund is considered a major fund for reporting purposes.

Capital Projects Fund

The capital projects fund is used to account for and report the expenditures of resources accumulated from sales tax revenues and the sale of bonds and related interest earnings for capital improvement projects. The capital projects fund is considered a major fund for reporting purposes.

Proprietary Funds

Proprietary funds are used to account for activities that are similar to those often found in the private sector. All assets, liabilities, deferred outflows and deferred inflows of resources, net position, revenues, expenses, and transfers relating to the government's business-type activities are accounted for through proprietary funds. The proprietary funds used by the City include the following:

Enterprise Fund

The enterprise fund is used to account for the operations that provide water and wastewater collection, wastewater treatment operations, and solid waste collection and disposal. The services are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses including depreciation) of providing goods or services to the general public on a continuing basis will be financed or recovered primarily through user charges. The enterprise fund is considered a major fund for reporting purposes.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Government-Wide and Fund Financial Statements – Continued

Proprietary Funds – Continued

Internal Service Funds

Internal service funds account for services provided to other departments or agencies of the government, or to other governments, on a cost reimbursement basis. The fleet replacement and health benefits funds are used to account for vehicle and equipment replacement and employee benefits.

Measurement Focus and Basis of Accounting

The government-wide statement of net position and statement of activities and all proprietary funds are accounted for with a flow of economic resources measurement focus on the accrual basis of accounting. With this measurement focus, all assets and all liabilities associated with the operations of these activities are included on the statement of net position. Proprietary fund equity consists of net position. Proprietary fund operating statements present increases (i.e., revenues) and decreases (i.e., expenses) in changes in net position.

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a current financial resources measurement focus. With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. Operating statements of these funds present increases (i.e., revenues and other financing sources) and decreases (i.e., expenditures and other financing uses) in net change in fund balances.

The City uses the modified accrual basis of accounting in the governmental funds. Under the modified accrual basis of accounting, revenues are recognized in the accounting period when they are susceptible to accrual (i.e., when they are measurable and available). Measurable means the amount of the transaction can be determined, and available means collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues available if they are collected within 60 days of the end of the current period. Revenues susceptible to accrual include charges for services and interest on temporary investments.

Property taxes, sales taxes, franchise taxes, and interest associated with the current period are all considered to be susceptible to accrual, and have been recognized as revenues of the current period. Other receipts and other taxes become measurable and available when cash is received by the government, and are recognized as revenue at that time.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Measurement Focus and Basis of Accounting – Continued

Under modified accrual accounting, expenditures are recognized in the accounting period in which the liability is incurred, if measurable, except for interest on general long-term debt, which is recognized when due.

The accrual basis of accounting is used for the proprietary fund types. The statement of net position, statement of activities, and financial statements of proprietary fund types are presented on the accrual basis of accounting. Under this method of accounting, revenues are recognized in the accounting period in which they are earned, and expenses in the accounting period in which they are incurred.

Proprietary funds distinguish *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the City's proprietary funds are charges to customers for sales and services. Operating expenses include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenue and expenses not meeting this definition are reported as nonoperating revenue and expenses.

Deposits and Investments

The City maintains a pooled cash and investments account. Each fund whose monies are deposited in the pooled cash and investment account has equity therein, and interest earned on the investment of these monies is allocated based upon relative equity at month end. Amounts on deposit in interest-bearing accounts and other investments are displayed on the financial statements as cash and cash equivalents.

The City reports all investments at fair value, with the exception of investments in local government investment pools. The carrying value of investments in local government investment pools is determined by the valuation policy of the investment pool; either at amortized cost or net asset value of the underlying pool shares, as further described in Note 3.

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Deposits and Investments – Continued

The City has adopted a written investment policy regarding the investment of its funds as defined in the Public Funds Investment Act, Chapter 2256, Texas Governmental Code. In summary, the City is authorized to invest in the following:

1. Obligations of the United States or its agencies and instrumentalities;
2. Direct obligations of the State of Texas or its agencies and instrumentalities;
3. Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;
4. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities;
5. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;
6. Certificates of deposit, repurchase agreements, and commercial paper that meet certain criteria;
7. An eligible investment pool authorized by the governing body.

Property Taxes

Property taxes are levied during October of each year and are due upon receipt of the City's tax bill. Taxes become delinquent, with an enforceable lien on property, on February 1 of the following year.

Receivables

Transactions between funds that are representative of lending/borrowing arrangements outstanding at the end of the year are referred to as either "interfund receivables/payables" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the noncurrent portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds" in the fund financial statements. If the transactions are between the primary government and its component unit, these receivables and payables are classified as "due to/from component unit/primary government." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances."

All trade receivables are shown net of an allowance for uncollectibles.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Inventory and Prepaid Items

The costs of governmental fund type inventory are recorded as expenditures when the related liability is included (i.e., the purchase method). Certain payments to vendors reflect costs applicable to future accounting periods (prepaid expenditures), and are recognized as expenditures when utilized.

Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. In accordance with GASB Statement No. 34, infrastructure has been capitalized retroactively. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Interest costs incurred in connection with construction of enterprise fund capital assets are capitalized when the effects of capitalization materially impact the financial statements.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized.

Property, plant, and equipment of the primary government, as well as the component units, are depreciated using the straight-line method over the following estimated useful years:

Buildings and improvements	20 - 50 years
Machinery and equipment	3 - 10 years
Vehicles	5 years
Water, sewer and gas system	20 - 30 years
Infrastructure	40 - 50 years

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Compensated Employee Absences

It is the City's policy to permit employees to accumulate earned but unused vacation, sick pay benefits, and compensatory time. Amounts accumulated, up to certain limits, may be paid to employees upon termination of employment. The estimated amount of compensation for services provided that is expected to be liquidated with expendable available financial resources is reported as an expenditure and a fund liability of the governmental fund that will pay it when it matures or becomes due. Amounts of vested or accumulated vacation leave that are not expected to be liquidated with expendable available financial resources are recorded on the government-wide statement of net position and represent a reconciling item between the fund and government-wide presentations.

Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the statement of net position. The long-term debt consists primarily of bonds payable and accrued compensated absences.

Long-term debt for governmental funds is not reported as liabilities in the fund financial statements until due. The debt proceeds are reported as other financing sources, net of the applicable premium or discount, and payments of principal and interest are reported as expenditures. Claims and judgments paid from governmental funds are reported as a liability in the fund financial statements only for the portion expected to be financed from expendable available financial resources.

Long-term debt and other obligations financed by proprietary funds are reported as liabilities in the appropriate fund's financial statements. For proprietary fund types, bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method, if material. Bonds payable are reported net of the applicable bond premium or discount.

The property tax rate is allocated each year between the general and debt service funds. The full amount estimated to be required for debt service on general obligation debt is provided by the tax along with interest earned in the debt service fund. Though a portion of the general obligation debt was directly related to the purchase of water and sewer infrastructure, the debt service expenditures are included in the governmental fund financial statements as they are expected to be paid from debt service tax revenues instead of water system revenues.

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Long-Term Obligations – Continued

Assets acquired under the terms of capital leases are recorded as liabilities and capitalized in the government-wide financial statements at the present value of net minimum lease payments at inception of the lease. In the year of acquisition, capital lease transactions are recorded as other financing sources and as capital outlay expenditures in the applicable governmental fund financial statements. Lease payments representing both principal and interest are recorded as expenditures in the general fund upon payment with an appropriate reduction of principal recorded in the government-wide financial statements.

Landfill Post-Closure Care Costs

The City reports municipal solid waste landfill costs in accordance with GASB Statement No. 18, *Accounting for Municipal Solid Waste Landfill Closure and Post-Closure Care Costs*. The liability for landfill post-closure costs is reported in long-term debt.

Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the Fiduciary Net Position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's Fiduciary Net Position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Deferred Inflows and Deferred Outflows of Resources

The City presents deferred outflows of resources and deferred inflows of resources in accordance with GASB Statement No. 65, *Items previously Reported as Assets and Liabilities* (GASB 65), which establishes accounting and financial reporting standards that reclassify, as deferred outflows of resources and deferred inflows of resources, certain items that were previously reported as assets and liabilities.

In accordance with GASB 65, deferred inflows of resources represent an acquisition of resources that applies to a future period and therefore will not be recognized as an inflow of resources (revenue) until that time. Deferred outflows of resources represent a consumption of resources that applies to a future period and therefore will not be recognized as an outflow of resources (expense/expenditure) until that time.

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Fund Equity

Government – Wide and Proprietary Fund Net Position

Net position on the statement of net position includes the following categories:

Net investment in capital assets – This component of net position consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

Restricted – This component of net position consists of constraints placed on net position use through external constraints imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.

Unrestricted – This component of net position consists of net position that does not meet the definition of "restricted" or "net investment in capital assets."

Governmental Funds Fund Balance

Fund balances of governmental funds are classified as follows:

Nonspendable fund balance – represents amounts that cannot be spent because they are either in nonspendable form (such as inventory or prepaid costs) or are legally required to remain intact (such as principal of a permanent fund).

Restricted fund balance – represents amounts that are constrained by external parties, constitutional provisions, or by enabling legislation.

Committed fund balance – represents amounts constrained to specific purposes by the City itself, using its highest level of decision-making authority (i.e., City Council). To be reported as committed, amounts cannot be used for any other purpose unless the City takes the same highest level action to remove or change the constraint. The commitment must be made prior to year end.

Assigned fund balance – represents amounts the City intends to use for a specific purpose. Fund balance can be assigned by the City Manager, pursuant to the City's fund balance policy. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund. Assignments can be made at any time. At September 30, 2016, \$35,379 of fund balance in the general fund was assigned for encumbrances.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Fund Equity – Continued

Governmental Funds Fund Balance – Continued

Unassigned fund balance – represents amounts that are available for any purpose. Positive amounts are reported only in the general fund. Other governmental funds might report a negative balance in this classification because of overspending for specific purposes for which amounts had been restricted, committed, or assigned.

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted fund balance first, then unrestricted fund balance. Furthermore, when an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the City considers amounts to have been spent first out of committed, then assigned funds, and finally unassigned funds.

The City Council is the government's highest level of decision-making authority and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Council. The resolution must either be approved or rescinded, as applicable, prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined in the subsequent period.

The Council has also authorized the City Manager to assign fund balance. Assignments of fund balance by the City Manager do not require formal action by the City Council.

The City strives to maintain an unassigned fund balance of not less than 25% of the budgeted operational expenditures in all City funds. Due to the volatile nature of a majority of its revenues, it is not deemed excessive for the City to maintain an unassigned fund balance in the general fund at levels greater than 33% of the budgeted operational expenditures. The purpose of this unassigned balance is to alleviate significant unanticipated budget shortfalls and to ensure the orderly provisions of services to citizens. Should unassigned fund balance fall below the goal or have a deficiency, the City will seek to reduce expenditures prior to increasing revenues to replenish fund balance within a reasonable timeframe.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles (GAAP) requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 2. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

Annual budgets are legally adopted on a basis consistent with GAAP for the general fund, debt service fund, court security fund, court technology fund, hotel occupancy tax fund, and the special general fund. All other adopted budgets are used as a management tool. The original budget is adopted by the City Council prior to the beginning of the year. The legal level of control as defined by the charter in the approved budget is the department level in the general fund, and all others are the fund level. The City Manager may transfer appropriations between divisions within a department without seeking the approval of City Council. Appropriations lapse at the end of the year.

Excess of Expenditures over Appropriations

General fund	
Fire	\$ 61,383
Public works	16,550
Sanitation	106,354
Parks	7,547
Debt service fund	\$ 378

NOTE 3. DEPOSITS AND INVESTMENTS

Deposits and investments as of September 30, 2016 are classified in the accompanying financial statements as follows:

Governmental activities	\$ 36,905,618
Business-type activities	12,158,631
Component unit	<u>13,063,195</u>
Total	<u><u>\$ 62,127,444</u></u>

Deposits and investments as of September 30, 2016 consist of the following:

	<u>City</u>	<u>Component Unit</u>	<u>Total</u>
Deposits with financial institutions	\$ 1,775,743	\$ 49,783	\$ 1,825,526
Investments	<u>47,288,506</u>	<u>13,013,412</u>	<u>60,301,918</u>
Total	<u><u>\$ 49,064,249</u></u>	<u><u>\$ 13,063,195</u></u>	<u><u>\$ 62,127,444</u></u>

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 3. DEPOSITS AND INVESTMENTS – CONTINUED

The City's investments are stated at fair value, with certain exceptions described below. The City categorizes its fair value measurements within the fair value hierarchy established by GASB Statement No. 72, *Fair Value Measurement and Application*, which provides a framework for measuring fair value and establishes a three-level fair value hierarchy that describes the inputs that are used to measure assets and liabilities.

- Level 1 inputs are quoted prices (unadjusted) for identical assets or liabilities in active markets that a government can access at the measurement date.
- Level 2 inputs are inputs, other than quoted prices within Level 1, that are observable for an asset or liability, either directly or indirectly.
- Level 3 inputs are unobservable inputs for an asset or liability.

The fair value hierarchy gives the highest priority to Level 1 inputs and the lowest priority to Level 3 inputs. If a price for an identical asset or liability is not observable, a government should measure fair value using another valuation technique that maximizes the use of relevant observable inputs and minimizes the use of unobservable inputs. If the fair value of an asset or a liability is measured using inputs from more than one level of the fair value hierarchy, the measurement is considered to be based on the lowest priority level input that is significant to the entire measurement.

Certain investment types are not required to be measured at fair value; these include money market funds and certain investment pools which are measured at amortized cost, and other investment pools which are measured at the net asset value (NAV) determined by the pool, which approximates fair value. These instruments are exempt from categorization within the fair value hierarchy.

At September 30, 2016, the City and component unit had the following investments:

	<u>City</u>	<u>Component Unit</u>	<u>Total</u>
Investments measured at fair value:			
Municipal Bonds	\$ 900,692	\$ 3,680,704	\$ 4,581,396
U.S. Agencies	500,151	3,500,279	4,000,430
	<u>1,400,843</u>	<u>7,180,983</u>	<u>8,581,826</u>
Investments measured at amortized cost:			
Investment pools			
TexPool	38,587,077	4,918,920	43,505,997
Investments measured at net asset value:			
Investment pools			
Texas CLASS	<u>7,300,586</u>	<u>913,509</u>	<u>8,214,095</u>
Total portfolio	<u><u>\$ 47,288,506</u></u>	<u><u>\$ 13,013,412</u></u>	<u><u>\$ 60,301,918</u></u>

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 3. DEPOSITS AND INVESTMENTS – CONTINUED

The municipal bonds and U. S. Agency Securities are classified in Level 2 of the fair value hierarchy and are valued using a matrix pricing technique. Matrix pricing is used to value securities based on the securities' relationship to benchmark quoted prices.

Investment Pools

The City's investments in local government investment pools include those with TexPool and TexasCLASS.

TexPool is a public funds investment pool operated by the Texas Treasury Safekeeping Trust Company, an entity of which the Texas Comptroller of Public Accounts is the sole officer, director, and shareholder. The advisory board of TexPool is composed of members appointed pursuant to the requirements of the Texas Public Funds Investment Act. Administrative and investment services are provided by Federated Investors, Inc., and the assets are kept in a separate custodial account at the State Street Bank in the name of TexPool.

TexasCLASS was established in 1996 pursuant to the Texas Public Funds Investment Act and is governed by a seven-member board of trustees who are elected by pool participants. Public Trust Advisors LLC serves as the pool's program administrator and Wells Fargo Bank Texas, NA, serves as custodian.

The investment pools do not have any limitations or restrictions on withdrawals, such as notice periods or maximum transaction amounts, and do not impose any liquidity fees or redemption gates.

Custodial Credit Risk

In the case of deposits, this is the risk that in the event of a bank failure, the City's deposits may not be returned. State statutes require that all deposits in financial institutions be fully collateralized by U.S. Government obligations or its agencies and instrumentalities or direct obligations of Texas or its agencies and instrumentalities that have a fair value of not less than the principal amount of deposits. As of September 30, 2016, all of the City's and component unit's combined balance on deposit with financial institutions was fully collateralized with securities held by the pledging financial institution in the City's name.

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 3. DEPOSITS AND INVESTMENTS – CONTINUED

Interest Rate Risk

In compliance with the City's Investment Policy, as of year-end, the City minimized the interest rate risk related to the decline in market value of securities due to rising interest rates in the portfolio by limiting the effective duration of security types not to exceed four years, with the exception of securities purchased related to reserve funds; structuring the investment portfolio so that securities matured to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the secondary market prior to maturity; monitoring credit ratings of portfolio positions to assure compliance with rating requirements imposed by the Public Funds Investment Act; and investing operating funds primarily in shorter-term securities, money market mutual funds, or similar government investment pools.

The weighted average maturity of the City and component unit investment portfolios as of September 30, 2016 is shown below.

	<u>Weighted Average Maturity (Days)</u>	
	<u>City</u>	<u>Component Unit</u>
Municipal Bonds	961	761
U.S. Agencies	910	588
Investment pools		
TexPool	45	44
Texas CLASS	71	71
Total portfolio	<u>76</u>	<u>395</u>

Credit Risk

The City's investment policy limits investments in external investment pools to pools rated as to investment quality not less than AAA or AAAm or at an equivalent rating by at least one nationally recognized rating service. Obligations of states, agencies, counties, cities, and other political subdivisions of any state must be rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent. The City's investments as of September 30, 2016 were rated as follows:

<u>Investment Type</u>	<u>Rating</u>	<u>Rating Agency</u>
Municipal Bonds	A+ to AAA Aa3 to AAA	Standard & Poor's Moody's
U.S. Agencies	AA+	Standard & Poor's
TexPool	AAAm	Standard & Poor's
Texas CLASS	AAAm	Standard & Poor's

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 4. RECEIVABLES

The following comprise receivable balances at year end:

	General	Debt Service	Nonmajor Governmental	Enterprise	Internal Service	Component Unit
Receivables						
Property taxes	\$ 117,951	\$ 207,681	\$ -	\$ -	\$ -	\$ -
Sales taxes	1,773,138	-	-	-	-	591,046
Other taxes	62,145	-	-	-	-	-
Customer accounts	451,140	-	-	1,671,868	-	-
Interest	6,049	-	-	-	-	-
Other	222,888	612	39,544	105	14,264	-
Gross receivables	2,633,311	208,293	39,544	1,671,973	14,264	591,046
Less allowance for uncollectibles	(191,033)	(206,208)	-	(219,570)	-	-
Net total receivables	<u>\$ 2,442,278</u>	<u>\$ 2,085</u>	<u>\$ 39,544</u>	<u>\$ 1,452,403</u>	<u>\$ 14,264</u>	<u>\$ 591,046</u>

NOTE 5. CAPITAL ASSETS

Changes in capital assets for governmental activities for the year ended September 30, 2016 are summarized as follows:

	Beginning Balance	Increases	Reclassifications/ Decreases	Ending Balance
Governmental activities				
Capital assets not being depreciated				
Land	\$ 6,379,852	\$ 199,477	\$ -	\$ 6,579,329
Construction in progress	11,382,090	5,718,818	(967,315)	16,133,593
Total capital assets not being depreciated	17,761,942	5,918,295	(967,315)	22,712,922
Other capital assets				
Buildings and improvements	11,037,351	44,050	-	11,081,401
Machinery and equipment	6,384,708	72,989	(34,623)	6,423,074
Vehicles	4,805,781	103,172	(307,703)	4,601,250
Infrastructure	22,692,839	2,341,172	-	25,034,011
Total other capital assets	44,920,679	2,561,383	(342,326)	47,139,736
Less accumulated depreciation				
Buildings and improvements	3,687,777	265,098	-	3,952,875
Machinery and equipment	5,099,890	222,648	(34,623)	5,287,915
Vehicles	3,569,308	235,525	(282,589)	3,522,244
Infrastructure	8,045,337	639,219	-	8,684,556
Total accumulated depreciation	20,402,312	1,362,490	(317,212)	21,447,590
Total capital assets being depreciated, net	24,518,367	1,198,893	(25,114)	25,692,146
Governmental activities capital assets, net	<u>\$ 42,280,309</u>	<u>\$ 7,117,188</u>	<u>\$ (992,429)</u>	<u>\$ 48,405,068</u>

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 5. CAPITAL ASSETS – CONTINUED

Depreciation was charged to governmental functions as follows:

Police	\$ 318,112
Streets	265,098
Public works	530,187
Internal service	<u>249,093</u>

Total governmental activities depreciation expense	<u><u>\$ 1,362,490</u></u>
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Construction in progress and remaining commitments under related construction contracts for governmental activities projects at year end were as follows:

Project Description	Authorized Contract	Contract Expenditures	Remaining Commitment
Agg Road Extension (Med. Complex Drive)	\$ 7,321,545	\$ 6,470,316	\$ 851,229
Tomball Business Park	6,653,643	5,169,761	1,483,882
M121 Final Phase	1,485,400	1,484,215	1,185
M124 Willow Creek Tributaries	1,166,905	1,060,522	106,383
M121 Drainage Channel	1,156,623	1,054,487	102,136
M118 Drainage Channels	901,984	70,336	831,648
Zion Road Sidewalks	406,564	257,500	149,064
Rudolph Road and Utilities	194,681	139,896	54,785
Market/ Walnut Curb And Gutter	147,816	124,909	22,907
Depot Lighting	117,158	108,581	8,577
Downtown Sidewalks	96,456	85,900	10,556
Broussard Park	69,323	42,740	26,583
Pine St. Drainage / Sidewalk	41,000	29,300	11,700
Michel Rd./Holderrieth Blvd.	35,130	35,130	-
Total	<u><u>\$ 19,794,228</u></u>	<u><u>\$ 16,133,593</u></u>	<u><u>\$ 3,660,635</u></u>

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 5. CAPITAL ASSETS – CONTINUED

Changes in capital assets for business-type activities for the year ended September 30, 2016 are summarized as follows:

	Beginning Balance	Increases	Reclassifications/ Decreases	Ending Balance
Business-Type Activities				
Capital assets not being depreciated				
Land	\$ 1,403,735	\$ -	\$ -	\$ 1,403,735
Construction in progress	1,659,440	251,948	-	1,911,388
Total capital assets not being depreciated	3,063,175	251,948	-	3,315,123
Other capital assets				
Gas system	5,921,345	-	-	5,921,345
Water and sewer system	47,562,980	-	-	47,562,980
Machinery and equipment	5,014,742	253,570	(149,481)	5,118,831
Total other capital assets	58,499,067	253,570	(149,481)	58,603,156
Less accumulated depreciation:				
Gas system	2,855,169	139,754	-	2,994,923
Water and sewer system	18,900,997	1,154,397	-	20,055,394
Machinery and equipment	2,259,347	210,529	(149,481)	2,320,395
Total accumulated depreciation	24,015,513	1,504,680	(149,481)	25,370,712
Total capital assets being depreciated, net	34,483,554	(1,251,110)	-	33,232,444
Business-type activities capital assets, net	<u>\$ 37,546,729</u>	<u>\$ (999,162)</u>	<u>\$ -</u>	<u>\$ 36,547,567</u>

Depreciation was charged to business-type functions as follows:

Water and sewer	\$ 1,364,926
Gas	<u>139,754</u>
 Total business-type activities depreciation expense	 <u>\$ 1,504,680</u>

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 5. CAPITAL ASSETS – CONTINUED

Construction in progress and remaining commitments under related construction contracts for business-type activities projects at year end were as follows:

Project Description	Authorized Contract	Contract Expenditures	Remaining Commitment
Agg Road Extension (Med. Complex Drive)	\$ 1,705,728	\$ 1,301,739	\$ 403,989
Hufsmith Water and Gas Improvement	361,559	359,438	2,121
24" Sanitary Sewer - E. Hufsmith	174,710	105,522	69,188
Rudolph Road	165,840	138,889	26,951
Neal Road Utilities	4,800	4,800	-
M121 Final Phase	1,000	1,000	-
Total	\$ 2,413,637	\$ 1,911,388	\$ 502,249

Changes in capital assets for the component unit for the year ended September 30, 2016 are summarized as follows:

	Beginning Balance	Increases	Reclassifications/ Decreases	Ending Balance
Component Unit				
Capital assets not being depreciated				
Land	\$ 1,356,049	\$ -	\$ (94,213)	\$ 1,261,836
Construction in progress	1,449,538	376,451	-	1,825,989
Total capital assets not being depreciated	\$ 2,805,587	\$ 376,451	\$ (94,213)	\$ 3,087,825

Construction in progress and remaining commitments under related construction contracts for the component unit at year end were as follows:

Project Description	Authorized Contract	Contract Expenditures	Remaining Commitment
Tomball Business and Technology Park	\$ 1,930,893	\$ 1,825,989	\$ 104,904
Total	\$ 1,930,893	\$ 1,825,989	\$ 104,904

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 6. LONG-TERM DEBT

The following is a summary of changes in the City's total governmental long-term liabilities for the year ended September 30, 2016. In general, the City uses the general and debt service funds to liquidate governmental long-term liabilities.

Long-term liabilities applicable to the City's governmental activities are not due and payable in the current period and, accordingly, are not reported as fund liabilities in the governmental funds. The governmental activities compensated absences, net other postemployment benefit obligation (OPEB), and net pension liability are generally liquidated by the general fund. Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when due.

	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Governmental Activities					
Bonds, notes and other payables					
Bonded debt payable	\$ 29,077,500	\$ -	\$ 2,216,750	\$ 26,860,750	\$ 2,248,250
Premiums	406,750	-	43,056	363,694	43,056
	29,484,250	-	2,259,806	27,224,444	2,291,306
Other liabilities					
Capital lease obligation	800,000	-	68,858	731,142	71,123
Net OPEB obligation	657,809	183,628	68,063	773,374	-
Net pension liability	3,883,148	3,779,884	1,959,180	5,703,852	-
Compensated absences	1,341,292	683,595	579,758	1,445,129	361,282
Landfill post closure costs	475,500	-	96,000	379,500	91,000
Total governmental activities	\$ 36,641,999	\$ 4,647,107	\$ 5,031,665	\$ 36,257,441	\$ 2,814,711
Long-term debt due in more than one year				<u>\$ 33,442,730</u>	
Business-Type Activities					
Revenue bonds	\$ 4,042,500	\$ -	\$ 613,250	\$ 3,429,250	\$ 596,750
Premiums	70,659	-	11,776	58,883	11,776
	4,113,159	-	625,026	3,488,133	608,526
Other liabilities					
Net OPEB obligation	109,763	50,510	12,964	147,309	-
Net pension liability	668,305	699,038	355,834	1,011,509	-
Compensated absences	195,653	156,783	123,198	229,238	57,310
Total business-type activities	\$ 5,086,880	\$ 906,331	\$ 1,117,022	\$ 4,876,189	\$ 665,836
Long-term debt due in more than one year				<u>\$ 4,210,353</u>	

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 6. LONG-TERM DEBT – CONTINUED

Long-term debt at year end was comprised of the following debt issues:

<u>Series and Original Issue Amount</u>	<u>Final Maturity</u>	<u>Interest Rate</u>	<u>Governmental Activities</u>	<u>Business-Type Activities</u>
<u>Certificates of Obligation</u>				
Series 2012 \$ 14,500,000	2032	3.00 - 4.25%	\$ 12,180,000	\$ -
Series 2013 8,500,000	2033	2.00 - 3.00%	7,515,000	-
			19,695,000	-
<u>General Obligation Bonds</u>				
Series 2010 2,120,000	2018	1.50 - 2.20%	565,000	-
Series 2011 8,650,000	2022	2.00 - 4.00%	2,805,750	3,429,250
Series 2013 6,370,000	2023	1.00 - 1.65%	3,795,000	-
			7,165,750	3,429,250
Total bonds and certificates of obligation			\$ 26,860,750	\$ 3,429,250

The annual requirements to amortize bond and certificate debt issues outstanding at year end were as follows:

<u>Year ending September 30,</u>	<u>Governmental Activities</u>		<u>Business-Type Activities</u>	
	<u>Principal</u>	<u>Interest</u>	<u>Principal</u>	<u>Interest</u>
2017	\$ 2,248,250	\$ 737,312	\$ 596,750	\$ 109,154
2018	2,274,250	686,280	585,750	92,909
2019	2,015,250	636,545	574,750	75,501
2020	2,041,250	587,152	563,750	55,605
2021	2,071,750	533,936	558,250	33,165
2022-2026	7,395,000	1,995,711	550,000	11,000
2027-2031	6,775,000	980,836	-	-
2032-2033	2,040,000	52,284	-	-
	\$ 26,860,750	\$ 6,210,056	\$ 3,429,250	\$ 377,334

Defeasance of Bonds

In prior years, the City defeased certain bonds by placing the proceeds of new bonds in an irrevocable trust to provide future debt service payments on the old bonds. Accordingly, the trust account assets and liabilities for the defeased bonds are not included in the City's financial statements. On September 30, 2016, \$11,065,000 of bonds considered defeased are still outstanding.

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 6. LONG-TERM DEBT – CONTINUED

Federal Arbitrage

The Tax Reform Act of 1986 instituted certain arbitrage restrictions consisting of complex regulations with respect to issuance of tax-exempt bonds after August 31, 1986. Arbitrage regulations deal with the investment of tax-exempt bond proceeds at an interest yield greater than the interest yield paid to bondholders. Generally, all interest paid to bondholders can be retroactively rendered taxable if applicable rebates are not reported and paid to the Internal Revenue Service at least every five years for applicable bond issues. Accordingly, there is the risk that if such calculations are not performed or are not performed correctly, a substantial liability to the City could result. The City periodically engages an arbitrage consultant to perform the calculations in accordance with the IRS's rules and regulations.

Obligations under Capital Leases

The City has entered into capital lease agreements in order to purchase machinery and equipment. The assets acquired through these lease agreements are classified as follows:

Asset:	<u>Governmental Activities</u>
Machinery and equipment	\$ 713,570
Less accumulated depreciation	<u>(95,143)</u>
Total	<u><u>\$ 618,427</u></u>

The following is a summary of future lease payments due on this machinery and equipment:

<u>Year ending September 30,</u>	<u>Lease Obligation</u>
2017	\$ 95,178
2018	95,178
2019	95,178
2020	95,178
2021	95,178
2022-2025	<u>380,710</u>
Total	856,600
Less interest portion	<u>(125,458)</u>
Obligations under capital leases	<u><u>\$ 731,142</u></u>

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 6. LONG-TERM DEBT – CONTINUED

Landfill Post-Closure Liability

The City's municipal solid waste landfill is in the post-closure process as the landfill has been closed. State and federal regulations required the City to place a final cover on the landfill site when it stopped accepting waste and to perform certain post-closure care and monitoring functions at the site until approved for final regulatory closure by the Texas Commission on Environmental Quality.

The balance of \$379,500 reported as the liability for landfill post-closure costs at year end represents the remaining estimated post-closure costs required to achieve regulatory approval for closure. Actual costs may be higher due to inflation, changes in technology, or changes in regulations.

NOTE 7. INTERFUND TRANSACTIONS

Transfers between the primary government funds during the year were as follows:

<u>Transfers In</u>	<u>Transfers Out</u>	<u>Amount</u>	<u>Purpose</u>
General	Enterprise	\$ 2,400,125	To fund indirect costs for administrative expenses
Capital projects	Enterprise	398,053	To fund miscellaneous projects
Capital projects	General	1,161,277	To fund miscellaneous projects
Nonmajor governmental	General	<u>20,000</u>	To fund miscellaneous projects
		<u>\$ 3,979,455</u>	

NOTE 8. COMMITMENTS AND CONTINGENCIES

Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters for which the City participates in the Texas Municipal League's Intergovernmental Risk Pools (the Pool). The Pool purchases commercial insurance at group rates for participants in the Pool. The City has no additional risk or responsibility to the Pool, outside of the payment of insurance premiums. The City has not significantly reduced insurance coverage or had settlements which exceeded coverage amounts for the past three years.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 8. COMMITMENTS AND CONTINGENCIES – CONTINUED

Contingent Liabilities

The City is a party to various legal actions. Although the outcome is not presently determinable, it is the opinion of the City's management that resolution of these matters will not have a material adverse effect on the financial condition of the City.

Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. Liabilities include an amount for claims that have been incurred but not reported. Claim liabilities are calculated considering the effects of inflation, recent claim settlement trends, including frequency and amount of payouts, and other economic and social factors. No claim liabilities are reported at September 30, 2016.

Encumbrances

Fund balance encumbrances as of September 30, 2016 were as follows:

General fund	\$ 35,379
Capital projects fund	886,769

NOTE 9. DEFINED BENEFIT PENSION PLAN

Plan Description

The City participates as one of 866 plans in the nontraditional, joint contributory, hybrid defined benefit pension plan administered by the Texas Municipal Retirement System (TMRS). TMRS is an agency created by the State of Texas and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the System with a six-member Board of Trustees. Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not fiscally dependent on the State of Texas. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401 (a) of the Internal Revenue Code. TMRS issues a publicly available comprehensive annual financial report (CAFR) that can be obtained at www.tmr.com.

All eligible employees of the City are required to participate in TMRS.

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 9. PENSION PLAN – CONTINUED

Benefits Provided

TMRS provides retirement, disability, and death benefits. Benefit provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS.

At retirement, the benefit is calculated as if the sum of the employee's contributions, with interest, and the city-financed monetary credits with interest were used to purchase an annuity. Members may choose to receive their retirement benefit in one of seven payments options. Members may also choose to receive a portion of their benefit as a Partial Lump Sum Distribution in an amount equal to 12, 24, or 36 monthly payments, which cannot exceed 75% of the member's deposits and interest.

The plan provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS. Plan provisions for the City were as follows:

	Plan Year 2015	Plan Year 2016
Employee deposit rate	7.00%	7.00%
Matching ratio (city to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service retirement eligibility (expressed as age / years of service)	60/5,0/20	60/5,0/20
Updated Service Credit	100% Repeating, Transfers	100% Repeating, Transfers
Annuity Increase (to retirees)	70% of CPI Repeating	70% of CPI Repeating

Employees covered by benefit terms:

At the December 31, 2015 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	69
Inactive employees entitled to but not yet receiving benefits	57
Active employees	<u>156</u>
Total	282

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 9. PENSION PLAN – CONTINUED

Contributions

The contribution rates for employees in TMRS are either 5%, 6%, or 7% of employee gross earnings, and the city matching percentages are either 100%, 150%, or 200%, both as adopted by the governing body of the city. Under the state law governing TMRS, the contribution rate for each city is determined annually by the actuary, using the Entry Age Normal (EAN) actuarial cost method. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

Employees for the City were required to contribute 7% of their annual gross earnings during the fiscal year. The contribution rates for the City were 13.54% and 13.30% in calendar years 2015 and 2016, respectively. The City's contributions to TMRS for the year ended September 30, 2016, were \$1,285,841, and were equal to the required contributions.

Net Pension Liability

The City's Net Pension Liability (NPL) was measured as of December 31, 2015, and the Total Pension Liability (TPL) used to calculate the Net Pension Liability was determined by an actuarial valuation as of that date.

Actuarial Assumptions:

The Total Pension Liability in the December 31, 2015 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.5% per year
Overall payroll growth	3.0% per year
Investment rate of return	6.75%, net of pension plan investment expense, including inflation

Salary increases were based on a service-related table. Mortality rates for active members, retirees, and beneficiaries were based on the gender-distinct RP2000 Combined Healthy Mortality Table, with male rates multiplied by 109% and female rates multiplied by 103%. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements. For disabled annuitants, the gender-distinct RP2000 Combined Healthy Mortality Tables with Blue Collar Adjustment are used with males rates multiplied by 109% and female rates multiplied by 103% with a 3-year set-forward for both males and females. In addition, a 3% minimum mortality rate is applied to reflect the impairment for younger members who become disabled. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements subject to the 3% floor.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 9. PENSION PLAN – CONTINUED

Net Pension Liability – Continued

Actuarial Assumptions – Continued:

Actuarial assumptions used in the December 31, 2015, valuation were based on the results of actuarial experience studies. The experience study in TMRS was for the period December 31, 2010 through December 31, 2014. Healthy post-retirement mortality rates and annuity purchase rates were updated based on a Mortality Experience Investigation Study covering 2009 through 2011, and dated December 31, 2013. These assumptions were first used in the December 31, 2013 valuation, along with a change to the Entry Age Normal (EAN) actuarial cost method. Assumptions are reviewed annually. No additional changes were made for the 2014 valuation.

After the Asset Allocation Study analysis and experience investigation study, the Board amended the long-term expected rate of return on pension plan investments from 7% to 6.75%. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income, in order to satisfy the short-term and long-term funding needs of TMRS.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. At its meeting on July 30, 2015, the TMRS Board approved a new portfolio target allocation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return (Arithmetic)
Domestic equity	17.50%	4.55%
International equity	17.50%	6.10%
Core fixed income	10.00%	1.00%
Non-core fixed income	20.00%	3.65%
Real return	10.00%	4.03%
Real estate	10.00%	5.00%
Absolute return	10.00%	4.00%
Private equity	5.00%	8.00%
Total	100.0%	

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 9. PENSION PLAN – CONTINUED

Net Pension Liability – Continued

Discount Rate

The discount rate used to measure the Total Pension Liability was 6.75%. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the Total Pension Liability.

Changes in the Net Pension Liability

	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (a) - (b)
Balance at December 31, 2014	\$ 32,504,989	\$ 27,953,536	\$ 4,551,453
Changes for the year			
Service cost	1,631,504	-	1,631,504
Interest	2,283,312	-	2,283,312
Change of benefit terms	-	-	-
Difference between expected and actual experience	153,806	-	153,806
Changes of assumptions	112,706	-	112,706
Contributions - employer	-	1,321,927	(1,321,927)
Contributions - employee	-	680,604	(680,604)
Net investment income	-	41,253	(41,253)
Benefit payments, including refunds of employee contributions	(1,404,009)	(1,404,009)	-
Administrative expense	-	(25,124)	25,124
Other changes	-	(1,240)	1,240
Net changes	2,777,319	613,411	2,163,908
Balance at December 31, 2015	<u>\$ 35,282,308</u>	<u>\$ 28,566,947</u>	<u>\$ 6,715,361</u>

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 9. PENSION PLAN – CONTINUED

Net Pension Liability – Continued

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the net pension liability of the City, calculated using the discount rate of 6.75%, as well as what the City's net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.75%) or 1-percentage-point higher (7.75%) than the current rate:

	1% Decrease in Discount Rate (5.75%)	Discount Rate (6.75%)	1% Increase in Discount Rate (7.75%)
Net pension liability	\$ 12,156,731	\$ 6,715,361	\$ 2,312,001

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's Fiduciary Net Position is available in a separately-issued TMRS financial report. That report may be obtained on the Internet at www.tmr.com.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2016, the City recognized pension expense of \$1,783,979.

At September 30, 2016, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 216,036	\$ 46,834
Changes in actuarial assumptions	-	-
Difference between projected and actual investment earnings	1,730,854	-
Contributions subsequent to the measurement date	932,380	-
Total	<u>\$ 2,879,270</u>	<u>\$ 46,834</u>

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 9. PENSION PLAN – CONTINUED

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – Continued

\$932,380 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability for the year ending September 30, 2017. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year ending December 31,</u>	
2016	\$ 485,596
2017	485,596
2018	485,596
2019	429,136
2020	14,132
Thereafter	<u>-</u>
Total	<u>\$ 1,900,056</u>

NOTE 10. POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS

Plan Description

In order to recognize and reward long-term employees, as well as to provide an incentive for remaining in the City's employment, the City administers a single-employer defined benefit Other Post-Employment Benefits (OPEB) plan that will pay a portion of the premium for continuation of the medical and dental insurance coverage of certain retirees. The plan is known as the City of Tomball Retirement Health Care Plan. Enrollment for retiree coverage must be completed no later than 30 days after the date of retirement. Later enrollment is not permitted. Any retiree eligible for medical coverage with another group plan shall not qualify for medical coverage with the City.

In order to be eligible for this benefit, the retiree must be vested, age 55 or older and a current recipient of retirement benefits from the Texas Municipal Retirement System; have been a full-time employee of the City for ten consecutive years immediately prior to retirement; and satisfy the applicable plan requirements for the extension of retiree coverage under the medical and dental insurance benefit plan offered by the City at the time of retirement.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 10. POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS – CONTINUED

Plan Description – Continued

Beginning with retirement and ending when the person is eligible for Medicare coverage, the City shall pay a portion of the retiree medical and dental coverage premiums in accordance with the following: 40 percent of the premium costs for retirees having at least ten years, but less than 15 years, of full-time service with the City; 55 percent of the premium costs for retirees having at least 15 years, but less than 20 years, of full-time service with the City; 70 percent of the premium costs for retirees having at least 20 years, but less than 25 years, of full-time service with the City; or 85 percent of the premium costs for retirees having at least 25 years of full-time service with the City. To cover their spouses, eligible retirees must pay 100 percent of the cost for their eligible spouse. Eligible retirees shall pay 100 percent of the premiums for basic life insurance.

Benefit continuation of medical, dental, and life insurance coverage provided at the City's expense to retirees ends when the retiree is eligible for Medicare coverage. Retirees who are eligible for Medicare coverage may, at their sole expense, continue to purchase coverage for themselves and their eligible dependents as provided under the applicable terms of the City's policies. A separate postemployment benefit plan report is not available for the City of Tomball Retirement Health Care Plan.

Funding Policy and Annual OPEB Cost

The City has elected to finance the OPEB plan on a pay-as-you-go basis. The City paid \$34,160 in premiums related to the plan for retirees during the year.

The City's annual OPEB cost is calculated based on the annual required contribution of the employer (ARC), an amount actuarially determined in accordance with the parameters of GASB Statement No. 45. The ARC represents a level of accrual that, if paid on an ongoing basis, is projected to cover the normal cost each year and to amortize the unfunded actuarial liabilities (or funding excesses) over a period not to exceed thirty years.

The City's annual OPEB cost for the current year is as follows:

Annual required contribution	\$ 245,690
Interest on OPEB obligation	34,541
Adjustment to ARC	<u>(46,093)</u>
Annual OPEB cost (expense) end of year	234,138
Net estimated employer contributions	<u>(81,027)</u>
Increase in net OPEB obligation	153,111
Net OPEB obligation – as of beginning of the year	<u>767,572</u>
Net OPEB obligation – as of end of year	<u><u>\$ 920,683</u></u>

CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS

NOTE 10. POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS – CONTINUED

Funding Policy and Annual OPEB Cost – Continued

The City's annual OPEB cost, the amount contributed by the employer, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for fiscal year ending September 30, 2016 and the preceding two fiscal years were as follows:

Fiscal Year	Annual OPEB Cost	Actual Contribution Made	Percentage of OPEB Cost Contributed	Net OPEB Obligation at September 30
2014	\$ 165,688	\$ 39,906	24%	\$ 617,094
2015	236,402	85,924	36%	767,572
2016	234,138	81,027	35%	920,683

The funded status of the City's retiree health care plan, under GASB Statement No. 45 as of December 31, 2014, the most recent valuation date, is as follows:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (AAL)	Funded Ratio	Unfunded AAL (UAAL)	Covered Payroll	UAAL as a Percentage of Covered Payroll
	(1)	(2)	(3)	(4)	(5)	(6)
			(1) / (2)	(2) - (1)		(4) / (5)
12/31/2014	\$ -	\$1,903,327	-	\$1,903,327	\$8,985,838	21%

Under the reporting parameters, the City's retiree health plan is 0% funded with an estimated actuarial accrued liability exceeding actuarial assets by \$1,903,327 at December 31, 2014. As of the most recent valuation, the ratio of the unfunded actuarial accrued liability to annual covered payroll is 21%.

Actuarial Methods and Assumptions

The Projected Unit Credit actuarial cost method is used to calculate the GASB ARC for the City's retiree health plan. Using the plan benefits, the present health premiums and a set of actuarial assumptions, the anticipated future payments are projected. The projected unit credit method then provides for a systematic funding for these anticipated payments. The yearly ARC is computed to cover the cost of benefits being earned by covered members as well as to amortize a portion of the unfunded accrued liability.

Projections of health benefits are based on the plan as understood by the City and include the types of benefits in force at the valuation date and the pattern of sharing benefit costs between the City and the City's employees to that point. Actuarial calculations reflect a long-term perspective and employ methods and assumptions that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 10. POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS – CONTINUED

Actuarial Methods and Assumptions – Continued

Significant methods and assumptions were as follows:

Actuarial cost method	Projected unit credit cost method
Amortization method	Level dollar amortization
Remaining amortization period	30 years - open amortization
Asset valuation method	Market value smoothed
Investment rate of return	4.5% per annum, net of expenses
Inflation rate	3.0% per annum
Healthcare cost trend rate (initial/ultimate)	Initial rate of 7.25%, declining to an ultimate rate of 5.50% after 9 years

Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events in the future. Amounts determined regarding the funded status and the annual required contributions of the City's retiree health plan are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future.

The schedule of funding progress, presented as Required Supplementary Information following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability of benefits.

TMRS – Supplemental Death Benefit Fund

Plan Description

The City also participates in the cost sharing multiple-employer defined benefit group-term life insurance plan operated by the Texas Municipal Retirement System (TMRS) known as the Supplemental Death Benefits Fund (SDBF). The City elected, by ordinance, to provide group-term life insurance coverage to both current and retired employees. The City may terminate coverage under and discontinue participation in the SDBF by adopting an ordinance before November 1 of any year to be effective the following January 1.

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death); retired employees are insured for \$7,500; this coverage is an "other postemployment benefit," or OPEB.

**CITY OF TOMBALL, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS**

NOTE 10. POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS – CONTINUED

TMRS – Supplemental Death Benefit Fund – Continued

Contributions

The City contributes to the SDBF at a contractually required rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year; the intent is not to pre-fund retiree term life insurance during employees' entire careers.

The City's contributions to the TMRS SDBF for the years ended September 30, 2016, 2015, and 2014 were \$3,587, \$2,821, and \$2,613, respectively, which equaled the required contributions each year.

NOTE 11. SUBSEQUENT EVENT

In December 2016, the City issued \$20,240,000 in Combination Tax and Revenue Certificates of Obligation, Series 2016. The Certificates are issued as serial certificates maturing on February 15 in the years 2017 through 2026 and 2029 through 2037, and term certificates maturing in 2028. The Series 2016 bonds will be used to provide funds for construction and equipment of streets, sidewalks, and traffic signals, including the extension of Medical Complex Drive and Persimmon Street; the construction and equipment of storm sewer and drainage improvements; the acquisition of land for the extension of Medical Complex Drive and Persimmon St. and related utilities and drainage improvements; the construction of improvements to the City's water, sewer, and gas utility facilities; and the cost of professional services incurred in connection therewith.

REQUIRED SUPPLEMENTARY INFORMATION

**CITY OF TOMBALL, TEXAS
SCHEDULE OF CHANGES IN
NET PENSION LIABILITY AND RELATED RATIOS
YEAR ENDED SEPTEMBER 30, 2016**

	<u>2015</u>	<u>2016</u>
Total Pension Liability		
Service Cost	\$ 1,405,192	\$ 1,631,504
Interest (on the Total Pension Liability)	2,122,080	2,283,312
Changes of benefit terms	-	-
Difference between expected and actual experience	(75,098)	153,806
Change of assumptions	-	112,706
Benefit payments, including refunds of employee contributions	<u>(1,120,036)</u>	<u>(1,404,009)</u>
Net Change in Total Pension Liability	2,332,138	2,777,319
Total Pension Liability - Beginning	<u>30,172,851</u>	<u>32,504,989</u>
Total Pension Liability - Ending (a)	<u><u>\$ 32,504,989</u></u>	<u><u>\$ 35,282,308</u></u>
Plan Fiduciary Net Position		
Contributions - Employer	\$ 1,106,867	\$ 1,321,927
Contributions - Employee	629,009	680,604
Net Investment Income	1,480,415	41,253
Benefit payments, including refunds of employee contributions	(1,120,036)	(1,404,009)
Administrative Expense	(15,453)	(25,124)
Other	<u>(1,271)</u>	<u>(1,240)</u>
Net Change in Plan Fiduciary Net Position	2,079,531	613,411
Plan Fiduciary Net Position - Beginning	<u>25,874,005</u>	<u>27,953,536</u>
Plan Fiduciary Net Position - Ending (b)	<u><u>\$ 27,953,536</u></u>	<u><u>\$ 28,566,947</u></u>
Net Pension Liability - Ending (a) - (b)	\$ 4,551,453	\$ 6,715,361
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	86.00%	80.97%
Covered Employee Payroll	\$ 8,985,838	\$ 9,722,909
Net Pension Liability as a Percentage of Covered Employee Payroll	50.65%	69.07%

NOTES TO SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS

Only two years of data are presented in accordance with GASB Statement No. 68 as the data for the year prior to 2014 is not available. Additionally, GASB Statement No. 68 requires that the information on this schedule be presented for the year ended as of the current measurement date (December 31).

**CITY OF TOMBALL, TEXAS
SCHEDULE OF CONTRIBUTIONS
YEAR ENDED SEPTEMBER 30, 2016**

	<u>2015</u>	<u>2016</u>
Actuarially Determined Contribution	\$ 1,246,735	\$ 1,285,841
Contributions in relation to the actuarially determined contribution	<u>1,246,735</u>	<u>1,285,841</u>
Contribution deficiency (excess)	\$ -	\$ -
Covered employee payroll	\$ 9,404,137	\$ 9,620,867
Contributions as a percentage of covered employee payroll	13.26%	13.37%

NOTES TO SCHEDULE OF CONTRIBUTIONS

Only two years of data are presented in accordance with GASB Statement No. 68 as the data for the years prior to 2015 is not available.

Additionally, GASB Statement No. 68 requires that the information presented on this schedule correspond with the City's fiscal year (September 30).

Valuation Date:

Actuarially determined contribution rates are calculated as of December 31 and become effective in January 13 months later.

Methods and Assumptions Used to Determine Contribution Rates:

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	30 years
Asset Valuation Method	10 Year smoothed market; 15% soft corridor
Inflation	2.50%
Salary Increases	3.50% to 10.50% including inflation
Investment Rate of Return	6.75%
Retirement Age	Experience-based table of rates that are specific to the City's plan of benefits. Last updated for the 2015 valuation pursuant to an experience study of the period 2010 - 2014.
Mortality	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103% and projected on a fully generational basis with scale BB

Other Information:

There were no benefit changes during the year.

**CITY OF TOMBALL, TEXAS
SCHEDULE OF FUNDING PROGRESS
POST EMPLOYMENT BENEFITS PLAN OTHER THAN PENSIONS
SEPTEMBER 30, 2016**

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (AAL)	Funded Ratio	Unfunded AAL (UAAL)	Covered Payroll	UAAL as a Percentage of Covered Payroll
	(1)	(2)	(3)	(4)	(5)	(6)
			(1) / (2)	(2) - (1)		(4) / (5)
12/31/2013	\$ -	\$ 1,157,549	0.0%	\$ 1,157,549	\$ 7,382,599	15.7%
12/31/2014	-	1,903,327	0.0%	1,903,327	8,985,838	21.2%
12/31/2015 *	-	1,903,327	0.0%	1,903,327	8,985,838	21.2%

* In accordance with GASB Statement No. 45 for plans with a total membership of fewer than 200, the City has an actuarial valuation performed at least triennially, which was performed as of December 31, 2014. Therefore data for 2015 is the same as 2014.

**CITY OF TOMBALL, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL
GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2016**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Property taxes	\$ 1,790,000	\$ 1,854,000	\$ 1,855,706	\$ 1,706
Sales, franchise, and other taxes	12,029,025	12,081,025	11,972,924	(108,101)
Permits and licenses	531,850	456,300	439,677	(16,623)
Fines and forfeitures	743,500	551,200	536,934	(14,266)
Services revenue	2,100,000	2,150,000	2,234,322	84,322
Intergovernmental	274,887	280,366	288,988	8,622
Contributions from component unit	10,000	10,000	10,000	-
Interest on investments	15,000	35,000	39,148	4,148
Other revenues	337,905	548,261	591,947	43,686
Total revenues	17,832,167	17,966,152	17,969,646	3,494
Expenditures				
Administrative	5,198,556	4,980,958	4,841,186	139,772
Police	5,501,770	5,160,115	5,036,804	123,311
Fire	2,986,736	2,935,728	2,997,111	(61,383) *
Court	383,345	339,216	318,390	20,826
Public works	1,304,224	1,203,384	1,219,934	(16,550) *
Sanitation	2,022,300	2,060,060	2,166,414	(106,354) *
Streets	1,853,031	1,220,565	1,149,668	70,897
Permits	555,344	426,962	391,462	35,500
Garage	152,653	174,919	172,311	2,608
Parks	827,224	895,376	902,923	(7,547) *
Community services	183,277	185,838	182,088	3,750
Total expenditures	20,968,460	19,583,121	19,378,291	204,830
Excess of revenues over (under) expenditures	(3,136,293)	(1,616,969)	(1,408,645)	208,324
Other financing sources				
Transfers in	2,400,125	2,400,125	2,400,125	-
Transfers out	(520,000)	(1,181,277)	(1,181,277)	-
Total other financing sources	1,880,125	1,218,848	1,218,848	-
Net change in fund balance	\$ (1,256,168)	\$ (398,121)	\$ (189,797)	\$ 208,324
Fund balance, beginning of year			13,482,578	
Fund balance, end of year			\$ 13,292,781	

Notes to Required Supplementary Information:

1. Annual budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP).
2. *Expenditures exceeded appropriations at the legal level of control.

**COMBINING AND INDIVIDUAL
FUND STATEMENTS AND SCHEDULES**

NONMAJOR GOVERNMENTAL FUNDS

SPECIAL REVENUE FUNDS

Special revenue funds are used to account for specific revenues that are legally restricted or committed to expenditures for particular purposes.

**CITY OF TOMBALL, TEXAS
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
SEPTEMBER 30, 2016**

	<u>Special General</u>	<u>Court Security</u>	<u>Court Technology</u>
ASSETS			
Current assets			
Cash and cash equivalents	\$ 119,489	\$ 254,754	\$ 270,371
Accounts receivable	-	-	-
	<u> </u>	<u> </u>	<u> </u>
Total assets	<u><u>\$ 119,489</u></u>	<u><u>\$ 254,754</u></u>	<u><u>\$ 270,371</u></u>
 LIABILITIES AND FUND BALANCES			
LIABILITIES			
Accounts payable and accrued liabilities	\$ 5,144	\$ -	\$ -
	<u> </u>	<u> </u>	<u> </u>
Total liabilities	5,144	-	-
 FUND BALANCES			
Restricted for enabling legislation	-	254,754	270,371
Committed for city functions	114,345	-	-
	<u> </u>	<u> </u>	<u> </u>
Total fund balances	<u>114,345</u>	<u>254,754</u>	<u>270,371</u>
 TOTAL LIABILITIES AND FUND BALANCES	 <u><u>\$ 119,489</u></u>	 <u><u>\$ 254,754</u></u>	 <u><u>\$ 270,371</u></u>

Hotel Occupancy Tax	Red Light Camera	Bunny Run	Tomball Legacy Fund	Total Nonmajor Governmental Funds
\$ 534,492	\$ 778,662	\$ 17,983	\$ 20,043	\$ 1,995,794
3,400	36,144	-	-	39,544
<u>\$ 537,892</u>	<u>\$ 814,806</u>	<u>\$ 17,983</u>	<u>\$ 20,043</u>	<u>\$ 2,035,338</u>
\$ 15,018	\$ 278,865	\$ 3,839	\$ -	\$ 302,866
15,018	278,865	3,839	-	302,866
522,874	535,941	-	20,043	1,603,983
-	-	14,144	-	128,489
<u>522,874</u>	<u>535,941</u>	<u>14,144</u>	<u>20,043</u>	<u>1,732,472</u>
\$ 537,892	\$ 814,806	\$ 17,983	\$ 20,043	\$ 2,035,338

**CITY OF TOMBALL, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED SEPTEMBER 30, 2016**

	Special General	Court Security	Court Technology	Hotel Occupancy Tax
Revenues				
Other taxes	\$ -	\$ -	\$ -	\$ 565,768
Fines and forfeitures	-	12,125	16,167	-
Interest on investments	519	922	911	1,574
Other revenues	16,334	-	-	7,091
Total revenues	16,853	13,047	17,078	574,433
Expenditures				
Current				
Administrative	54,022	-	28,848	301,950
Police	-	-	-	-
Community services	-	-	-	213,582
Total expenditures	54,022	-	28,848	515,532
Excess (deficiency) of revenues over (under) expenditures	(37,169)	13,047	(11,770)	58,901
Other financing sources (uses)				
Transfers in	-	-	-	20,000
Transfers out	-	-	-	-
Total other financing sources (uses)	-	-	-	20,000
Net change in fund balances	(37,169)	13,047	(11,770)	78,901
Fund balances, beginning of year	151,514	241,707	282,141	443,973
Fund balances, end of year	<u>\$ 114,345</u>	<u>\$ 254,754</u>	<u>\$ 270,371</u>	<u>\$ 522,874</u>

Red Light Camera	Bunny Run	Tomball Legacy Fund	Total Nonmajor Governmental Funds
\$ -	\$ -	\$ -	\$ 565,768
327,428	-	-	355,720
1,414	2	43	5,385
-	20,234	-	43,659
328,842	20,236	43	970,532
-	555	-	385,375
157,294	-	-	157,294
-	21,083	-	234,665
157,294	21,638	-	777,334
171,548	(1,402)	43	193,198
-	-	-	20,000
-	-	-	-
-	-	-	20,000
171,548	(1,402)	43	213,198
364,393	15,546	20,000	1,519,274
\$ 535,941	\$ 14,144	\$ 20,043	\$ 1,732,472

CITY OF TOMBALL, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE – BUDGET AND ACTUAL
NONMAJOR SPECIAL REVENUE FUNDS
YEAR ENDED SEPTEMBER 30, 2016

	Special General			Variance With Final Budget
	Budgeted Amounts		Actual Amounts	Positive (Negative)
	Original	Final		
Revenues				
Interest on investments	\$ 180	\$ 450	\$ 519	\$ 69
Other revenues	22,500	22,500	16,334	(6,166)
Total revenues	22,680	22,950	16,853	(6,097)
Expenditures				
Administrative	56,130	56,130	54,022	2,108
Total expenditures	56,130	56,130	54,022	2,108
Net change in fund balance	\$ (33,450)	\$ (33,180)	(37,169)	\$ (3,989)
Fund balance, beginning of year			151,514	
Fund balance, end of year			\$ 114,345	

	Court Security			Variance With Final Budget
	Budgeted Amounts		Actual Amounts	Positive (Negative)
	Original	Final		
Revenues				
Fines and forfeitures	\$ 20,000	\$ 15,000	\$ 12,125	\$ (2,875)
Interest on investments	150	750	922	172
Total revenues	20,150	15,750	13,047	(2,703)
Expenditures				
Administrative	50,000	-	-	-
Total expenditures	50,000	-	-	-
Net change in fund balance	\$ (29,850)	\$ 15,750	13,047	\$ (2,703)
Fund balance, beginning of year			241,707	
Fund balance, end of year			\$ 254,754	

CITY OF TOMBALL, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE – BUDGET AND ACTUAL
NONMAJOR SPECIAL REVENUE FUNDS
YEAR ENDED SEPTEMBER 30, 2016
(CONTINUED)

Court Technology				
	Budgeted Amounts		Actual Amounts	Variance With Final Budget Positive (Negative)
	Original	Final		
Revenues				
Fines and forfeitures	\$ 25,000	\$ 20,000	\$ 16,167	\$ (3,833)
Interest on investments	150	750	911	161
Total revenues	25,150	20,750	17,078	(3,672)
Expenditures				
Administrative	9,100	28,870	28,848	22
Total expenditures	9,100	28,870	28,848	22
Net change in fund balance	<u>\$ 16,050</u>	<u>\$ (8,120)</u>	<u>(11,770)</u>	<u>\$ (3,650)</u>
Fund balance, beginning of year			282,141	
Fund balance, end of year			<u>\$ 270,371</u>	

Hotel Occupancy Tax				
	Budgeted Amounts		Actual Amounts	Variance With Final Budget Positive (Negative)
	Original	Final		
Revenues				
Other taxes	\$ 550,000	\$ 510,000	\$ 565,768	\$ 55,768
Interest on investments	250	1,000	1,574	574
Other revenues	20,000	15,500	7,091	(8,409)
Total revenues	570,250	526,500	574,433	47,933
Expenditures				
Administrative	403,938	378,437	301,950	76,487
Community Services	187,000	171,000	213,582	(42,582)
Total expenditures	590,938	549,437	515,532	33,905
Excess (deficiency) of revenues over (under) expenditures	<u>(20,688)</u>	<u>(22,937)</u>	<u>58,901</u>	<u>81,838</u>
Other financing sources (uses)				
Transfers in	20,000	20,000	20,000	-
Total other financing sources	20,000	20,000	20,000	-
Net change in fund balance	<u>\$ (688)</u>	<u>\$ (2,937)</u>	<u>78,901</u>	<u>\$ 81,838</u>
Fund balance, beginning of year			443,973	
Fund balance, end of year			<u>\$ 522,874</u>	

CITY OF TOMBALL, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE – BUDGET AND ACTUAL
DEBT SERVICE FUND
YEAR ENDED SEPTEMBER 30, 2016

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Property taxes	\$ 3,645,000	\$ 3,760,000	\$ 3,818,986	\$ 58,986
Contributions from Component Unit	528,013	528,013	528,012	(1)
Interest on investments	1,500	10,000	13,854	3,854
Total revenues	4,174,513	4,298,013	4,360,852	62,839
Expenditures				
Debt service				
Principal	2,285,608	2,285,608	2,285,608	-
Interest and fiscal agent fees	1,226,334	821,771	822,149	(378)
Total expenditures	3,511,942	3,107,379	3,107,757	(378)
Excess (deficiency) of revenues over expenditures	662,571	1,190,634	1,253,095	62,461
Net change in fund balances	\$ 662,571	\$ 1,190,634	1,253,095	\$ 62,461
Fund balance, beginning of year			3,081,703	
Fund balance, end of year			\$ 4,334,798	

INTERNAL SERVICE FUNDS

FLEET REPLACEMENT FUND

This internal service fund is used to account for fleet replacement to departments or agencies of the City on a cost reimbursement basis.

HEALTH BENEFITS FUND

This internal service fund is used to account for the costs associated with health benefits to departments or agencies of the City on a cost reimbursement basis as well as costs associated with retiring or separating employees.

**CITY OF TOMBALL, TEXAS
COMBINING STATEMENT OF NET POSITION
INTERNAL SERVICE FUNDS
SEPTEMBER 30, 2016**

	Fleet Replacement	Health Benefits	Total
ASSETS			
Current assets			
Cash and cash equivalents	\$ 1,802,311	\$ 1,369,083	\$ 3,171,394
Accounts receivable, net	-	14,264	14,264
Total current assets	1,802,311	1,383,347	3,185,658
Noncurrent assets			
Depreciable capital assets	2,653,752	-	2,653,752
Less: accumulated depreciation	(1,576,974)	-	(1,576,974)
Total noncurrent assets	1,076,778	-	1,076,778
Total assets	2,879,089	1,383,347	4,262,436
LIABILITIES			
Current liabilities			
Accounts payable and accrued liabilities	-	217,577	217,577
Total liabilities	-	217,577	217,577
NET POSITION			
Net investment in capital assets	1,076,778	-	1,076,778
Unrestricted	1,802,311	1,165,770	2,968,081
Total net position	<u>\$ 2,879,089</u>	<u>\$ 1,165,770</u>	<u>\$ 4,044,859</u>

**CITY OF TOMBALL, TEXAS
COMBINING STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN FUND NET POSITION
INTERNAL SERVICE FUNDS
YEAR ENDED SEPTEMBER 30, 2016**

	Fleet Replacement	Health Benefits	Total
Operating revenues			
Charges for sales and services	\$ 410,000	\$ 2,302,638	\$ 2,712,638
Total revenues	410,000	2,302,638	2,712,638
Operating expenditures			
Costs of sales and services	63,252	2,140,062	2,203,314
Depreciation	337,932	-	337,932
Total operating expenditures	401,184	2,140,062	2,541,246
Operating income	8,816	162,576	171,392
Non-operating revenues			
Investment income	5,693	2,888	8,581
Gain on disposal of capital assets	44,981	-	44,981
Total non-operating revenues	50,674	2,888	53,562
Change in net position	59,490	165,464	224,954
Net position, beginning of year	2,819,599	1,000,306	3,819,905
Net position, end of year	<u>\$ 2,879,089</u>	<u>\$ 1,165,770</u>	<u>\$ 4,044,859</u>

**CITY OF TOMBALL, TEXAS
COMBINING STATEMENT OF CASH FLOWS
INTERNAL SERVICE FUNDS
YEAR ENDED SEPTEMBER 30, 2016**

	<u>Fleet Replacement</u>	<u>Health Benefits</u>	<u>Total</u>
OPERATING ACTIVITIES			
Cash received from customers	\$ 410,000	\$ 2,297,859	\$ 2,707,859
Payments to suppliers	(65,571)	(1,923,830)	(1,989,401)
Net cash provided by operating activities	344,429	374,029	718,458
CAPITAL AND RELATED FINANCING ACTIVITIES			
Acquisition and construction of capital assets	(303,366)	-	(303,366)
Proceeds from sale of capital assets	70,094	-	70,094
Net cash used in capital and related financing activities	(233,272)	-	(233,272)
INVESTING ACTIVITIES			
Investment income	5,693	2,888	8,581
Net cash provided by investing activities	5,693	2,888	8,581
Net change in cash and cash equivalents	116,850	376,917	493,767
CASH AND CASH EQUIVALENTS, beginning of year	1,685,461	992,166	2,677,627
CASH AND CASH EQUIVALENTS, end of year	<u>\$ 1,802,311</u>	<u>\$ 1,369,083</u>	<u>\$ 3,171,394</u>
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES			
Operating income	\$ 8,816	\$ 162,576	\$ 171,392
Adjustments to reconcile operating income to net cash provided by operating activities			
Depreciation and amortization	337,932	-	337,932
Changes in assets and liabilities			
Accounts receivable	-	(4,779)	(4,779)
Accounts payable and accrued liabilities	(2,319)	216,232	213,913
Net cash provided by operating activities	<u>\$ 344,429</u>	<u>\$ 374,029</u>	<u>\$ 718,458</u>

**STATISTICAL SECTION
(Unaudited)**

STATISTICAL SECTION

(Unaudited)

This part of the City's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the City's overall financial health.

Contents	Page
Financial Trends	76
<i>These schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.</i>	
Revenue Capacity	81
<i>These schedules contain information to help the reader assess the City's most significant local revenue source, property tax.</i>	
Debt Capacity	87
<i>These schedules present information to help the reader assess the affordability of the City's current levels of outstanding debt and the City's ability to issue additional debt in the future.</i>	
Demographic and Economic Information	92
<i>These schedules offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place.</i>	
Operating Information	94
<i>These schedules contain service and infrastructure data to help the reader understand how the information in the City's financial report relates to the services the City provides and the activities it performs.</i>	

Table 1
City of Tomball
Net Position by Component
Last Ten Fiscal Years
(accrual basis of accounting)
(unaudited)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Governmental activities										
Net investment in capital assets	\$ 7,175,862	\$ 10,206,785	\$ 16,143,552	\$ 16,790,199	\$ 18,306,705	\$ 23,370,524	\$ 25,646,519	\$ 28,189,848	\$ 31,267,016	\$ 34,220,115
Restricted	3,686,000	1,835,397	2,278,695	1,423,521	1,895,850	2,675,627	2,804,100	3,557,490	4,308,595	5,821,510
Unrestricted	17,884,555	16,282,148	11,362,902	13,048,317	12,518,847	10,571,977	12,612,754	13,566,745	10,694,702	10,340,744
Total governmental activities net position	\$ 28,746,417	\$ 28,324,330	\$ 29,785,149	\$ 31,262,037	\$ 32,721,402	\$ 36,618,128	\$ 41,063,373	\$ 45,314,083	\$ 46,270,313	\$ 50,382,369
Business-type activities										
Net investment in capital assets	\$ 25,045,502	\$ 24,774,972	\$ 26,080,707	\$ 29,073,794	\$ 29,338,053	\$ 30,368,908	\$ 30,721,512	\$ 30,851,835	\$ 33,433,571	\$ 33,059,434
Restricted	876,468	-	-	-	-	-	-	1,095,173	-	-
Unrestricted	7,493,793	9,610,968	10,555,994	8,753,794	10,299,638	9,636,451	10,646,792	11,354,769	10,960,950	11,445,362
Total business-type activities net position	\$ 33,415,763	\$ 34,385,940	\$ 36,636,701	\$ 37,827,588	\$ 39,637,691	\$ 40,005,359	\$ 41,368,304	\$ 43,301,777	\$ 44,394,521	\$ 44,504,796
Primary government										
Net investment in capital assets	\$ 32,221,364	\$ 34,981,757	\$ 42,224,259	\$ 45,863,993	\$ 47,644,758	\$ 53,739,432	\$ 56,368,031	\$ 59,041,683	\$ 64,700,587	\$ 67,279,549
Restricted	4,562,468	1,835,397	2,278,695	1,423,521	1,895,850	2,675,627	2,804,100	4,652,663	4,308,595	5,821,510
Unrestricted	25,378,348	25,893,116	21,918,896	21,802,111	22,818,485	20,208,428	23,259,546	24,921,514	21,655,652	21,786,106
Total primary government net position	\$ 62,162,180	\$ 62,710,270	\$ 66,421,850	\$ 69,089,625	\$ 72,359,093	\$ 76,623,487	\$ 82,431,677	\$ 88,615,860	\$ 90,664,834	\$ 94,887,165

Table 2
City of Tomball
Changes in Net Position
Last Ten Fiscal Years
 (accrual basis of accounting)
 (unaudited)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Expenses										
Governmental activities										
General government	\$ 1,438,117	\$ 1,734,307	\$ 3,091,652	\$ 3,476,001	\$ 4,472,541	\$ 4,077,633	\$ 5,131,879	\$ 4,789,051	\$ 4,968,344	\$ 5,391,624
Public safety	5,449,912	7,224,244	6,720,247	5,907,235	6,546,562	6,845,653	7,508,811	8,069,621	8,493,353	9,028,841
Public works	5,076,429	6,325,789	5,692,269	5,205,824	4,739,268	5,794,907	5,456,886	6,137,989	6,181,783	6,436,355
Community services	355,348	471,539	260,561	272,034	255,764	287,085	302,564	338,381	313,713	421,381
Interest and fiscal agent fees on long-term debt	824,168	790,736	708,109	658,304	353,188	821,705	830,054	926,584	891,258	830,716
Total governmental activities expenses	13,143,974	16,546,615	16,472,838	15,519,398	16,367,323	17,826,983	19,230,194	20,261,626	20,848,451	22,108,917
Business-type activities										
General government	2,744,139	2,775,923	2,235,193	1,843,501	2,207,488	979,390	955,026	909,211	979,161	1,179,100
Water	1,259,961	1,720,131	2,215,841	2,197,679	2,549,230	3,003,537	3,262,366	2,962,612	3,087,563	3,410,534
Sewer	1,081,343	1,164,702	1,402,558	1,134,907	1,226,582	1,757,176	1,736,531	1,978,197	2,418,443	2,483,923
Gas	2,496,747	2,727,066	2,486,336	2,374,227	1,801,364	1,600,490	1,743,258	2,229,583	1,963,162	1,429,950
Interest and fiscal agent fees	630,735	585,710	-	512,851	481,542	272,406	321,443	245,129	-	-
Total business-type activities expenses	8,212,925	8,973,532	8,339,928	8,063,165	8,266,206	7,612,999	8,018,624	8,324,732	8,448,329	8,503,507
Total primary government expenses	\$ 21,356,899	\$ 25,520,147	\$ 24,812,766	\$ 23,582,563	\$ 24,633,529	\$ 25,439,982	\$ 27,248,818	\$ 28,586,358	\$ 29,296,780	\$ 30,612,424
Program Revenues										
Governmental activities										
Charges for services										
Public safety	\$ 1,352,444	\$ 922,073	\$ 1,044,706	\$ 1,204,099	\$ 1,083,408	\$ 1,143,981	\$ 1,181,742	\$ 1,066,313	\$ 999,667	\$ 1,334,938
Public works	1,938,750	2,612,619	2,596,344	2,231,777	2,284,482	2,384,406	2,613,043	2,695,712	2,694,670	2,673,999
Operating grants and contributions	135,750	259,047	278,350	83,130	268,675	1,295,653	1,313,128	1,844,224	1,039,237	544,607
Total governmental activities program revenues	3,426,944	3,793,739	3,919,400	3,519,006	3,636,565	4,824,040	5,107,913	5,606,249	4,733,574	4,553,544
Business-type activities										
Charges for services										
General government	-	118,192	-	427,519	413,523	622,320	1,001,306	807,673	842,468	907,654
Water	3,208,398	3,317,403	4,547,803	3,985,231	5,199,565	4,470,657	4,668,205	4,578,777	4,449,383	4,654,613
Sewer	1,401,640	1,725,839	2,468,377	2,233,364	2,368,469	2,262,268	2,365,611	2,372,163	2,320,748	2,316,495
Gas	3,675,752	3,792,717	4,426,091	4,011,635	3,538,152	2,894,447	3,061,634	3,578,145	3,295,521	2,844,005
Operating grants and contributions	-	-	720,000	720,000	798,300	720,000	670,000	670,000	670,000	558,148
Capital grants and contributions	-	-	-	-	-	-	-	-	-	-
Total business-type activities program revenues	8,285,790	8,954,151	12,162,271	11,377,749	12,318,009	10,969,692	11,766,756	12,006,758	11,578,120	11,280,915
Total primary government program revenues	\$ 11,712,734	\$ 12,747,890	\$ 16,081,671	\$ 14,896,755	\$ 15,954,574	\$ 15,793,732	\$ 16,874,669	\$ 17,613,007	\$ 16,311,694	\$ 15,834,459
Net (Expense)/Revenue										
Governmental activities	\$ (9,717,030)	\$ (12,752,876)	\$ (12,553,438)	\$ (12,000,392)	\$ (12,730,758)	\$ (13,002,943)	\$ (14,122,281)	\$ (14,655,377)	\$ (16,114,877)	\$ (17,555,373)
Business-type activities	72,865	(19,381)	3,822,343	3,314,584	4,051,803	3,356,693	3,748,132	3,682,026	3,129,791	2,777,408
Total primary government net expense	\$ (9,644,165)	\$ (12,772,257)	\$ (8,731,095)	\$ (8,685,808)	\$ (8,678,955)	\$ (9,646,250)	\$ (10,374,149)	\$ (10,973,351)	\$ (12,985,086)	\$ (14,777,965)

(continued)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
General Revenues and Other Changes in Net Position										
Governmental activities										
Taxes										
Property taxes, levied for general purposes	\$ 1,168,491	\$ 933,885	\$ 1,587,560	\$ 1,422,603	\$ 1,270,645	\$ 1,228,461	\$ 1,543,913	\$ 1,638,673	\$ 1,715,949	\$ 1,855,706
Property taxes, levied for debt service	1,299,344	1,511,139	1,449,089	1,500,310	1,586,918	2,557,169	3,164,416	3,371,282	3,525,979	3,818,986
Sales taxes	7,304,280	7,100,293	7,038,176	6,651,064	7,023,409	8,189,360	9,442,376	10,532,691	10,839,818	10,578,683
Franchise and local taxes	1,140,734	1,201,401	1,150,591	1,153,954	1,186,272	1,227,784	1,267,302	1,253,077	1,282,598	1,331,077
Other taxes	181,503	267,133	308,100	229,636	325,360	444,032	428,208	590,910	538,843	628,932
Contributions	6,000	6,000	-	-	-	-	-	-	-	-
Investment earnings	1,222,816	756,431	325,789	80,426	43,035	46,763	44,877	30,636	40,115	133,673
Other revenues	223,644	515,216	405,391	166,287	361,026	151,142	227,592	253,375	475,712	395,060
Gain (loss) on sale of capital assets	-	-	-	-	-	-	-	-	17,634	127,134
Transfers	-	39,291	1,749,561	2,260,134	2,393,458	3,054,958	2,448,842	1,691,621	1,607,068	2,798,178
Total governmental activities	12,546,812	12,330,789	14,014,257	13,464,414	14,190,123	16,899,669	18,567,526	19,362,265	20,043,716	21,667,429
Business-type activities										
Investment earnings	452,098	308,849	175,119	93,361	30,414	21,721	13,088	(1,417)	33,771	43,741
Other revenues	720,000	720,000	2,860	43,076	121,344	44,212	50,567	45,800	47,847	87,304
Transfers	-	(39,291)	(1,749,561)	(2,260,134)	(2,393,458)	(3,054,958)	(2,448,842)	(1,691,621)	(1,607,068)	(2,798,178)
Total business-type activities	1,172,098	989,558	(1,571,582)	(2,123,697)	(2,241,700)	(2,989,025)	(2,385,187)	(1,647,238)	(1,525,450)	(2,667,133)
Total primary government	\$ 13,718,910	\$ 13,320,347	\$ 12,442,675	\$ 11,340,717	\$ 11,948,423	\$ 13,910,644	\$ 16,182,339	\$ 17,715,027	\$ 18,518,266	\$ 19,000,296
Change in Net Position										
Governmental activities	\$ 2,829,782	\$ (422,087)	\$ 1,460,819	\$ 1,464,022	\$ 1,459,365	\$ 3,896,726	\$ 4,445,245	\$ 4,706,888	\$ 3,928,839	\$ 4,112,056
Business-type activities	1,244,963	970,177	2,250,761	1,190,887	1,810,103	367,668	1,362,945	2,034,788	1,604,341	110,275
Total primary government	\$ 4,074,745	\$ 548,090	\$ 3,711,580	\$ 2,654,909	\$ 3,269,468	\$ 4,264,394	\$ 5,808,190	\$ 6,741,676	\$ 5,533,180	\$ 4,222,331
										(concluded)

Table 3
City of Tomball
Fund Balances, Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)
(unaudited)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
General Fund										
Nonspendable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 39,913	\$ 30,441	\$ 15,894	\$ 15,894	\$ 12,047
Restricted	-	-	23,724	-	-	-	-	-	-	-
Assigned	-	-	-	-	-	325,879	161,921	322,702	322,702	35,379
Unassigned	21,199,234	16,676,502	12,194,969	12,161,681	11,797,535	9,489,655	11,559,755	13,075,443	13,075,443	13,245,355
Total general fund	\$ 21,199,234	\$ 16,676,502	\$ 12,218,693	\$ 12,161,681	\$ 11,797,535	\$ 9,855,447	\$ 11,752,117	\$ 13,414,039	\$ 13,414,039	\$ 13,292,781
All Other Governmental Funds										
Nonspendable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Restricted	2,407,556	2,097,709	1,530,276	1,276,646	1,896,380	19,319,655	27,524,034	26,470,729	26,470,729	19,434,478
Committed, reported in:										
Capital project funds	79,883	121,425	133,498	133,790	135,609	-	-	-	-	-
Nonmajor governmental funds	138,137	353,527	742,340	901,406	141,129	133,570	143,436	168,245	168,245	128,489
Total all other governmental funds	\$ 2,625,576	\$ 2,572,661	\$ 2,406,114	\$ 2,311,842	\$ 2,173,118	\$ 19,453,225	\$ 27,667,470	\$ 26,638,974	\$ 26,638,974	\$ 19,562,967

Table 4
City of Tomball
Changes in Fund Balance, Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)
(unaudited)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Revenues										
Taxes	\$ 10,936,779	\$ 11,193,185	\$ 11,442,297	\$ 10,897,786	\$ 11,400,964	\$ 13,886,856	\$ 15,846,215	\$ 17,386,633	\$ 17,903,187	\$ 18,213,384
Permits, licenses, and fees	414,713	319,177	247,548	311,563	262,713	308,621	445,104	446,292	492,646	439,677
Fines and forfeitures	728,148	922,073	1,044,706	1,204,099	1,083,408	1,143,981	1,181,742	1,066,313	999,667	892,654
Service Revenue	2,059,958	2,293,442	2,348,796	1,920,214	2,021,769	2,075,785	2,167,939	2,249,420	2,202,024	2,234,322
Intergovernmental	213,750	265,047	278,350	73,130	168,782	273,950	784,918	939,861	384,308	288,988
Contributions from Component Unit	-	-	-	10,000	99,893	1,021,703	528,210	904,363	606,753	538,012
Investment earnings	1,222,817	713,433	312,290	99,837	40,760	44,347	42,913	29,604	38,372	125,092
Other revenues	168,216	332,551	361,992	254,615	386,935	151,143	178,501	242,361	538,244	637,104
Total revenues	15,744,381	16,038,908	16,035,979	14,771,244	15,465,224	18,906,386	21,175,542	23,264,847	23,165,201	23,369,233
Expenditures										
General government	1,837,112	3,822,202	2,606,885	4,333,119	4,507,290	4,520,919	5,099,473	4,929,295	5,128,871	5,226,561
Public safety	5,130,493	6,010,899	7,770,127	5,850,953	6,391,016	7,344,336	7,353,064	8,230,705	9,114,221	8,509,599
Public works	3,112,853	3,635,764	3,713,018	3,784,400	3,090,590	3,407,143	3,217,149	3,364,509	3,464,256	3,386,348
Public service	1,113,084	550,513	932,492	587,557	1,179,637	266,984	1,677,586	1,627,610	1,366,045	2,716,596
Capital outlay	2,762,545	3,521,127	5,387,966	821,359	1,445,273	4,311,250	1,939,517	2,996,663	5,923,542	7,384,704
Debt service										
Principal	1,138,174	1,158,174	1,328,619	1,135,500	1,195,500	1,192,057	1,800,649	2,210,330	2,742,812	2,285,608
Interest and paying agent	830,330	795,482	714,188	723,159	626,247	913,371	1,017,839	963,930	865,633	822,149
Total expenditures	15,924,591	19,494,161	22,453,295	17,236,047	18,435,553	21,956,060	22,105,277	24,323,042	28,605,380	30,331,565
Excess of revenues over (under) expenditures	(180,210)	(3,455,253)	(6,417,316)	(2,464,803)	(2,970,329)	(3,049,674)	(929,735)	(1,058,195)	(5,440,179)	(6,962,332)
Other Financing Sources (Uses)										
Transfers in	-	-	1,749,561	2,260,134	2,393,458	5,206,958	2,748,842	2,491,049	3,261,023	3,979,455
Transfers out	-	(1,248,846)	-	-	-	(2,152,000)	(300,000)	(799,428)	(1,653,955)	(1,181,277)
Issuance of debt	-	-	-	2,120,000	3,892,500	14,500,000	14,270,500	-	-	-
Premium on debt issued	-	-	-	4,945	278,253	107,735	205,934	-	-	-
Payment to refunded bond escrow agent	-	-	-	(2,071,560)	(4,096,752)	-	(5,884,626)	-	-	-
Capital leases	-	-	-	-	-	725,000	-	-	800,000	-
Sale of capital assets	-	182,665	43,399	-	-	-	-	-	-	-
Total other financing sources	-	(1,066,181)	1,792,960	2,313,519	2,467,459	18,387,693	11,040,650	1,691,621	2,407,068	2,798,178
Net change in fund balances	\$ (180,210)	\$ (4,521,434)	\$ (4,624,356)	\$ (151,284)	\$ (502,870)	\$ 15,338,019	\$ 10,110,915	\$ 633,426	\$ (3,033,111)	\$ (4,164,154)
Debt service as a percentage of noncapital expenditures	15.00%	12.07%	11.94%	10.97%	10.29%	11.31%	13.34%	14.85%	15.86%	13.50%

Table 5
City of Tomball
Tax Revenues by Source, Governmental Activities
Last Ten Fiscal Years
(accrual basis of accounting)
(unaudited)

Function	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Change 2015-2016
Property	\$ 2,310,262	\$ 2,570,145	\$ 2,945,430	\$ 2,938,594	\$ 2,865,923	\$ 4,025,680	\$ 4,708,329	\$ 5,009,955	\$ 5,241,928	\$ 5,674,692	8.26%
Sales	7,304,280	7,206,713	7,038,176	6,651,064	6,976,875	8,189,360	9,442,376	10,532,691	10,839,818	10,578,683	-2.41%
Franchise fee	1,140,734	1,149,261	1,150,591	1,153,954	1,262,187	964,790	1,267,302	1,253,077	1,282,598	1,331,076	3.78%
Other taxes	181,503	212,853	308,100	154,174	295,979	707,026	428,208	590,910	538,843	628,933	16.72%
	<u>\$ 10,936,779</u>	<u>\$ 11,138,972</u>	<u>\$ 11,442,297</u>	<u>\$ 10,897,786</u>	<u>\$ 11,400,964</u>	<u>\$ 13,886,856</u>	<u>\$ 15,846,215</u>	<u>\$ 17,386,633</u>	<u>\$ 17,903,187</u>	<u>\$ 18,213,384</u>	1.73%

Table 6
City of Tomball
Assessed Value and Actual Value of Taxable Property
Last Ten Years
(unaudited)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Residential Property	\$ 548,645,926	\$ 562,126,135	\$ 494,490,612	\$ 431,346,771	\$ 435,637,242	\$ 436,949,202	\$ 433,331,223	\$ 439,396,850	\$ 497,193,417	\$ 561,634,471
Commercial Property	420,414,851	516,025,633	962,896,368	1,041,882,736	988,693,074	1,071,555,690	1,192,905,533	1,303,924,316	1,314,023,000	1,395,710,026
Less: Tax Exempt Property	(221,138,305)	(213,059,540)	(302,822,021)	(317,120,571)	(305,154,366)	(341,307,250)	(261,641,054)	(274,973,296)	(280,967,178)	(290,126,523)
Total Taxable Assessed Value ⁽¹⁾	\$ 747,922,472	\$ 865,092,228	\$ 1,154,564,959	\$ 1,156,108,936	\$ 1,119,175,950	\$ 1,167,197,642	\$ 1,364,595,702	\$ 1,468,347,870	\$ 1,530,249,239	\$ 1,667,217,974
Total Direct Tax Rate	0.251455	0.251455	0.251455	0.251455	0.251455	0.341455	0.341455	0.341455	0.341455	0.341455

Source: Harris County Certified / Uncertified Tax Roll.

(1) Property is assessed at actual value; therefore, the assessed values are equal to actual value.
Tax rates are per \$100 of assessed value.

Table 7
City of Tomball
Property Tax Rates –
Direct and Overlapping Governments
Last Ten Years
(unaudited)

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
City of Tomball by fund										
General	\$ 0.106468	\$ 0.101455	\$ 0.131455	\$ 0.121455	\$ 0.111455	\$ 0.111455	\$ 0.111455	\$ 0.111455	\$ 0.111455	\$ 0.111455
Debt service	0.144987	0.150000	0.120000	0.130000	0.140000	0.230000	0.230000	0.230000	0.230000	0.230000
Total Direct Rates	<u>0.251455</u>	<u>0.251455</u>	<u>0.251455</u>	<u>0.251455</u>	<u>0.251455</u>	<u>0.341455</u>	<u>0.341455</u>	<u>0.341455</u>	<u>0.341455</u>	<u>0.341455</u>
Tomball Independent School District	1.580000	1.275000	1.360000	1.360000	1.360000	1.360000	1.360000	1.360000	1.360000	1.340000
Harris County	0.402390	0.392390	0.389230	0.392240	0.388050	0.391170	0.400210	0.414550	0.417310	0.419230
Harris County Flood Control District	0.032410	0.031060	0.030860	0.029220	0.029230	0.028090	0.028090	0.028270	0.027360	0.027330
Port of Houston Authority	0.013020	0.014370	0.017730	0.016360	0.020540	0.185600	0.019520	0.017160	0.015310	0.013420
Harris County Hospital District	0.192160	0.192160	0.192160	0.192160	0.192160	0.192160	0.182160	0.170000	0.170000	0.170000
Harris County Dept. of Education	0.006290	0.005853	0.005840	0.006050	0.006581	0.006581	0.006617	0.006358	0.005999	0.005422
Lone Star College System District	0.114400	0.114400	0.110100	0.110100	0.117600	0.121000	0.119800	0.116000	0.108100	0.107900
Emergency Service District #8	0.030000	0.030000	0.050000	0.050000	0.050000	0.050000	0.050000	0.050000	0.100000	0.100000
Total Direct and Overlapping Rates ⁽¹⁾	<u>\$ 2.622125</u>	<u>\$ 2.306688</u>	<u>\$ 2.407375</u>	<u>\$ 2.407585</u>	<u>\$ 2.415616</u>	<u>\$ 2.676056</u>	<u>\$ 2.507852</u>	<u>\$ 2.503793</u>	<u>\$ 2.545534</u>	<u>\$ 2.524757</u>

Tax rates per \$100 of assessed valuation
Source: Harris County Appraisal District

(1) Overlapping rates are those of local and county governments that apply within the City of Tomball.

Table 8
City of Tomball
Principal Property Taxpayers
Current Year and Nine Years Ago
(unaudited)

Property Tax Payer	2016			2007		
	Taxable Assessed Value	Rank	% of Taxable Assessed Value	Taxable Assessed Value	Rank	% of Taxable Assessed Value
Tomball Texas Hospital	\$ 150,344,245	1	9.02%	\$ -	n/a	
Baker Hughes	108,257,438	2	6.49%	-	n/a	
B J Services	47,040,050	3	2.82%	182,840,559	1	24.45%
Weingarten Investments Inc.	31,141,424	4	1.87%	12,887,614	7	1.72%
CenterPoint Energy	17,845,690	5	1.07%	14,783,169	5	1.98%
Wal-Mart	17,698,903	6	1.06%	20,315,713	2	2.72%
Texas Tomball Hospital Company LLC	16,751,419	7	1.00%	-	n/a	
MPT Tomball LP	16,427,416	8	0.99%	-	n/a	
MB Tomball Town Center	16,314,164	9	0.98%	-	n/a	
CFH Tomball Partners LP	16,000,000	10	0.96%	-	n/a	
MSR TX Tomball LP	-	n/a		18,955,529	3	2.53%
Lowe's	-	n/a		15,103,772	4	2.02%
HEB Grocery Co. LP	-	n/a		13,328,160	6	1.78%
NNN Park at Spring Creek LLC	-	n/a		12,655,681	8	1.69%
Target Corporation	-	n/a		11,776,723	9	1.57%
A S 62 HWY 249 & FM 2920	-	n/a		11,481,912	10	1.54%
Subtotal	\$ 437,820,749		26.26%	\$ 314,128,832		42.00%
Other Taxpayers	1,229,397,225		73.74%	433,793,640		58.00%
Total	<u>\$ 1,667,217,974</u>		<u>100.00%</u>	<u>\$ 747,922,472</u>		<u>100.00%</u>

Source: Harris County Tax Assessor-Collector's records.

Table 9
City of Tomball
Property Tax Levies and Collections
Last Ten Years
(unaudited)

<u>Fiscal Year</u>	<u>Total Tax Levy for Fiscal Year</u>	<u>Collected within the fiscal year of the Levy</u>		<u>Collections in Subsequent Periods</u>	<u>Total Collections to date</u>	
		<u>Amount</u>	<u>Percent of Levy</u>		<u>Amount</u>	<u>Percent of Levy</u>
2007	\$ 2,129,805	\$ 1,904,220	89%	\$ 217,057	\$ 2,121,277	100%
2008	2,516,923	2,469,639	98%	37,916	2,507,555	100%
2009	2,904,036	2,843,461	98%	40,156	2,883,617	99%
2010	2,910,884	2,861,107	98%	35,250	2,896,357	100%
2011	2,816,011	2,776,954	99%	31,579	2,808,533	100%
2012	3,985,846	3,943,188	99%	24,551	3,967,739	100%
2013	4,652,033	4,633,156	100%	8,258	4,641,414	100%
2014	4,985,727	4,967,598	100%	9,785	4,977,383	100%
2015	5,190,709	5,168,570	100%	14,570	5,183,140	100%
2016	5,698,316	5,591,963	98%	-	5,591,963	98%

Table 10
City of Tomball
Sales Tax Revenue by Industry
Current Year and Nine Years Ago
(unaudited)
(Dollars are in thousands)

Sales Tax Remitter	Calendar Year 2016				Calendar Year 2007			
	Number of Outlets	Percentage of Total	Tax Liability	Percentage of Total	Number of Outlets	Percentage of Total	Tax Liability	Percentage of Total
Retail Trade	1,716	27.84%	\$ 6,647	46.34%	1,295	27.43%	\$ 3,927	39.49%
Services	1,183	19.19%	2,245	15.65%	1,040	22.03%	1,264	12.71%
Wholesale Trade	981	15.91%	682	4.75%	633	13.41%	637	6.41%
Utilities, Transportation, Communications	234	3.80%	1,067	7.44%	134	2.84%	285	2.87%
Manufacturing	715	11.60%	548	3.82%	389	8.24%	216	2.17%
Construction	364	5.91%	365	2.54%	236	5.00%	259	2.60%
Finance, Insurance, Real Estate	241	3.91%	404	2.82%	185	3.92%	205	2.06%
Mining, Quarrying, and Oil and Gas Extraction	10	0.16%	23	0.16%	39	0.83%	165	1.66%
All other outlets	720	11.68%	2,363	16.47%	770	16.31%	2,987	30.04%
Total	6,164	100.00%	\$ 14,344	100.00%	4,721	100.00%	\$ 9,945	100.00%

Source: Texas State Comptroller of Public Accounts

Notes: Due to confidentiality issues, the names of the ten largest revenue payers are not available. The categories presented are intended to provide alternative information regarding the sources of the City's revenue.

Tax liability information is not available on a fiscal-year basis.

Table 11
City of Tomball
Ratios of Outstanding Debt by Type
Last Ten Years
(unaudited)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
PRIMARY GOVERNMENT										
Governmental Activities:										
General Obligation Bonds	\$ -	\$ -	\$ -	\$ 2,120,000	\$ 5,767,500	\$ 5,501,750	\$ 10,985,250	\$ 9,710,500	\$ 8,437,500	\$ 7,165,750
Certificates of Obligation	17,774,000	16,688,500	15,578,000	12,377,500	7,516,500	21,151,000	22,435,000	21,565,000	20,640,000	19,695,000
Premiums	-	-	-	-	255,065	332,990	492,862	449,806	406,750	363,694
Other debt items	-	-	-	-	(376,266)	(338,639)	(453,956)	-	-	-
Capital leases	290,793	218,540	-	-	-	664,193	601,044	535,464	800,000	731,142
Subtotal	\$ 18,064,793	\$ 16,907,040	\$ 15,578,000	\$ 14,497,500	\$ 13,162,799	\$ 27,311,294	\$ 34,060,200	\$ 32,260,770	\$ 30,284,250	\$ 27,955,586
Business-Type Activities:										
General Obligation Bonds	\$ -	\$ -	\$ -	\$ -	\$ 4,757,500	\$ 4,738,250	\$ 5,304,750	\$ 4,669,500	\$ 4,042,500	\$ 3,429,250
Certificates of Obligation	8,976,000	8,376,500	7,777,000	7,177,500	1,798,500	1,199,000	-	-	-	-
Premiums	-	-	-	-	129,540	105,987	94,211	82,435	70,659	58,883
Revenue bonds	5,175,000	4,830,000	4,470,000	4,100,000	3,715,000	3,315,000	2,900,000	2,465,000	-	-
Subtotal	\$ 14,151,000	\$ 13,206,500	\$ 12,247,000	\$ 11,277,500	\$ 10,400,540	\$ 9,358,237	\$ 8,298,961	\$ 7,216,935	\$ 4,113,159	\$ 3,488,133
TOTAL PRIMARY GOVERNMENT	\$ 32,215,793	\$ 30,113,540	\$ 27,825,000	\$ 25,775,000	\$ 23,563,339	\$ 36,669,531	\$ 42,359,161	\$ 39,477,705	\$ 34,397,409	\$ 31,443,719
PERSONAL INCOME	\$ 282,486,000	\$ 276,767,062	\$ 285,081,600	\$ 290,186,220	\$ 273,663,850	\$ 315,207,090	\$ 315,207,090	\$ 463,247,856	\$ 475,348,930	\$ 508,752,440
DEBT AS A PERCENTAGE OF PERSONAL INCOME	11.404%	10.880%	9.760%	8.882%	8.610%	11.633%	13.439%	8.522%	7.236%	6.181%
POPULATION	11,500	11,531	11,600	11,670	10,753	10,979	10,979	11,124	11,299	11,540
DEBT PER CAPITA	\$ 2,801	\$ 2,612	\$ 2,399	\$ 2,209	\$ 2,191	\$ 3,340	\$ 3,858	\$ 3,549	\$ 3,044	\$ 2,725

Note: Details regarding the City's outstanding debt can be found in the notes to the financial statements.

Table 12
City of Tomball
Ratios of Net General Bonded Debt to Assessed Value,
Net General Bonded Debt Per Capita, and Assessed and
Estimated Actual Value of Taxable Property
Last Ten Years
(unaudited)

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
NET TAXABLE ASSESSED VALUE										
All property	\$ 981,484,973	\$ 1,078,151,768	\$ 1,154,564,959	\$ 1,156,108,936	\$ 1,008,153,110	\$ 1,167,197,642	\$ 1,364,595,702	\$ 1,468,347,870	\$ 1,530,249,239	\$ 1,667,217,974
NET BONDED DEBT										
Gross bonded debt	\$ 26,750,000	\$ 25,065,000	\$ 23,355,000	\$ 21,675,000	\$ 19,848,339	\$ 32,690,338	\$ 38,858,117	\$ 36,477,241	\$ 33,597,409	\$ 30,712,577
Less debt service funds	-	-	-	-	-	-	-	-	-	-
Net Bonded Debt	<u>\$ 26,750,000</u>	<u>\$ 25,065,000</u>	<u>\$ 23,355,000</u>	<u>\$ 21,675,000</u>	<u>\$ 19,848,339</u>	<u>\$ 32,690,338</u>	<u>\$ 38,858,117</u>	<u>\$ 36,477,241</u>	<u>\$ 33,597,409</u>	<u>\$ 30,712,577</u>
RATIO OF NET BONDED DEBT TO ASSESSED VALUE	2.73%	2.32%	2.02%	1.87%	1.97%	2.80%	2.85%	2.48%	2.20%	1.84%
POPULATION	11,500	11,531	11,600	11,670	10,753	10,979	10,979	11,124	11,299	11,540
NET BONDED DEBT PER CAPITA	\$ 2,326	\$ 2,174	\$ 2,013	\$ 1,857	\$ 1,846	\$ 2,978	\$ 3,539	\$ 3,279	\$ 2,973	\$ 2,661

Table 13
City of Tomball
Direct and Overlapping Governmental
Activities Debt
September 30, 2016
(unaudited)

Governmental Unit	Net Bonded Debt Outstanding	Estimated Percentage Applicable ⁽¹⁾	Estimated Share of Overlapping Debt
Debt repaid with property taxes			
Tomball ISD	\$ 374,810,000	22.280%	\$ 83,507,668
Harris County	2,421,235,464	0.390%	9,442,818
Harris Co. Flood Control District	83,075,000	0.390%	323,993
Harris Co. Hospital District	62,815,000	0.390%	244,979
Port of Houston Authority	674,269,397	0.390%	2,629,651
Harris County Dept of Education	7,000,000	0.390%	27,300
Lone Star College System	526,080,000	1.120%	5,892,096
Subtotal, overlapping debt			102,068,504
City direct debt		100.000%	27,955,586
Total direct and overlapping debt			<u><u>\$ 130,024,090</u></u>

Source: First Southwest Company / Texas Municipal Reports

Notes:

- (1) Estimated Percentage Applicable developed from information obtained from the Municipal Advisory Council of Texas.

Table 14
City of Tomball
Legal Debt Margin Information
Last Ten Years
(unaudited)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Debt limit	\$ 98,148,497	\$ 107,815,177	\$ 115,456,496	\$ 115,610,894	\$ 100,815,311	\$ 116,719,764	\$ 136,459,570	\$ 146,834,787	\$ 153,024,924	\$ 166,721,797
Total net debt applicable to limit	17,774,000	16,688,500	15,578,000	14,497,500	13,284,000	26,652,750	33,420,250	31,275,500	29,077,500	26,860,750
Legal debt margin	<u>\$ 80,374,497</u>	<u>\$ 91,126,677</u>	<u>\$ 99,878,496</u>	<u>\$ 101,113,394</u>	<u>\$ 87,531,311</u>	<u>\$ 90,067,014</u>	<u>\$ 103,039,320</u>	<u>\$ 115,559,287</u>	<u>\$ 123,947,424</u>	<u>\$ 139,861,047</u>
Total net debt applicable to the limit as a percentage of debt limit	18.11%	15.48%	13.49%	12.54%	13.18%	22.83%	24.49%	21.30%	19.00%	16.11%

Legal Debt Margin Calculation for Fiscal Year 2016

Assessed value	\$ 1,667,217,974	
Debt limit (10% of assessed value)	166,721,797	(1)
Debt applicable to limit		
General obligation bonds	26,860,750	
Less amount set aside for repayment of general obligation debt		
Total net debt applicable to limit	<u>26,860,750</u>	
Legal debt margin	<u>\$ 139,861,047</u>	

Note: The City's Home Rule Charter (1987; 1995; 2014), does not limit bonded debt.

(1) According to the City Charter, the City has no legal debt limit

Table 15
City of Tomball
Pledged-Revenue Coverage
Last Ten Years
(unaudited)

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Gross revenues	\$ 9,450,511	\$ 9,987,545	\$ 12,327,602	\$ 11,493,769	\$ 12,488,750	\$ 11,012,281	\$ 11,831,041	\$ 12,060,478	\$ 11,650,417	\$ 11,371,959
Operating expenses ⁽¹⁾	<u>\$ 6,238,127</u>	<u>\$ 7,039,498</u>	<u>\$ 6,593,348</u>	<u>\$ 6,338,235</u>	<u>\$ 6,165,226</u>	<u>\$ 5,968,026</u>	<u>\$ 6,366,426</u>	<u>\$ 6,766,405</u>	<u>\$ 6,989,458</u>	<u>\$ 6,917,814</u>
Net revenues available for Debt Service	<u>\$ 3,212,384</u>	<u>\$ 2,948,047</u>	<u>\$ 5,734,254</u>	<u>\$ 5,155,534</u>	<u>\$ 6,323,524</u>	<u>\$ 5,044,255</u>	<u>\$ 5,464,615</u>	<u>\$ 5,294,073</u>	<u>\$ 4,660,959</u>	<u>\$ 4,454,145</u>
DEBT SERVICE REQUIREMENTS ⁽²⁾										
Principal & Interest	<u>\$ 541,047</u>	<u>\$ 541,575</u>	<u>\$ 538,595</u>	<u>\$ 542,505</u>	<u>\$ 560,591</u>	<u>\$ 563,815</u>	<u>\$ 568,174</u>	<u>\$ 573,536</u>	<u>\$ -</u>	<u>\$ -</u>
Total	<u>\$ 541,047</u>	<u>\$ 541,575</u>	<u>\$ 538,595</u>	<u>\$ 542,505</u>	<u>\$ 560,591</u>	<u>\$ 563,815</u>	<u>\$ 568,174</u>	<u>\$ 573,536</u>	<u>\$ -</u>	<u>\$ -</u>
Coverage	5.94	5.44	10.65	9.50	11.28	8.95	9.62	9.23	n/a	n/a

(1) Total operating expenses less depreciation

(2) Includes revenue bonds only. Revenue bonds were paid off during fiscal year 2015.

Table 16
City of Tomball
Demographic and Economic Statistics
Last Ten Years
(unaudited)

Fiscal Year Ended Sept 30	Population⁽¹⁾	Personal Income	Per Capita Personal Income⁽⁵⁾	Median Age ⁽²⁾	School Enrollment⁽³⁾	Unemployment Rate⁽⁴⁾
2007	11,500	\$ 282,486,000	\$ 24,564	35.6	9,358	4.30%
2008	11,531	276,767,062	24,002	36.8	9,311	5.10%
2009	11,600	285,081,600	24,576	36.8	9,691	8.40%
2010	11,670	290,186,220	24,866	36.8	10,229	8.70%
2011	10,753	273,663,850	25,450	36.0	10,633	8.50%
2012	10,979	315,207,090	28,710	36.9	11,132	7.50%
2013	10,979	315,207,090	28,710	39.8	12,362	6.20%
2014	11,124	463,247,856	41,644	35.6	12,461	4.90%
2015	11,299	475,348,930	42,070	37.2	13,270	4.40%
2016	11,540	508,752,440	44,086	37.3	14,077	5.70%

Data sources:

- (1) Estimated (2000 census adjusted for growth for fiscal years 2005-2010). Actual 2011 census population shown for fiscal year 2011. Fiscal year 2014-2016 adjusted for growth based on 2010 census American FactFinder.
- (2) Tomball Economic Development Corporation or American FactFinder
- (3) Tomball Independent School District
- (4) Texas Employment Commission, SMSA Houston-Sugar Land-Baytown Metropolitan Statistical Area or Houston-The Woodlands-Sugar Land MSA.
- (5) Tomball Economic Development Corporation or American FactFinder

Table 17
City of Tomball
Principal Employers
Current Year and Nine Years Ago
(unaudited)

Employer	2016			2007		
	Employees	Rank	Percentage of Total City Employment (1)	Employees	Rank	Percentage of Total City Employment (2)
Tomball ISD	2,006	1	23.29%	1,263	2	26.63%
Tomball Regional Medical Center	939	2	10.90%	1,700	1	35.85%
Lone Star College - Tomball	823	3	9.56%	745	3	15.71%
Baker Hughes (B J Services)	670	4	7.78%	600	4	12.65%
Wal-Mart	374	5	4.34%	400	5	8.44%
HEB	267	6	3.10%	215	6	4.53%
Lowes	190	7	2.21%	131	9	2.76%
City of Tomball	177	8	2.06%	168	7	3.54%
Kindred Hospital	160	9	1.86%	n/a	n/a	n/a
Kroger	130	10	1.51%	n/a	n/a	n/a
Target	113	11	1.31%	120	8	2.53%

Note: The residents of the City of Tomball are primarily employed outside of the City limits.

(1) Percentages are based on the labor force statistic from the 2010 census data (8,612).

(2) Percentages are based on the labor force statistic from the 2000 census data (4,742).

Sources:

Tomball Area Chamber of Commerce
Tomball Economic Development Corporation
Tomball Independent School District
Human Resource Department of Listed Companies

Table 18
City of Tomball
Full-time Equivalent City Government
Employees by Function/Program
Last Ten Years
(unaudited)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
General Fund:										
Administration	9.50	10.00	15.00	14.50	14.50	16.00	17.50	17.50	17.50	17.50
Permits & Inspection	6.00	6.00	5.00	5.00	5.00	5.00	5.00	5.00	4.00	6.00
Police Department	52.50	55.00	55.00	55.00	57.00	59.00	58.00	58.50	59.50	59.50
Municipal Court	4.00	5.00	5.00	5.00	5.50	4.50	4.50	4.50	4.50	4.50
Community Center	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Fire Department	12.00	14.00	14.00	14.00	16.00	18.00	18.00	18.50	27.50	27.50
Public Works Admin.	6.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	10.00	8.00
Garage	1.00	1.00	1.00	1.00	2.00	2.00	2.00	2.00	2.00	2.00
Parks	4.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20
Streets	7.20	7.20	8.20	8.20	8.20	8.20	7.20	7.20	7.20	8.20
General Fund Total	105.40	115.40	120.40	119.90	125.40	129.90	129.40	130.40	140.40	141.40
Enterprise Fund:										
Utility Administration	11.50	12.00	10.00	9.00	9.00	9.00	8.00	7.00	7.00	8.00
Water	7.20	8.20	6.20	7.20	7.20	7.20	7.20	8.20	8.20	8.20
Wastewater	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20
Gas	7.20	7.20	6.20	6.20	6.20	6.20	6.20	6.20	6.20	6.20
Enterprise Fund Total	36.10	37.60	32.60	32.60	32.60	32.60	31.60	31.60	31.60	32.60
Special Revenue Fund:	-	-	-	0.50	3.00	2.50	3.00	12.00	3.00	3.00
Special Revenue Fund Total	-	-	-	0.50	3.00	2.50	3.00	12.00	3.00	3.00
TOTAL CITY POSITIONS	141.50	153.00	153.00	153.00	161.00	165.00	164.00	174.00	175.00	177.00

NOTES:

Temporary and seasonal employees are hired during the summer months.
This count is not reflected above.
Police reserves are not included.
Fire Department volunteers are not included.

Table 19
City of Tomball
Operating Indicators by Function/Program
Last Ten Years
(unaudited)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Function/Program										
Police										
Arrests	1,812	1,840	1,625	2,049	2,012	1,475	2,394	1,650	1,252	883
Accident reports	609	499	440	330	334	392	378	453	514	577
Citations	7,602	12,445	10,820	14,694	12,798	13,329	11,330	10,181	7,251	6,746
Offense reports	2,174	2,398	2,050	1,705	1,915	2,153	2,008	2,224	1,462	1,092
Calls for service	8,558	8,299	7,688	7,348	6,774	7,399	7,069	7,524	7,938	7,747
Fire										
Emergency responses	1,028	1,241	1,056	1,341	1,364	1,523	1,768	2,749	2,002	1,671
Fire incidents	170	206	218	220	207	178	129	128	104	114
Average response time	5:40	5:34	4:38	5:15	5:54	6:40	4:50	5:13	5:18	6:52
Water										
New accounts	719	663	532	89	79	56	122	126	88	41
Source										
Water	719	663	532	89	79	56	122	126	88	41
Sewer	719	663	532	89	79	56	122	126	88	41
Average daily consumption (millions of gallons)										
	1,897	1,980	2,166	1,941	2,525	2,249	2,043	1,967	2,052	2,051
Number of million gallons of surface water pumped										
	-	-	-	-	-	-	-	-	-	-
Number of million gallons of well water pumped										
	692,163	722,788	790,409	708,565	923,261	822,215	759,817	718,069	750,434	748,615
Total consumption (millions of gallons)										
	692,363	722,788	790,409	708,565	923,261	822,215	759,817	718,069	750,434	748,615
Peak daily consumption (millions of gallons)										
	3,241	4,425	3,791	3,480	4,392	4,312	4,689	3,385	2,840	2,657
Sewer										
Average daily sewage treatment (millions of gallons)										
	1.636	1.422	1.428	1.362	1.174	1.555	1.347	1.478	1.576	1.92
Total consumption (millions of gallons)										
	597.140	519.030	520.176	497.166	429.608	567.754	491.660	539.470	575.240	700.800
Peak daily consumption (millions of gallons)										
	5.10	5.90	5.10	3.72	2.18	7.44	2.85	5.19	3.78	2.70

Source: Various City departments

Table 20
City of Tomball
Capital Assets Statistics by Function/Program
Last Ten Years
(unaudited)

	Fiscal Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Function/Program										
Police										
Stations	1	1	1	1	1	1	1	1	1	1
Patrol units	32	26	28	30	32	33	33	33	35	35
Fire stations	2	2	2	2	2	2	2	2	2	2
Other public works										
Streets (miles - centerlines)	72.00	72.60	73.00	56.20	56.20	58.20	50.60	50.60	50.60	50.60
Streetlights	648	648	648	650	654	664	689	720	720	720
Parks and recreation										
Parks	4	4	4	4	4	4	6	6	7	7
Parks acreage	24 acres	24 acres	24 acres	24 acres	24 acres	24 acres	39 acres	39 acres	52 acres	52 acres
Swimming pools	1	1	1	1	1	1	1	1	1	1
Baseball / softball diamonds	8	8	8	8	8	8	8	8	8	8
Tennis courts	4	4	4	4	4	4	4	4	4	4
Basketball courts	1	1	1	1	1	1	2	2	2	2
Water										
Water mains (miles)	88.00	89.00	91.29	91.59	91.79	91.49	92.29	92.69	92.69	94.49
Fire hydrants	831	831	869	874	878	883	950	955	955	974
Storage capacity (millions of gallons)	1.85	1.85	1.85	1.85	2.35	2.35	2.85	2.85	2.85	2.85
Sewer										
Sanitary sewers (miles)	56.00	56.17	58.60	58.86	59.44	60.13	60.25	60.25	60.25	61.85
Storm sewers (miles)	16.90	16.90	17.20	17.40	17.40	17.40	22.90	22.90	22.90	22.90
Open ditch / creek / canal drainage (miles)	52.00	53.00	53.40	53.70	54.00	54.00	54.00	54.00	54.00	54.00
Treatment capacity (millions of gallons)	3	3	3	3	3	3	3	3	3	3

Source: Various City departments
Streets (miles - centerlines) for 2009 and previous years included County.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Approve Resolution No. 2017-03R, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Dates, Times, and Places for Two Public Hearings at Which All Interested Parties Shall Have an Opportunity to be Heard; Providing for Publication of Notices of Such Public Hearings; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (12.1624 Acres, Being Tract 3A, Abstract 70, E. Smith Survey, Located at 11311 Holderrieth Road, Harris County, Tomball, Texas)

Background:

Due to a missed publication deadline, the public hearings set by Resolution No. 2017-03, must be rescheduled. Approval of Resolution No. 2017-03R will declare the City's intention to annex the above-referenced 12.1624 acres of property, located within the City's ETJ, and reschedule the required public hearings.

A copy of the revised annexation calendar is included for Council review.

Section 43.063 of the Local Government Code requires two public hearings on proposed annexations. The hearings must be conducted on or after the 40th day but before the 20th day before the date of the first reading of the ordinance (a 21-39 day timeframe). Due to publication date constraints and Council's meeting schedule, staff's recommendation is that the public hearings be held during the regular Council meeting on April 17, 2017 and at a *special Council meeting on April 24, 2017 at 5:30 p.m.*

If the recommended dates for the public hearings are acceptable, the first reading of the annexation ordinance will be adopted at the regular Council meeting on May 15, 2017 and the second reading of the ordinance will be adopted at a *special Council meeting on May 22, 2017 at 5:30 p.m.*

Origination:

Brad Tucker, 11311 Holderrieth Limited, L.P.

Recommendation:

Approve Resolution No. 2017-03R

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

City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
--	--	-------

ATTACHMENTS:

Resolution No. 2017-03R
Revised Annexation Calendar and Worksheet
Annexation Application
Legal Description/Metes and Bounds
Map

RESOLUTION NO. **2017-03R**

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF TOMBALL, TEXAS, TO INSTITUTE PROCEEDINGS TO ANNEX CERTAIN TERRITORY; DESCRIBING SUCH TERRITORY; SETTING THE DATES, TIMES, AND PLACES FOR TWO PUBLIC HEARINGS AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF NOTICES OF SUCH PUBLIC HEARINGS; AND DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED (11.130 ACRES OR 484,852 SQUARE FEET OF LAND, SITUATED IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70, HARRIS COUNTY, TEXAS, BEING OUT OF A CALLED 16.4724-ACRE TRACT CONVEYED TO 11311 HOLDERRIETH LIMITED, L.P. AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE (H.C.C.F.) NO. W840420, LOCATED AT 11311 HOLDERRIETH ROAD, HARRIS COUNTY, TOMBALL, TEXAS)

* * * * *

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

Section 1. The City Council of the City of Tomball hereby declares its intention to institute proceedings to annex to the City the territory described in Exhibit "A" attached hereto and made a part hereof by the passage of an ordinance of annexation extending the general corporate limits of the City of Tomball for all purposes to include such territory.

Section 2. The City Council of the City of Tomball hereby calls two public hearings at which all interested persons shall have the right and opportunity to appear and be heard upon such proposal to annex the territory described above. No suitable location is available for a public hearing to be held on the property proposed for annexation. The first public hearing shall be held in the City Council Chambers, 401 Market Street, City of Tomball, Texas, during a **Regular Council Meeting at 6:00 o'clock (6:00 p.m.) on April 17, 2017**. The second public hearing shall be held in the City Council Chambers, 401 Market Street, City of Tomball, Texas, during a **Special Council Meeting at 5:30 o'clock (5:30 p.m.), on April 24, 2017**. The annexation proceeding, of which

notice of intention to annex is given by this Resolution, shall be instituted not less than twenty (20) days nor more than forty (40) days subsequent to such public hearings.

Section 3. The City Secretary of the City of Tomball is hereby directed to cause notices of such public hearings to be given by publication in a newspaper having general circulation within the City of Tomball and within the territory proposed to be annexed, the publication of notice of each public hearing to be made at least once in such newspaper not more than twenty (20) days nor less than ten (10) days prior to the day of that public hearing.

Section 4. The City Engineer is hereby directed to cause to be prepared a service plan that provides for the extension of municipal services to the territory that is proposed to be annexed. The proposed service plan shall be made available for public inspection and shall be explained to the inhabitants of the territory at the public hearings called herein. Such service plan shall be prepared in accordance with the provisions of Chapter 43 of the TEXAS LOCAL GOVERNMENT CODE.

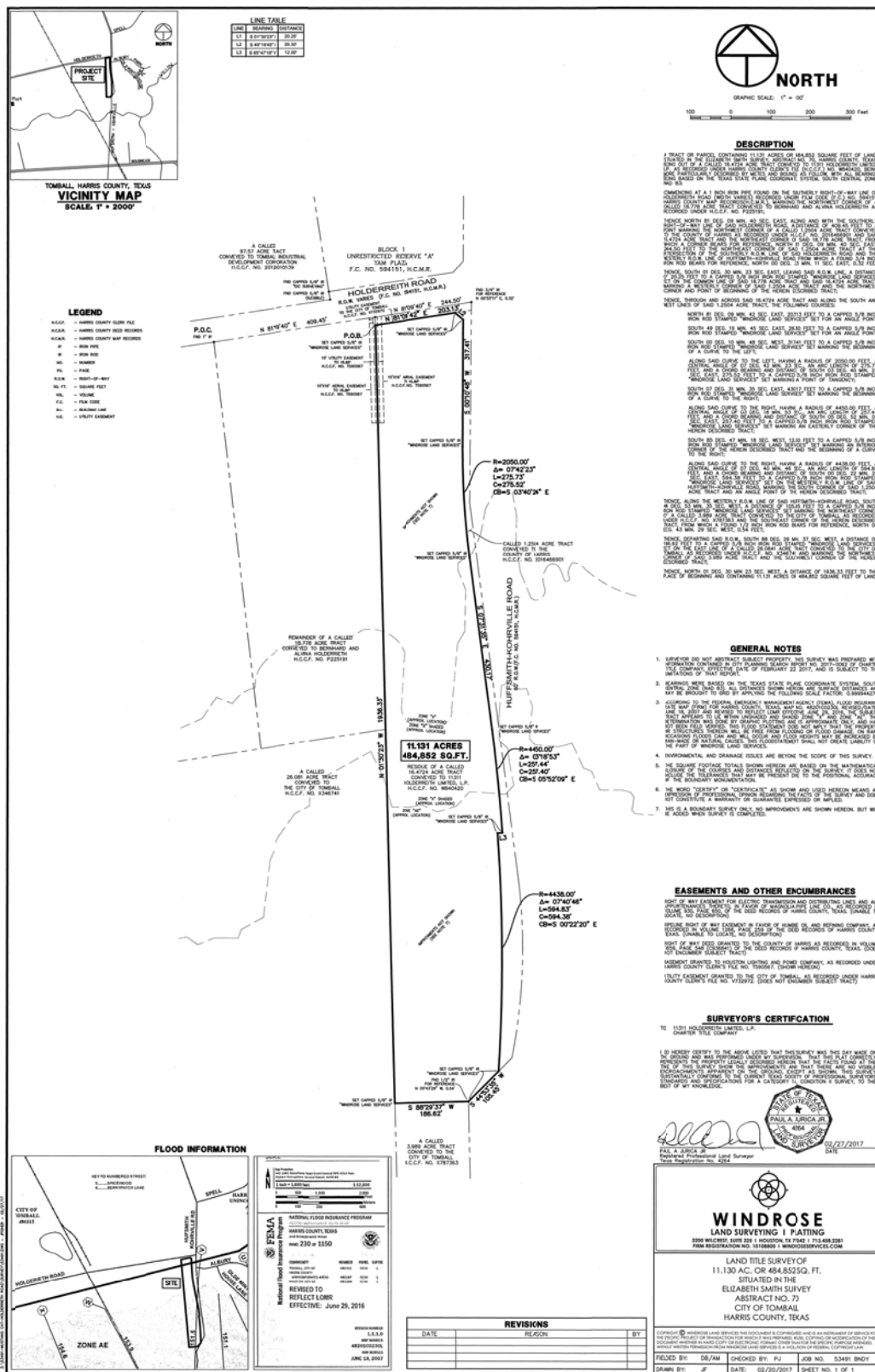
PASSED, APPROVED, AND RESOLVED this 3rd day of April 2017.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

Doris Speer, City Secretary
City of Tomball

Exhibit “A”



REVISED - PROPOSED ANNEXATION – 11311 HOLDERRIETH LIMITED, L.P. – TRACT 3A, ABSTRACT 70, E. SMITH SVY – MUSTANG CAT

Council approves annexation request by adopting Resolution on 4/3/17, setting 4/17 (Monday, 6 p.m.) and 4/24 (Monday, 5:30 p.m.) for public hearings.

Send to paper on 3/21 ~~3/31~~ to run on 3/29 4/5 (12 days' notice for 4/17 meeting) and 4/12 (12 days' notice for 4/24 meeting) – TWO Special Council meetings required on **April 24, 2017 and May 22, 2017 (5:30 p.m.), in order to meet Local Government Code deadlines.**

Publish Dates & Public Hearing Dates – Complete Annexation on 5/15/2017 5/22/2017	Publish Date	First Public Hearing at REGULAR Meeting	Publish Date	Second Public Hearing at SPECIAL Meeting	First Reading of Ordinance at REGULAR Meeting	Second Reading of Ordinance at SPECIAL Meeting
Council approves annexation on 3/20 and sets Public Hearings as 4/3 and 4/10				Special Mtg 5:30 p.m.		Special Mtg 5:30 p.m.
1 st public hearing to 1 st reading is 28 days total; 63 days to complete annexation from approval of ORIGINAL resolution	4/5/2017 3/29/2017 12 days' notice	4/10/2017	4/12/2017 4/5/2017 12 days' notice	4/24/2017 4/17/2017	5/15/2017 5/8/2017	5/22/2017 5/15/2017
	To paper 3/21 to run on 3/29 and 4/5		Reminder to paper 3/28 to run 4/5			
(47 days total from first publication notice to first reading)	(-47 days)	(35 days) to 1st reading		21 days to 1 st reading of ordinance	(Day 0)	(+7 days)

Publication date – more than 10 days' notice, less than 20 days' notice for public hearings [LGC, Sec. 43.063(c)] – **12 days' notice for each P.H.**

Public hearings – more than 20 days, less than 40 days between first public hearing and first reading of ordinance per LGC, Sec. 43.063(a)

NOTE: MUST have a minimum of **21 days** between the **second public hearing and the first reading of the ordinance**. – **21 days**

MUST have NO MORE than **40 days** between the first public hearing and the first reading of the ordinance.— **35 days**

(We will set public hearing dates between 21 and 39 days)

Annexation must be completed within 90 days, beginning to end (LGC, Sec. 43.064) – from 3/20 resolution to second reading of ordinance – **63 days**

City must give notice regarding intention to annex area 30 days before first public hearing to public and private entities – county, fire department, emergency services districts, utility companies [LGC, Sec. 43.062(b)] – **This requirement does not apply if we are annexing by petition.**

Resolutions No. 2017-03 will be on the 3/20/2017 agenda for Council approval, set public hearings and special meetings.

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.

11311 Holderrieth Limited, L.P.

Name of Owner(s) (Type or Print)

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.

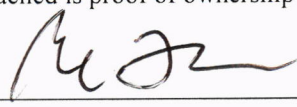
Tract 3A of Abstract 70 E. Smith, located at 11311 Holderrieth Road, Tomball, Texas 77375

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:

0410260020001

(Obtainable through the County Clerk's Office)

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


Full Legal Signature

Full Legal Signature

Brad Tucker
Name *(print)*

Name *(print)*

11311 Holderrieth Limited, L.P.
Company Name *(if applicable)* Company Name *(if applicable)*

12800 Northwest Freeway
Mailing Address *(print)*

Mailing Address *(print)*

Houston, Texas, 77040
City, State, Zip

City, State, Zip

713 460 2000
Phone Number

Phone Number

jyoung@mustangcat.com
E-mail Address *(print)*

E-mail Address *(print)*

June 7, 2016
Date

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: Jerry M. Young

Company Name: Mustang Machinery Company, Ltd.

Mailing Address: 12800 Northwest Freeway, Houston, Texas 77040

Phone Number: (713) 452-7775

E-mail Address: jyoung@mustangcat.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. 11311 Holderrieth, Tomball, Tx 77375
- b. _____
- c. _____
- d. _____
- e. _____
- f. _____
- g. _____
- h. _____
- i. _____
- j. _____
- k. _____

3. Nature of Existing Property:

Property Location: 11311 Holderrieth Number of Acres: 6.021

Existing Zoning: none

Is development in conformance with existing zoning districts?

Yes X No Don't know

Current Assessed Valuation of Land: \$629,501

Improvements: \$3,845,950

Total: \$4,475,451

 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.) _____
Structure _____
Exterior Site Improvements _____
Total Site Coverage _____

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.) **56,039**
Structure _____
Exterior Site Improvements _____
Total Site Coverage **56,039**

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: _____ acres of _____
X 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)

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

Size (Sq. Ft.) _____
Unit Value (\$/Sq. Ft.) _____
Total Estimated Value _____
Structure _____
Exterior Site Improvements _____
Total Site Coverage _____

e.) Institutional (anticipated)

x _____ 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 _____

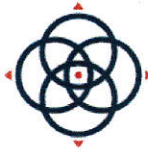
f.) Industrial (anticipated)

_____ 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	—	—	—	—	—	—	—	
Institutional	—	—	—	—	—	—	—	
Industrial	—	—	—	—	—	—	—	



WINDROSE

LAND SURVEYING | PLATTING

DESCRIPTION OF 11.130 ACRES OR 484,852 SQ. FT.

A TRACT OR PARCEL CONTAINING 11.130 ACRES OR 484,852 SQUARE FEET OF LAND, 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 (H.C.C.F.) NO. W840420, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW, WITH ALL BEARINGS BEING BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83:

COMMENCING AT A 1 INCH IRON PIPE FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HOLDERREITH ROAD (WIDTH VARIES) RECORDED UNDER FILM CODE (F.C.) NO. 594151, HARRIS COUNTY MAP RECORDS(H.C.M.R.), MARKING THE NORTHEAST CORNER OF A CALLED 18.778 ACRE TRACT CONVEYED TO BERNHARD AND ALVINA HOLDERREITH AS RECORDED UNDER H.C.C.F. NO. P225191;

THENCE NORTH 81 DEG. 09 MIN. 40 SEC. EAST, ALONG AND WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID HOLDERREITH ROAD, A DISTANCE OF 409.45 FEET TO A POINT MARKING THE NORTHWEST CORNER OF A CALLED 1.2504 ACRE TRACT CONVEYED TO THE COUNTY OF HARRIS AS RECORDED UNDER H.C.C.F. NO. 2016466901 AND SAID 16.4724 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 18.778 ACRE TRACT, FROM WHICH A CORNER BEARS FOR REFERENCE, NORTH 81 DEG. 09 MIN. 40 SEC. EAST, 244.50 FEET TO THE NORTHEAST CORNER OF SAID 1.2504 ACRE TRACT AT THE INTERSECTION OF THE SOUTHERLY R.O.W. LINE OF SAID HOLDERREITH ROAD AND THE WESTERLY R.O.W. LINE OF HUFFSMITH-KOHRVILLE ROAD, FROM WHICH A FOUND 3/4 INCH IRON ROD BEARS FOR REFERENCE, NORTH 00 DEG. 33 MIN. 11 SEC. EAST, 0.32 FEET;

THENCE, SOUTH 01 DEG. 30 MIN. 23 SEC. EAST, LEAVING SAID R.O.W. LINE, A DISTANCE OF 20.25 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE COMMON LINE OF SAID 18.778 ACRE TRACT AND SAID 16.4724 ACRE TRACT, MARKING A WESTERLY CORNER OF SAID 1.2504 ACRE TRACT AND THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE, THROUGH AND ACROSS SAID 16.4724 ACRE TRACT AND ALONG THE SOUTH AND WEST LINES OF SAID 1.2504 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 81 DEG. 09 MIN. 42 SEC. EAST, 203.13 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

SOUTH 49 DEG. 19 MIN. 45 SEC. EAST, 26.30 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

SOUTH 00 DEG. 10 MIN. 48 SEC. WEST, 317.41 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A CURVE TO THE LEFT;

ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2050.00 FEET, A CENTRAL ANGLE OF 07 DEG. 42 MIN. 23 SEC., AN ARC LENGTH OF 275.73 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03 DEG. 40 MIN. 24 SEC. EAST, 275.52 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;

SHEET 1 OF 2

SOUTH 07 DEG. 31 MIN. 35 SEC. EAST, 430.17 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A CURVE TO THE RIGHT;

ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4450.00 FEET, A CENTRAL ANGLE OF 03 DEG. 18 MIN. 53 SEC., AN ARC LENGTH OF 257.44 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 05 DEG. 52 MIN. 09 SEC. EAST, 257.40 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

SOUTH 85 DEG. 47 MIN. 18 SEC. WEST, 12.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT;

ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4438.00 FEET, A CENTRAL ANGLE OF 07 DEG. 40 MIN. 46 SEC., AN ARC LENGTH OF 594.83 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 00 DEG. 22 MIN. 20 SEC. EAST, 594.38 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE WESTERLY R.O.W. LINE OF SAID HUFFSMITH-KOHRVILLE ROAD, MARKING THE SOUTH CORNER OF SAID 1.2504 ACRE TRACT AND AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE WESTERLY R.O.W. LINE OF SAID HUFFSMITH-KOHRVILLE ROAD, SOUTH 44 DEG. 53 MIN. 35 SEC. WEST, A DISTANCE OF 105.45 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTHEAST CORNER OF A CALLED 3.989 ACRE TRACT CONVEYED TO THE CITY OF TOMBALL AS RECORDED UNDER H.C.C.F. NO. X787363 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS FOR REFERENCE, NORTH 00 DEG. 43 MIN. 29 SEC. WEST, 0.54 FEET;

THENCE, DEPARTING SAID R.O.W., SOUTH 88 DEG. 29 MIN. 37 SEC. WEST, A DISTANCE OF 186.62 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE EAST LINE OF A CALLED 26.0841 ACRE TRACT CONVEYED TO THE CITY OF TOMBALL AS RECORDED UNDER H.C.C.F. NO. X346741 AND MARKING THE NORTHWEST CORNER OF SAID 3.989 ACRE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 01 DEG. 30 MIN 23 SEC. WEST, A DISTANCE OF 1936.33 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.1307 ACRES OR 484,852 SQUARE FEET OF LAND AS SHOWN ON THE SURVEY, JOB NO. 53491 FILED IN THE OFFICES OF WINDROSE LAND SERVICES, INC.

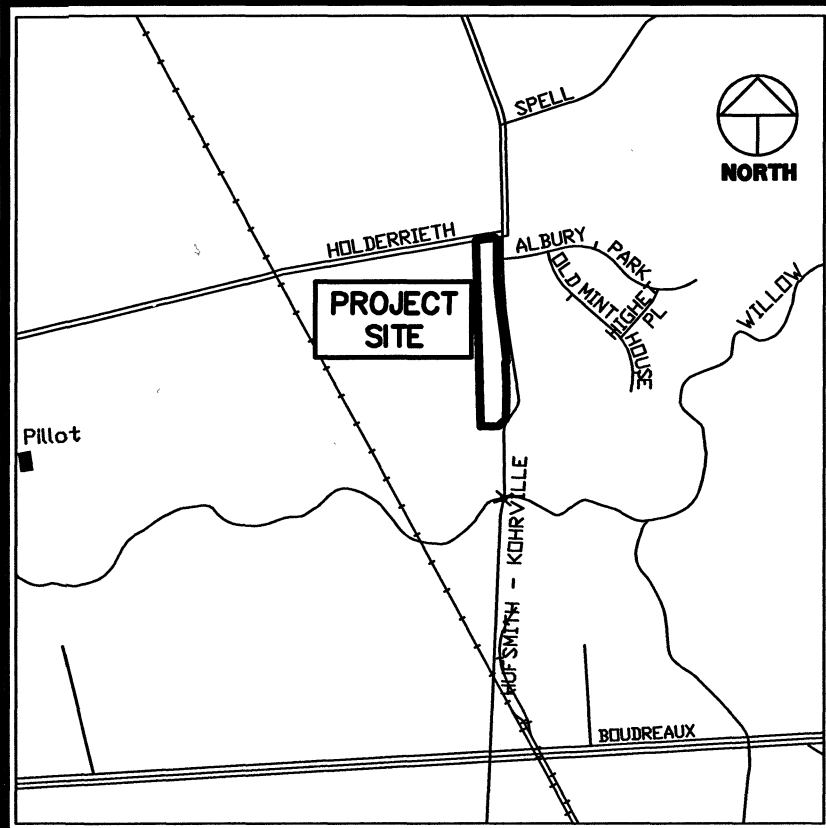


PAUL A. JURICA JR
R.P.L.S. NO. 4264
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



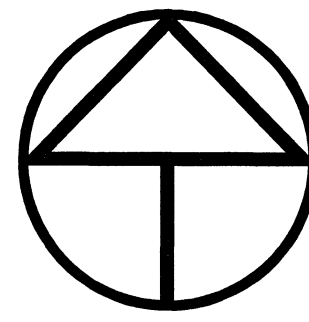
02/23/2017
DATE

SHEET 2 OF 2

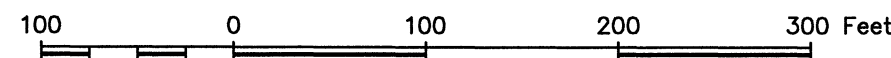


TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 01°30'23" E	20.25'
L2	S 49°19'45" E	26.30'
L3	S 85°47'18" W	12.00'



GRAPHIC SCALE: 1" = 100'



DESCRIPTION

A TRACT OR PARCEL CONTAINING 11.131 ACRES OR 484,852 SQUARE FEET OF LAND, 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 (H.C.C.F.) NO. W840420, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BEING BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83:

COMMENCING AT A 1 INCH IRON PIPE FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HOLDERREITH ROAD (WIDTH VARIES) RECORDED UNDER FILM CODE (F.C.) NO. 594151, HARRIS COUNTY MAP RECORDS (H.C.M.R.), MARKING THE NORTHWEST CORNER OF A CALLED 18.778 ACRE TRACT CONVEYED TO BERNHARD AND ALVINA HOLDERREITH AS RECORDED UNDER H.C.C.F. NO. P225191;

THENCE NORTH 81 DEG. 09 MIN. 40 SEC. EAST, ALONG AND WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID HOLDERREITH ROAD, A DISTANCE OF 409.45 FEET TO A POINT MARKING THE NORTHWEST CORNER OF A CALLED 1.2504 ACRE TRACT CONVEYED TO THE COUNTY OF HARRIS AS RECORDED UNDER H.C.C.F. NO. 2016466901 AND SAID 18.778 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 18.778 ACRE TRACT, FROM WHICH A CORNER BEARS FOR REFERENCE, NORTH 81 DEG. 09 MIN. 40 SEC. EAST, 244.50 FEET TO THE NORTHEAST CORNER OF SAID 1.2504 ACRE TRACT AT THE INTERSECTION OF THE SOUTHERLY R.O.W. LINE OF SAID HOLDERREITH ROAD AND THE WESTERLY R.O.W. LINE OF HUFFSMITH-KOHRVILLE ROAD, FROM WHICH A FOUND 3/2 INCH IRON ROD BEARS FOR REFERENCE, NORTH 00 DEG. 33 MIN. 11 SEC. EAST, 0.32 FEET;

THENCE, SOUTH 01 DEG. 30 MIN. 23 SEC. EAST, LEAVING SAID R.O.W. LINE, A DISTANCE OF 20.25 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE COMMON LINE OF SAID 18.778 ACRE TRACT AND SAID 18.778 ACRE TRACT, MARKING A WESTERLY CORNER OF SAID 1.2504 ACRE TRACT AND THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, THROUGH AND ACROSS SAID 18.778 ACRE TRACT AND ALONG THE SOUTH AND WEST LINES OF SAID 1.2504 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 81 DEG. 09 MIN. 42 SEC. EAST, 203.13 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

SOUTH 49 DEG. 19 MIN. 45 SEC. EAST, 26.30 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

SOUTH 00 DEG. 10 MIN. 48 SEC. WEST, 317.41 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A CURVE TO THE LEFT;

ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2050.00 FEET, A CENTRAL ANGLE OF 07 DEG. 42 MIN. 23 SEC. AN ARC LENGTH OF 275.73 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03 DEG. 40 MIN. 24 SEC. EAST, 275.52 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;

SOUTH 07 DEG. 31 MIN. 35 SEC. EAST, 430.17 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A CURVE TO THE RIGHT;

ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4450.00 FEET, A CENTRAL ANGLE OF 07 DEG. 42 MIN. 23 SEC. AN ARC LENGTH OF 275.73 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03 DEG. 40 MIN. 24 SEC. EAST, 275.52 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT;

SOUTH 85 DEG. 47 MIN. 18 SEC. WEST, 12.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT;

ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4438.00 FEET, A CENTRAL ANGLE OF 07 DEG. 40 MIN. 46 SEC. AN ARC LENGTH OF 594.83 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 00 DEG. 22 MIN. 20 SEC. EAST, 594.38 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE WESTERLY R.O.W. LINE OF SAID HUFFSMITH-KOHRVILLE ROAD, MARKING THE SOUTH CORNER OF SAID 1.2504 ACRE TRACT AND AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE WESTERLY R.O.W. LINE OF SAID HUFFSMITH-KOHRVILLE ROAD, SOUTH 44 DEG. 53 MIN. 35 SEC. WEST, A DISTANCE OF 105.45 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTHEAST CORNER OF A CALLED 3.989 ACRE TRACT CONVEYED TO THE CITY OF TOMBALL AS RECORDED UNDER H.C.C.F. NO. X787363 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS FOR REFERENCE, NORTH 00 DEG. 43 MIN. 29 SEC. WEST, 0.54 FEET;

THENCE, DEPARTING SAID R.O.W. SOUTH 88 DEG. 29 MIN. 37 SEC. WEST, A DISTANCE OF 186.62 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE EAST LINE OF A CALLED 26.081 ACRE TRACT CONVEYED TO THE CITY OF TOMBALL AS RECORDED UNDER H.C.C.F. NO. X346741 AND MARKING THE NORTHWEST CORNER OF SAID 3.989 ACRE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 01 DEG. 30 MIN. 23 SEC. WEST, A DISTANCE OF 1936.33 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.131 ACRES OR 484,852 SQUARE FEET OF LAND.

GENERAL NOTES

- SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN CITY PLANNING SEARCH REPORT NO. 2017-00072, PARTIAL TITLE COMPANY, EFFECTIVE DATE OF FEBRUARY 22, 2017, AND IS SUBJECT TO THE LIMITATIONS OF THAT REPORT.
- BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.99944272.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NO. 48201C0230L REVISED/DATED JUNE 18, 2007 AND REVISED TO REFLECT LOMR EFFECTIVE JUNE 29, 2016, THE SUBJECT TRACT APPEARS TO BE WITHIN UNSHADED AND SHADED ZONE "X" AND ZONE "AE". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
- ENVIRONMENTAL AND DRAINAGE ISSUES ARE BEYOND THE SCOPE OF THIS SURVEY.
- THE SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THE SURVEY. IT DOES NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
- THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EXPRESSED OR IMPLIED.
- THIS IS A BOUNDARY SURVEY ONLY. NO IMPROVEMENTS ARE SHOWN HEREON. BUT WILL BE ADDED WHEN SURVEY IS COMPLETED.

EASEMENTS AND OTHER ENCUMBRANCES

RIGHT OF WAY EASEMENT FOR ELECTRIC TRANSMISSION AND DISTRIBUTING LINES AND ALL APPURTENANCES THEREON, IN FAVOR OF MAGNOLIA FIRE LINE CO., AS RECORDED IN VOLUME 930, PAGE 650, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS. (UNABLE TO LOCATE, NO DESCRIPTION)

PIPELINE RIGHT OF WAY EASEMENT IN FAVOR OF HUMBLE OIL AND REFINING COMPANY, AS RECORDED IN VOLUME 1285, PAGE 259 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS. (UNABLE TO LOCATE, NO DESCRIPTION)

RIGHT OF WAY DEED GRANTED TO THE COUNTY OF HARRIS AS RECORDED IN VOLUME 7659, PAGE 548 (C936841) OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS. (DOES NOT ENCUMBER SUBJECT TRACT)

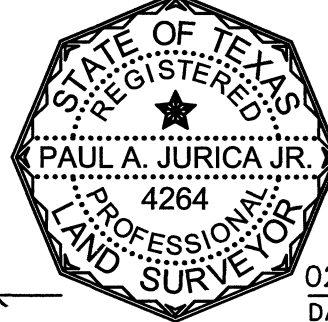
EASEMENT GRANTED TO HOUSTON LIGHTING AND POWER COMPANY, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. T590567 (SHOWN HEREON)

UTILITY EASEMENT GRANTED TO THE CITY OF TOMBALL, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. V732972 (DOES NOT ENCUMBER SUBJECT TRACT)

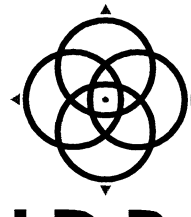
SURVEYOR'S CERTIFICATION

TO: 11311 HOLDERREITH LIMITED, L.P.
CHARTER TITLE COMPANY

I DO HEREBY CERTIFY TO THE ABOVE LISTED THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND AND WAS PERFORMED UNDER MY SUPERVISION. THAT THIS PLAT CORRECTLY REPRESENTS THE PROPERTY LEGALLY DESCRIBED HEREON, THAT THE FACTS FOUND AT THE TIME OF THIS SURVEY SHOW THE IMPROVEMENTS AND THAT THERE ARE NO VISIBLE ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN. THIS SURVEY SUBSTANTIALLY CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A CONDITION 1A SURVEY, TO THE BEST OF MY KNOWLEDGE.



PAUL A. JURICA, JR.
Registered Professional Land Surveyor
Texas Registration No. 4264



WINDROSE
LAND SURVEYING | PLATTING

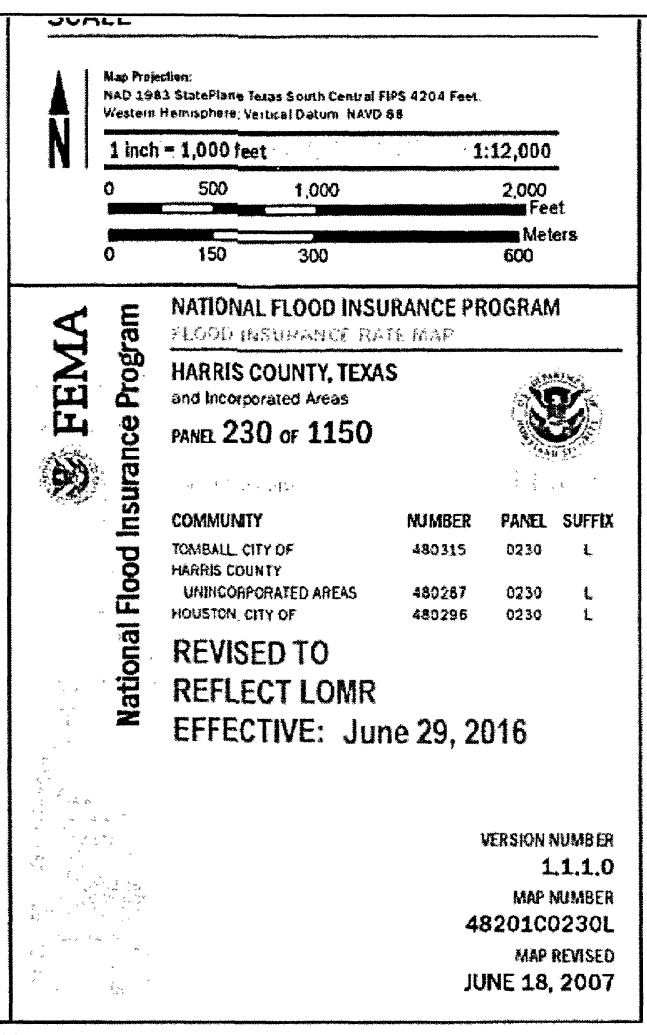
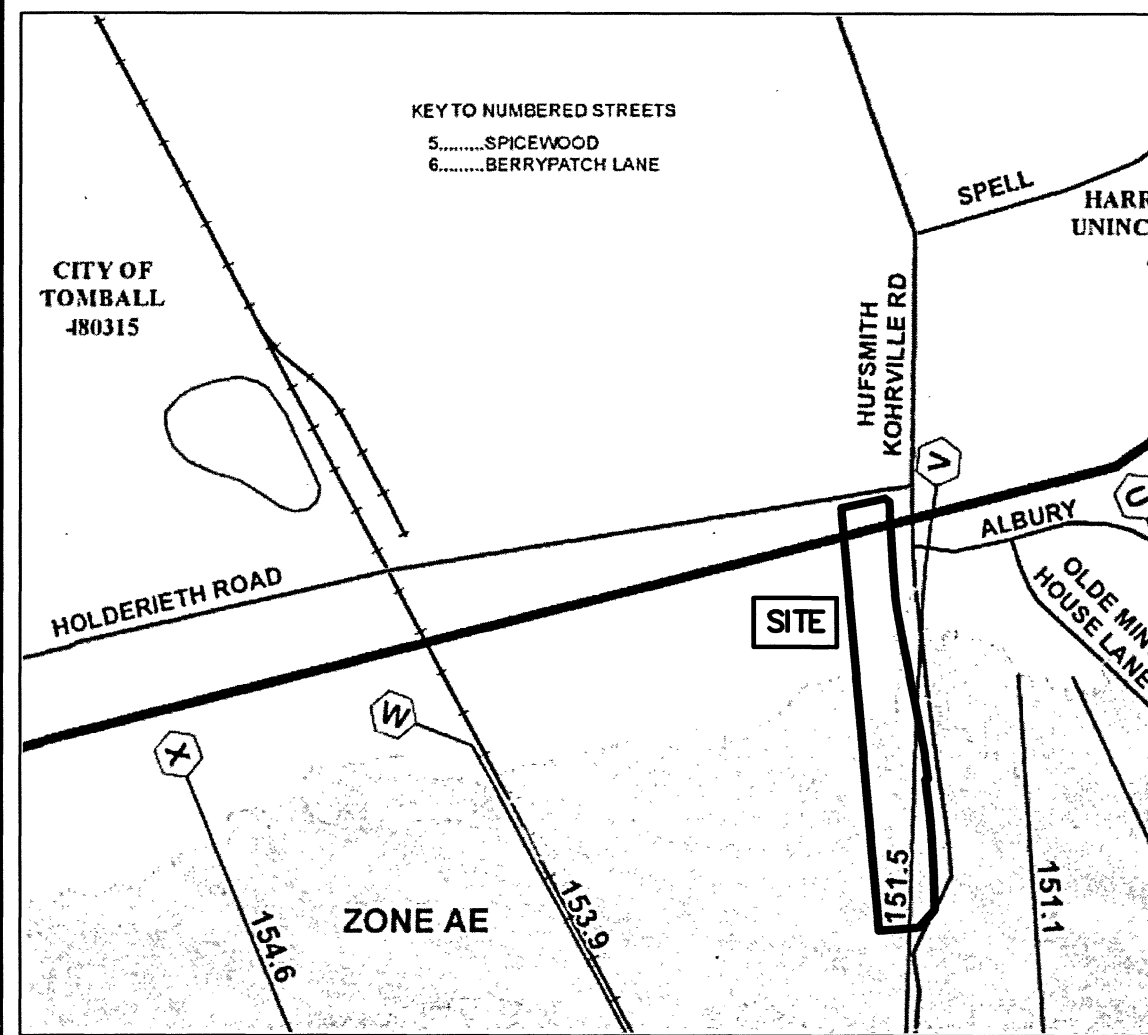
3200 WILCREST, SUITE 325 | HOUSTON, TX 77042 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

LAND TITLE SURVEY OF
11.130 AC. OR 484,852 SQ. FT.
SITUATED IN THE
ELIZABETH SMITH SURVEY
ABSTRACT NO. 70
CITY OF TOMBALL
HARRIS COUNTY, TEXAS

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FILED BY: DB/AM CHECKED BY: PJ JOB NO. 53491 BNDY
DRAWN BY: JF DATE: 02/20/2017 SHEET NO. 1 OF 1

FLOOD INFORMATION



REVISIONS		
DATE	REASON	BY

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Adopt, on First Reading, Ordinance No. 2017-08, 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 [Tract 1: 65.6190 Acres of Land in the William Perkins Survey, Abstract No. 621, the T. A. Duclos Survey, Abstract No. 1473, and in the C. W. Hall Survey, Abstract No. 1639, Harris County, Tomball, Texas; Located within the Extraterritorial Jurisdiction of the City of Tomball, Harris County, Texas] (Grand Parkway)

Background:

Ordinance No. 2017-08 annexes property located at the intersection of State Highway 249 and Grand Parkway, further bounded on the west by Rocky Road and on the south by Boudreaux Road, for the proposed development of approximately 65.6190 acres of land.

Request for annexation was made by NewQuest Properties. The only utility the City will provide the development is water; taps will be made on the existing 12" water main along Rocky Road to serve them.

The required public hearings were held on March 6 and March 13; the second reading of Ordinance No. 2017-08 will be on the April 17, 2017 agenda for Council consideration.

Origination:

NewQuest Properties

Recommendation:

Adopt Ordinance No. 2017-08 on First Reading

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

City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
--	--	-------

ATTACHMENTS:

Ordinance No. 2017-08

ORDINANCE NO. 2017-08

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 [TRACT 1: 65.6190 ACRES OF LAND IN THE WILLIAM PERKINS SURVEY, ABSTRACT NO. 621, THE T. A. DUCLOS SURVEY, ABSTRACT NO. 1473, AND IN THE C. W. HALL SURVEY, ABSTRACT NO. 1639, HARRIS COUNTY, TOMBALL, TEXAS; LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS].

* * * * *

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.

ORDINANCE NO. 2017-08
Annexation – 65.6190 Acres
Page 3

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 3RD DAY OF APRIL
2017.

COUNCILMAN HUDGENS	_____
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 17TH DAY OF APRIL
2017.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGS	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

GRETCHEN FAGAN, Mayor

ATTEST:

DORIS SPEER, City Secretary

EXHIBIT "A" – Page 1

Tract 1

***65.6190 acres of land in the William Perkins Survey, Abstract No. 621,
the T. A. Duclos Survey, Abstract No. 1473,
and in the C. W. Hall Survey, Abstract No. 1639, Harris County, Texas***

A FIELD NOTE DESCRIPTION of 65.6190 acres (2,858,363 square feet) of land in the Williams Perkins, Survey, Abstract No. 621, in the T. A. Duclos Survey, Abstract No. 1473, and in the C. W. Hall Survey, Abstract No. 1639, Harris County, Texas; said 65.6190 acre tract of land being several tracts of land conveyed to A-K Venture Capital, L.C., as recorded in Harris County Clerk's File Nos. P577137, 20150073274, 20150446291, 20150424692, 20150446503, 20150446572 and 20150085560; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

COMMENCING FOR REFERENCE at a 5/8-inch iron rod found at the intersection of the south right-of-way line of Boudreaux Estates Drive (previously called Boudreaux Road, 60 feet wide) with the east right-of-way line of Rocky Road (previously called Boudreaux Road, 60 feet wide) for the northwest corner of a 14.8700 acre tract of land conveyed to Greater Life Church, as recorded in Harris County Clerk's File No. P747894;

THENCE, South 02° 42' 23" East with the east right-of-way line of said Rocky Road, at a distance of 508.47 pass a point at the intersection of the east right-of-way line of said Rocky Road with the north right-of-way line of State Highway 99 (Grand Parkway, right-of-way width varies), as recorded in Harris County Clerk's File No. 20130635661 and continuing for a total distance of 1,125.13 feet to a TXDOT monument disk found at the intersection of the east right-of-way line of said Rocky Road with the south right-of-way line of said State Highway 99 for a northwest corner and the POINT OF BEGINNING of this tract;

THENCE, North 87° 08' 44" East - 3.45 feet with a south right-of-way line of said State Highway 99 to a TXDOT monument disk found for an interior corner of this tract;

THENCE, North 02° 28' 32" West - 66.98 feet with an east right-of-way line of said State Highway 99 to a TXDOT monument disk found for an angle point of this tract;

THENCE, North 42° 34' 59" East - 50.02 feet with the southeast right-of-way line of said State Highway 99 to a TXDOT monument disk found for an angle point of this tract;

THENCE, North 88° 01' 15" East - 1,169.62 feet with the south right-of-way line of said State Highway 99 to a TXDOT monument disk found for an angle point of this tract;

THENCE, South 73° 26' 35" East - 26.19 feet with the south right-of-way line of said State Highway 99 to a TXDOT monument disk found for an angle point of this tract;

THENCE, North 88° 01' 15" East - 30.30 feet with the south right-of-way line of said State Highway 99 to a TXDOT monument disk found for the beginning of a non-tangent curve to the right;

EXHIBIT "A" – Page 2

THENCE, in a southeasterly direction with the south right-of-way line of said State Highway 99 and with said non-tangent curve to the right having a radius of 1,030.79 feet, a central angle of 22° 58' 29", a length of 413.33 feet and a chord bearing South 60° 10' 38" East – 410.57 feet to a 5/8-inch iron rod found in the southwest right-of-way line of State Highway 249 (width varies) for the northeast corner of this tract;

THENCE, in a southeasterly direction with the southwest right-of-way line of said State Highway 249 and with a non-tangent curve to the right having a radius of 1,379.00 feet, a central angle of 01° 37' 30", a length of 39.11 feet and a chord bearing South 23° 20' 16" East – 39.11 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." found for the end of said curve;

THENCE, South 22° 44' 12" East – 154.41 feet with the southwest right-of-way line of said State Highway 249 to a TXDOT monument disk found for a point-of-curvature;

THENCE, in a southeasterly direction with the southwest right-of-way line of said State Highway 249 and with a curve to the left having a radius of 1,512.00 feet, a central angle of 12° 29' 50", a length of 329.80 feet and a chord bearing South 28° 59' 08" East – 329.14 feet to a TXDOT monument disk found for the end of said curve;

THENCE, South 35° 12' 22" East – 395.67 feet with the southwest right-of-way line of said State Highway 249 to a TXDOT monument disk found at the northeast end of a cutback at the intersection of the southwest right-of-way line of said State Highway 249 with the northwest right-of-way line of Boudreaux Road (100 feet wide), as recorded in Harris County Clerk's File No. D900150 for a southeast corner of this tract;

THENCE, South 08° 39' 54" West – 53.94 feet with said cutback to a TXDOT monument disk found at the southwest end of said cutback for a southeast corner of this tract;

THENCE, South 58° 19' 09" West – 791.84 feet with the northwest right-of-way line of said Boudreaux Road to a 5/8-inch iron rod found for the beginning of a non-tangent curve to the right;

THENCE, in a westerly direction with the north right-of-way line of said Boudreaux Road and with said non-tangent curve to the right having a radius of 2,750.00 feet, a central angle of 28° 57' 23", a length of 1,389.80 feet and a chord bearing South 72° 50' 56" West – 1,375.06 feet to a 5/8-inch iron rod found at the intersection of the north right-of-way line of said Boudreaux Road with the east right-of-way line of said Rocky Road for the southwest corner of this tract;

THENCE, North 02° 42' 23" West – 1,732.43 feet with the east right-of-way line of said Rocky Road to the POINT OF BEGINNING and containing 65.6190 acres (2,858,363 square feet) of land.

Note: This metes-and-bounds description was written in conjunction with a survey performed on even date.

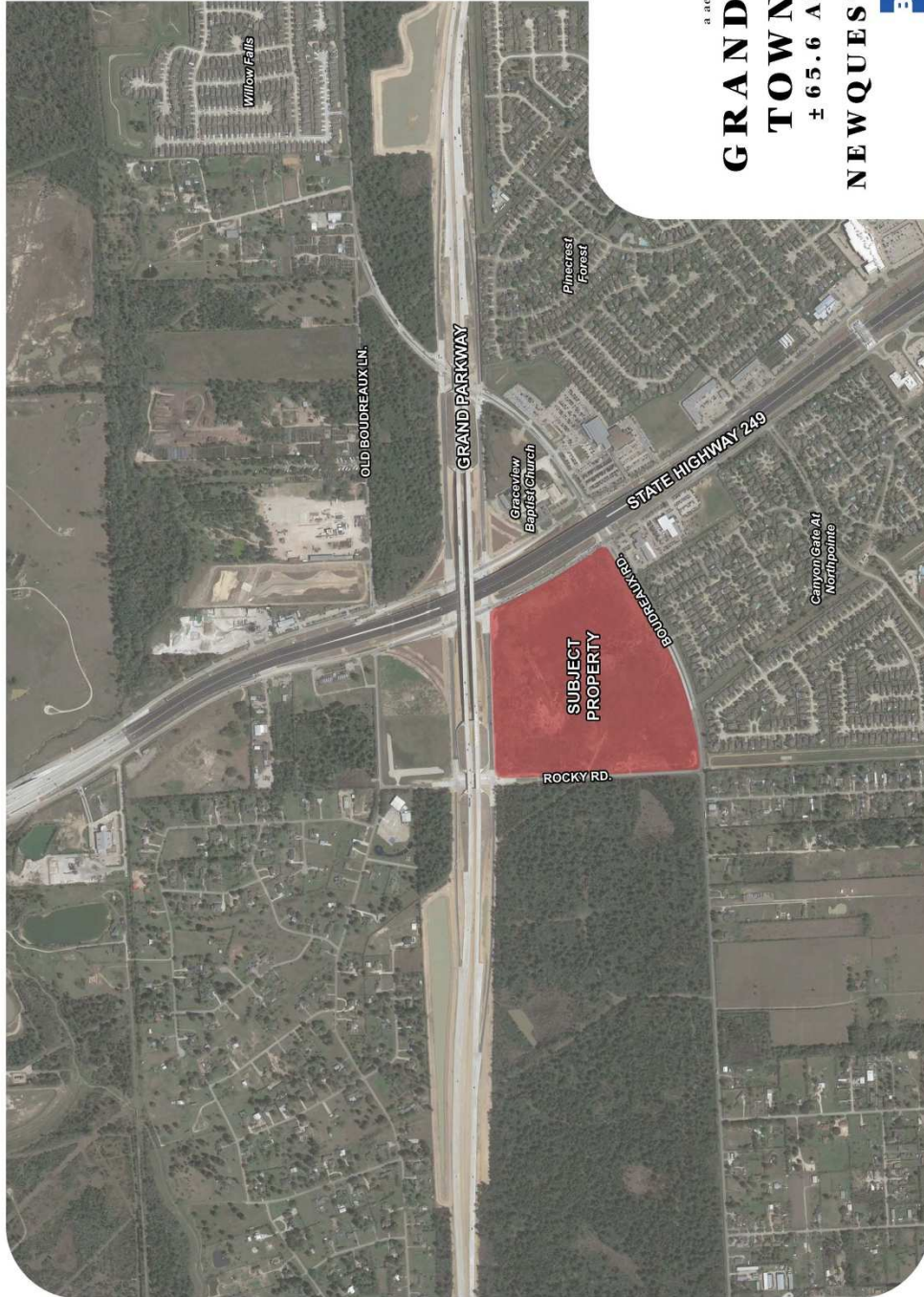
COMPILED BY:
TEXAS ENGINEERING AND MAPPING
Civil Engineers - Land Surveyors
Stafford, Texas
Firm Registration No. 10119000
Job No. 356-181
356-181_South_Tract_R1.doc




Brian Nesvadba
Registered Professional Land Surveyor
State of Texas No. 5776

BOE | KERRY R. GILBERT & ASSOCIATES

BOE | KERRY R. GILBERT & ASSOCIATES



OPTION A

a acre map exhibit for
**GRAND PARKWAY
 TOWN CENTER**
 ± 65.6 ACRES OF LAND
 prepared for
NEWQUEST PROPERTIES



Land Planning Consultants -
 23501 Cinco Ranch Blvd., Suite A-250
 Houston, Texas 77058
 Tel: 281-579-0240
 Fax: 281-579-0240
 7000 North Meigs, Suite 330
 Houston, Texas 77058
 Tel: 513-583-4611
 Tel: 513-583-4611
 MAY 19, 2018
 KGA # 1458
 NOT TO SCALE

EXHIBIT A

THIS DRAWING IS A PRELIMINARY REPRESENTATION FOR INFORMATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. ANYTHING SHOWN ON THIS DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR CONSTRUCTION OR CONVEYANCE PURPOSES. THIS DRAWING MAY BE MADE WITHOUT THE NEED FOR A PROFESSIONAL ENGINEER'S SEAL AND SIGNATURE. ANYTHING SHOWN ON THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION OR CONVEYANCE PURPOSES. ANYTHING SHOWN ON THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION OR CONVEYANCE PURPOSES. ANYTHING SHOWN ON THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION OR CONVEYANCE PURPOSES.

BOE | KERRY R. GILBERT & ASSOCIATES

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.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Approve Renewal of the Memorandum of Understanding (MOU) between the City and Lone Star College-Tomball for the Use of a Portion of LSC-T Parking Lot for an Emergency Supply Distribution Center during Emergency Disaster Incidents

Background:

Several years ago, the City and LSC-T created an agreement to allow the City to use a portion of the LSC-T parking lot to distribute water, ice and rations to people affected by a disaster level incident such as a hurricane. The agreement has reached its termination and both parties desire to renew and extend it as it has significant value to the community.

Origination:

FD/EM

Recommendation:

Staff recommends approval

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

Parr

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

MOU

MEMORANDUM OF UNDERSTANDING

THE STATE OF TEXAS §

§

COUNTY OF HARRIS §

This Memorandum of Understanding ("MOU") is made and entered into by and between the **City of Tomball** ("City"), a body corporate and politic under the laws of the State of Texas, and **Lone Star College-Tomball** ("LSC-Tomball"), a public community college located in Harris County and a college within the Lone Star College System ("College").

RECITALS:

City and LSC-Tomball recognize the vulnerability of the people located within City to a public emergency that may result from natural or man-made causes; and

During such public emergency, it may be necessary to dispense food, water, or supplies to large numbers of people in the area served by the Tomball Fire Department (TFD); and

Prior experience with mass distribution has shown that LSC-Tomball is well suited to this activity because: (1) its location is known to large numbers of individuals within the community; (2) it has large, hard-surfaced parking lots that may be used as assembly areas; (3) it is easily accessible via major roadways; and (4) it is well located in proximity to the community to be served; and

The Parties hereto desire to enter into a MOU to make premises available for mass distribution of food, water, or supplies to be administered by TFD at LSC-Tomball.

NOW, THEREFORE, City and LSC-Tomball, in consideration of the mutual covenants and agreements herein contained do mutually agree as follows:

TERMS:**I.****Public Emergency**

This MOU will go into effect only if:

- (1) The Mayor of Tomball, the Harris County Judge, or the Texas Department of Emergency Management ("TDEM") declares a public emergency involving the

Greater Tomball area, and that dispensing of food, water, or supplies is necessary as a control measure for a public emergency; and

- (2) In the sole discretion of LSC-Tomball:
 - a. The use of an area to be designated by LSC-Tomball is available; and
 - b. Classes at LSC-Tomball are not disrupted, or have been cancelled, and the activities hereunder will not delay the restart of normal operations or required debris management.

II.

Obligations of City

- (1) City will supply or arrange for all equipment, food, water, supplies, and personnel necessary to administer the distribution; and
- (2) City will supply or arrange for all equipment and personnel necessary for staffing, security, crowd control, and other tasks, except as provided herein and will coordinate such with designated LSC-Tomball personnel; and
- (3) City will be responsible for disposal of waste and clean-up at LSC-Tomball and for restoring the premises to its original state, as reasonably determined by LSC-Tomball, within a reasonable time following City's use for the emergency.
- (4) City will maintain its equipment and usage area in a clean and safe condition and free from any hazards, as determined by the College.

III.

Obligations of LSC-Tomball

- (1) Subject to availability, at the sole discretion of LSC-Tomball, LSC-Tomball will allow one or more parking lots to be designated by LSC-Tomball for use hereunder; and
- (2) The College shall be the final authority on use of the LSC-Tomball premises. Any disputes between LSC-Tomball and City or City and other emergency service providers regarding this use shall be resolved as determined by the College.

IV.

Term

This MOU is entered into upon the date last signed below. This MOU will remain in effect for one year and shall automatically renew for four (4) additional one-year terms unless terminated as provided herein or by mutual written agreements of the parties. This MOU may be canceled by either party by giving thirty (30)-days' notice to the other party. This

MOU may be terminated by LSC-Tomball immediately should City violate any of its obligations hereunder and fail to correct said violation within twenty-four (24) hours of receiving notice from LSC-Tomball.

**V.
Notice**

All notices and communications under this MOU must be mailed by certified mail, return-receipt requested, or delivered to the parties at the following addresses:

TO THE CITY: Tomball Fire Department
 1200 Rudel
 Tomball, Texas 77375
 Attention: Randall F. Parr, EFO, CFO, MIFireE
 RParr@tomballtx.gov

TO LSC-TOMBALL: Lone Star College-Tomball
 30555 Tomball Parkway
 Tomball, Texas 77375
 Attention: Dr. Lee Ann Nutt - President
 LeeAnn.Nutt@lonestar.edu

And

Lone Star College
20515 Tomball Parkway
Houston, Texas 77070
Attention: Dr. Denise Walker-Chief Emergency
 Management Officer
 Denise.C.Walker@lonestar.edu

These addresses may be changed upon giving prior written notice of the change.

**VI.
Governing Law**

This MOU shall be interpreted under the laws of the State of Texas and applicable federal law. Exclusive venue for any cause of action arising out of or in relation to this MOU shall be in Harris County, Texas.

IN WITNESS WHEREOF, this instrument has been executed on behalf of City by a duly authorized representative of City, and on behalf of Lone Star College-Tomball by a duly authorized representative of Lone Star College-Tomball.

ATTEST:
City Attorney

CITY OF TOMBALL

By: _____

By: _____

Gretchen Fagan
Mayor

Date Signed: _____

APPROVED AS TO FORM:
General Counsel

LONE STAR COLLEGE-TOMBALL

By: _____

By: _____

Lee Ann Nutt, Ed.D.
President, Lone Star College-Tomball

Date Signed: _____

LONE STAR COLLEGE

By: _____

Stephen C. Head, Ph.D.
Chancellor, Lone Star College

Date Signed: _____

Regular City Council
Agenda Item
Data Sheet

Meeting Date: April 3, 2017

Topic:

Discussion and Possible Action regarding Patio Homes and Zero Lot Line Development Regulations in Tomball

Background:

Origination:

City Council

Recommendation:

N/A

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

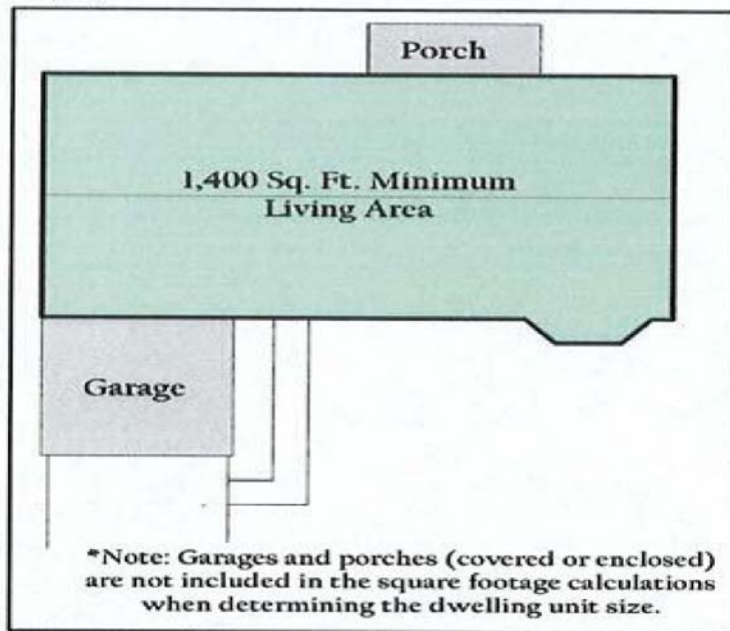
Section 50-80(d)

Patio Home Regulations-Comp Cities

Section 50-80(d): Area and height regulations for patio homes and zero lot line developments.

(1) Minimum acreage. The minimum acreage for a planned development request for a patio homes/zero lot line single-family residential dwelling unit complex shall be four acres.

Illustration 50-80-1: Floor area for the PD-PH District]

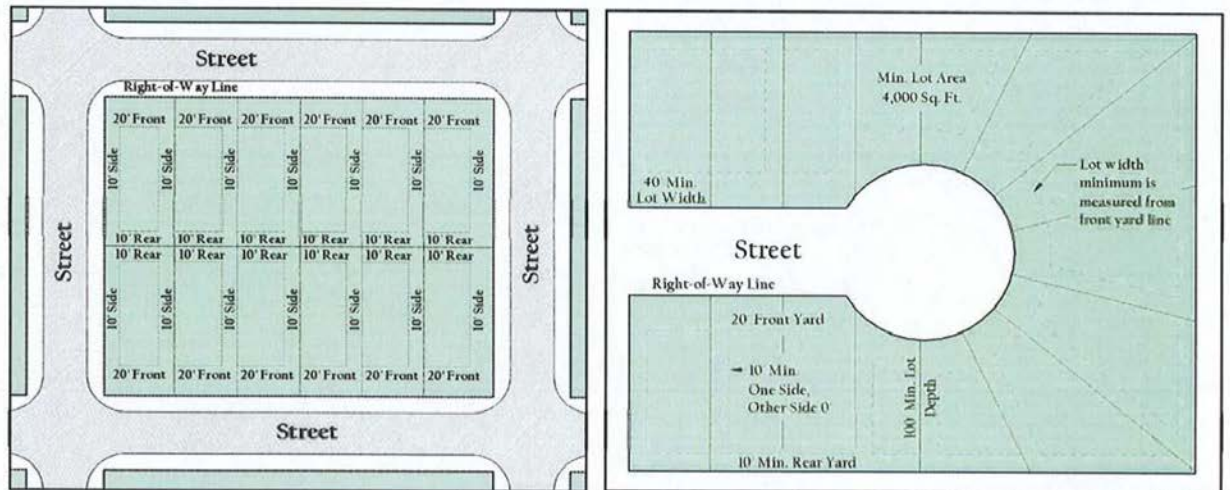


(2) Minimum regulations. Each PD Planned Development District shall establish regulations deemed necessary and appropriate for the development of the property within the district and the protection of neighboring properties. The following regulations are minimums, but are not limited to, and may be increased or otherwise modified for a particular development:

- a. Maximum density is ten dwelling units per acre with each having a minimum of 1,400 square feet of living area.
- b. Minimum lot requirements.
 - 1. Lot size: 4,000 square feet.
 - 2. Width: 40 feet.
 - 3. Depth: 100 feet.

c. Minimum required yards and building lines:

Illustration 50-80-2: Lot and yard regulations for the PD-Zero Lot Line District



1. Front is 20 feet, except that where a lot faces on an arterial street, the front building line shall not be less than 35 feet.
2. Side—Interior lots. The side building line, to include eaves and appurtenances, shall not be less than five feet. On zero lot line homes the side yards shall be a minimum of zero feet and ten feet respectively. (See Illustration 50-80-2.)
3. Side—Corner lots are 15 feet, except that where a lot sides on an arterial street, the building line shall not be less than 25 feet.
4. Rear—Generally are 15 feet, except where the rear property line abuts an alleyway, there shall be a minimum of 30 feet between the buildings abutting said alleyway, provided that if the alleyway is a 20-foot alleyway, then the minimum rear building line shall be not less than five feet, and if the alleyway is a 15-foot-wide alleyway, then the minimum rear building line shall be not less than 7.5 feet. Zero lot line developments shall be a minimum of ten feet. (See Illustration 50-80-1.)
5. Rear—Arterial street. The rear building line where a lot backs on an arterial street shall not be less than 25 feet

(3) Maximum lot coverage. Not more than 60 percent of a lot may be covered with buildings, driveways, sidewalks, or other impermeable material, unless approved otherwise at the time of the PD Planned Development District and/or site plan approval by the planning and zoning commission and the city council.

(4) Maximum height. Maximum height is two stories, or 25 feet in total height, including gables.

(5) Green space/recreational areas. A minimum of 30 percent of the gross platted area shall be open green space. The term "open green space" is defined as, and limited to common areas of open space or landscaping and community recreational areas that are irrigated and continuously maintained. The term "open green space" does not include

areas specifically designated or used as building sites for patio home or zero lot line units, building sites for utility or storage buildings, parking lots, garages, streets, or driveways within a patio home development. The actual surface areas of open green space, such as common area lawns and landscaping, community swimming pools and surrounding paved deck area, community tennis courts, community rooms, community saunas, and other common recreational areas, shall be considered in calculating the minimum requirement for open green space. Required buffer yards, except surfaced parking and driveways located within said buffer yards, if any, may be included in computing the minimum required area of open green space.

(6) Screening requirements. A fence, wall, or other similar screening device, of not less than six feet nor more than eight feet in height, shall be constructed and maintained along the two sides and the rear of each patio home development complex; provided, however, no such screening device shall be required adjacent to portions of the development which contain green space, lakes, or natural habitat for a distance of 50 feet or more from such perimeter boundary.

(7) Sidewalks. Sidewalks of concrete cement or other masonry construction shall be provided along all streets within a patio home development in accordance with applicable city standards and specifications.

(8) Visitor parking. In addition to the parking required in [section 50-112](#), the on and off street parking shall be analyzed to ensure that a minimum of one additional space per every two dwelling units is available for visitor parking.

Patio Home Requirements Comparison

City	Zoning District	Minimum Lot Area	Minimum Lot Depth	Minimum Lot Width	Maximum Lot Coverage	Minimum Dwelling Area	Front Setback	Rear Setback	Side Setback	Side Setback	Right-Of-Way Setback	Height Maximum	Roof Requirements	Other
Bastrop	Planned Development	5,000 square feet	90'	50'	50%	1,000 square feet	25'	12' (20' if parking)	1.5' maximum	8.5' (10' if 0' on opposite side)	15'	2.5 stories	No overhang, gutter, extension allowed over property line	5' easement adjacent to 0' side; no openings on 0' side; 10' between exterior walls; 2 parking spaces
Brenham	Mixed Residential	4,000 square feet	100'	40'	60%	Not specified	20'	15' (25' adjacent to major street)	0'	10'	15'	2.5 stories (40')	Not specified	12,000 square foot minimum for entire development; no openings on 0' side
Fredericksburg	Patio Home	4,500 square feet	85'	50'	55% (65% Impervious)	750 square feet	15' (20' for garage)	10'	0'	10'	15'	2 stories (28')	Not specified	Bed & Breakfast prohibited; no openings on 0' side
New Braunfels	Zero Lot Line Home	4,000 square feet	100'	40'	Not specified	Not specified	10' (20' for garage)	10' (20' for garage or abuts other district)	1' maximum	10'	10' (20' for garage)	35'	18" overhang max for eaves and gutters	No openings on 0' side; 5' drainage easement; 2 parking spaces
San Marcos	Patio Home, Zero-Lot-Line	4,000 square feet	85'	40'	75%	Not specified	20'	10'	1' maximum	9' (10' if 0' opposite side)	10'	2 stories	5' easement	5' drainage and roof overhang easement; 10' between exterior walls; 20' paved alley for rear garages; 7.5 units per acre
Texarkana	Planned Unit	5,000 square feet	100'	50'	60%	Not specified	15'	10' (20' for parking)	0'	10'	15'	35'	No overhang, gutter, extension allowed over property line	3' access and maintenance easement; no openings on 0' side; 10' between exterior walls; 2 parking spaces

Tomball	Planned Development	4,000 square feet	100'	40'	60% Impervious (unless more approved by P&Z)	1,400 square feet	20' (35' for arterial)	15' (if abuts 20' alley then 5', if abuts a 15' alley then 7.5'; if abuts arterial then 25')	0'	10'	15' (25' if adjacent to arterial street)	25'	Not specified	4 acres for total development; 10 units per acre maximum; 30% green space; sidewalks; visitor parking (1 per 2 units), screening requirements
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Lot coverage is defined as structure area.
Openings include windows and doors.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Discussion and Possible Action regarding Reinstating the Waiver of Water and Wastewater Impact Fees in the Old Town Area and for Properties Along FM 2920 from Business 249 to Willow Street

Background:

In March 2013, City Council adopted a two-year waiver of water and wastewater impact fees in the Old Town Area of Tomball as an incentive for development and redevelopment in the Old Town Area of Tomball. In March 2015 the waiver period was extended for an additional two years and the waiver area expanded to properties along FM 2920 from Business 249 to Willow Street.

On March 2, 2017, the water and wastewater impact fee waivers expired for all areas. Attached to this agenda item is the map of the previously waived areas. To date, the City of Tomball has waived \$310,422.38 in water and wastewater impact fees.

On February 13, 2017, the Capital Improvement Advisory Committee recommended the extension of the waiver for another two years.

Origination:

City Management

Recommendation:

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Expired W/WW Impact Fee Area

City of Tomball, Texas

Impact Fee Waiver Area



Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Approve Lease Agreement with Frank and Russell DeNina, dba South Sycamore Int., LLC (Daily Workers Site), for 3.547-Acre Tract, Described as TR R10, Abstract 371 W. Hurd Survey, 0 Mechanic Road, between the City of Tomball and South Sycamore Int. LLC.

Background:

The current contract with South Sycamore Int., LLC. (Frank and Russell DeNina) expired September 15, 2015, and since that time we have been operating on a month-to-month basis. Staff is requesting the City Council to consider a renewal of the lease agreement under substantially the same conditions. The only change is that we have added a \$6,000 dollar cap to the maximum the city will pay annually.

Origination:

City Management

Recommendation:

Approve lease agreement

Funding:

Yes

Account Number:100-119-6329

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

Robert S. Hauck, Assistant City Manager

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Proposed Lease Agreement

LEASE AGREEMENT

This Lease Agreement (the "Lease") is made and entered as of the 1st day of April, 2017, by and between Frank DeNina and Russell DeNina, individuals, whose principal address is 27100 Tomball Parkway, Tomball, TX 77375 ("Lessor"), and the City of Tomball, a home rule municipal corporation located in Harris County, Texas, having its City Hall located at 401 W. Market Street, Tomball, TX 77375 (the "City").

Whereas, Lessor is the owner of a certain 3.547 acre tract of land, more or less, located within the City of Tomball, Harris County, Texas; and

Whereas, the City desires to lease said 3.547 acre tract from Lessor for use by the City as a daily worker's assembly and collection facility; and

Whereas, Lessor is willing to lease said 3.547 acre tract to the City subject to the terms and conditions contained herein; now therefore

For and in consideration of the mutual obligations and benefits to be derived hereunder, Lessor and the City do hereby agree as follows:

Section 1. Lessor agrees to lease to the City, and the City agrees to lease from Lessor, all of that certain 3.547 acre tract of land, more or less, located in the City of Tomball, Harris County, Texas, said 3.547 acre tract being more particularly described and depicted in Exhibit "A" attached hereto and for all things, made a part hereof (the "Property").

Section 2. The primary term of this lease shall be for a period of five (5) years, commencing on the effective date written above, which primary five (5) year term may be extended for an additional period of two (2) years (the "Renewal Term") upon effective notice thereof to Lessor not less than (90) days prior to the expiration of the Primary Term. Notwithstanding the foregoing, Lessor shall have the right at any time after the end of the first year of this agreement to terminate this Lease, upon ninety (90) days advance written notice thereof, subject to payment by Lessor to the City of proportionate amount of the capital expenditures up to a maximum of \$15,000 made by the City to the Property after the effective date of this Lease, such proportionate amount being the percentage thereof that equals the percentage of the primary Term during that the City occupied the Property. The City shall have the right, at any time, to terminate this lease upon thirty (30) days advance written notice thereof.

Section 3. The City shall pay to Lessor, as its annual lease payment, an amount that equals the total ad valorem taxes, not to exceed \$6,000 dollars, that may become due and payable on the Property during the Term or any Renewal Term hereof, including, but not limited to, ad valorem taxes levied by any school district, county, city, conservation reclamation district, hospital district, or any other lawfully constituted taxing unit for that year. Rental shall be due and payable on or before December 15 of each calendar year. For any year of the Primary Term or and Renewal Term that includes less than a full calendar year, the lease payment shall be prorated based upon the portion of the year during which this lease agreement is in effect. It is expressly recognized and agreed between Lessor and the City that the value of the leasehold interest being obtained by the City hereunder exceeds the rental as provided by this Section. The City agrees to cooperate with Lessor, at request of Lessor, with establishing a fair

LEASE AGREEMENT

market value of such leasehold estate for the purpose of determining the value of the contribution made by Lessor to the City hereunder.

Section 4. The City shall be authorized to construct and place fixtures and other improvements on the Property as reasonably necessary to provide for the safe and healthful assemblage of day workers and employers. Such improvements may include, but shall not be limited to, perimeter fencing, lighting, portable water facilities, sanitary sewer facilities, including portable toilets, seating, designated vehicular and bicycle parking areas, and shelters. All such improvements constructed or placed on the Property shall be approved by Lessor, which approval shall not be unreasonably withheld.

Section 5. The City agrees to maintain the Property in accordance with the same standards applicable to maintenance of other similar properties of the City. At a minimum, such maintenance shall include regular policing of the grounds and trash removal. The City shall not use, or permit the use of, the Property in any manner that results in waste.

Section 6. The City agrees to maintain policies of liability insurance, insuring against personal injury property damage arising from use of the Property, such policies to provide coverage in amounts not less than those carried for other similar properties by the City. The City shall maintain such policies of insurance at all times during the Term or Renewal Term of this Lease.

Section 7. The City shall return the Property at the termination of the lease in a comparable condition to that which existed on the effective date hereof, normal wear and tear expected. Notwithstanding the foregoing, the City shall not be required to remove fixtures attached to the Property by the City during the Term hereof unless any such fixture shall constitute an attractive nuisance. The City shall not allow attractive nuisance to exist on the Property, nor shall the City return the Property to Lessor at the termination hereof with any attractive nuisance existing on the Property.

Section 8. The City shall be authorized to use the Property as a daily worker assembly and collection site and if agreed upon in writing by both the Lessor and the City for any other lawful municipal purposes.

Section 9. If the City defaults in performing any covenant or term of this Lease and does not correct the default within thirty (30) days after receipt of written notice from Lessor to the City to do so, the City shall be deemed in default hereunder and Lessor shall be entitled to terminate this Lease.

Section 10. Lessor warrants that they own the Property in fee simple.

Section 11. Lessor covenants that as long as the City pays the rental and other charges under this Lease and observes the covenants and terms of this Lease, the City will lawfully hold, occupy, and enjoy the Property during the lease Term and any Renewal Term hereof without being disturbed by Lessor or any person claiming under Lessor, except for any portion of the Property taken under the power of eminent domain. In the event of any such taking by eminent domain, the City shall be entitled to a prorated reduction of rentals equivalent to the reduction in the Property. Provided further, in the event any such taking of the Property by eminent domain leaves insufficient space for the City to provide the facilities contemplated hereby, the City shall be entitled to terminate this Lease.

LEASE AGREEMENT

Executed in duplicate originals as of the date provided above.

THE CITY

City of Tomball, Texas

By: _____

Mayor

Attest:

Doris Speer
City Secretary

LESSOR

Frank DeNina

Russell DeNina

LEASE AGREEMENT

ACKNOWLEDGMENTS

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on the _____ day of _____, 2017, by
Gretchen Fagan, Mayor of the City of Tomball, TX.

Notary Public In and For the State of Texas

My Commission Expires: _____

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on the _____ day of _____, 2017, by
Doris Speer, City Secretary for the City of Tomball, TX.

Notary Public In and For the State of Texas

My Commission Expires: _____

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on the _____ day of _____, 2017, by
Frank DeNina.

Notary Public In and For the State of Texas

LEASE AGREEMENT

My Commission Expires: _____

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on the _____ day of _____, 2017, by
Russell DeNina.

Notary Public In and For the State of Texas

My Commission Expires: _____

Regular City Council

Agenda Item

Data Sheet

Meeting Date: April 3, 2017

Topic:

Approve Agreement with Developer for the Construction of Public Improvements in the Amount of \$28,636.61 for the Upsizing of Water and Sanitary Sewer Main Extensions to Serve the Premium Interests Development

Background:

Water and sanitary sewer mains need to be extended to serve the proposed Premium Interests development near the intersection of Park Road and FM 2920. To serve the development, an 8" water main and 8" sanitary sewer main needs to be extended. Since the City's adopted Infrastructure Master Plan indicates the future need for a 12" water main and 18" sanitary sewer main, the property owner is requesting reimbursement for the cost of the upsize in the amount of \$28,636.61 per the attached agreement and upsize cost differential.

Origination:

Helen & Jim Mohrfeld, Premium Interests, LLC

Recommendation:

Approval

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Developer Agreement

Construction Plans

Cost Differential

Infrastructure Master Plan-Water

Infrastructure Master Plan-Sanitary Sewer

AGREEMENT WITH DEVELOPER FOR CONSTRUCTION OF PUBLIC IMPROVEMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Development Agreement executed as of the ____ day of _____, 2017 between the City of Tomball, Texas, (“City”) and **Premium Interests, LLC**, Owner and developer of certain hereinafter described property located within the City, (“Developer”) all collectively referred to as “Parties.”

WHEREAS, Developer wishes to develop certain property located within the City limits, which is described as **Lot 1, Block 1 of the Premium Acres Subdivision**, situated in the City of Tomball, Harris County, Texas, as depicted on a plat thereof recorded in Volume **678**, Page **811**, and Film Code/File # **RP-2016-301643** of the Real Property Records of Harris County, Texas (the “Property”); and

WHEREAS, the Property lies within an area of the City which has limited **sanitary sewer** facilities **and domestic water facilities**, and

WHEREAS, during the development planning stage for the Property, the Developer submitted to the City a request to install the required **sanitary sewer** facilities **and domestic water facilities** which will have regional benefits to a portion of the City; and

WHEREAS, the City has no immediate plans to construct the required **sanitary sewer** facilities **and domestic water facilities** but is willing to share in the cost of the construction of such facilities, and has funds appropriated and available to do so; and

WHEREAS, Developer has requested that it be allowed to construct the required **sanitary sewer** facilities **and domestic water facilities** to serve the Property, and share the costs with the City; and

WHEREAS, Section 212.071, *et.seq.* of the Texas Local Government Code authorizes municipalities to enter into a contract with a developer of a subdivision or land in the municipality to construct public improvements related to the development without complying with the competitive sealed bidding procedures of Chapter 252 of the Texas Local Government Code;

NOW THEREFORE, for and in consideration of the premises and mutual obligations, covenants, and benefits hereinafter set forth, the Parties agree as follows:

ARTICLE I

Definitions

The following terms and phrases used in this Agreement shall have the meanings ascribed hereto:

- 1.01. “Agreement” means this agreement, including any amendments hereto, between the City and Developer.
- 1.02. “Contractor” shall mean the person, firm, corporation, partnership, association, or other entity awarded the contact by Developer for the construction and installation of the Improvements.
- 1.03. “Improvements” shall mean:
 - 1.03.1. 309 lineal feet of 18 inch sanitary sewer line to be constructed along the west side of the property which lies to the east of Park Road, **together with**
 - 1.03.2. (1) 18” plug, and
 - 1.03.3. (1) tie to existing 18” Sanitary Sewer, and
 - 1.03.4. (1) 18” * 6” Wye
 - 1.03.5. 310 lineal feet of 12 inch water line to be constructed along the west side of the property which lies to the east of Park Road, **together with**
 - 1.03.6. (1) 12” Gate Valve, and
 - 1.03.7. (1) 12” Wet Connection, and
 - 1.03.8. (1) 12”*6” TEE (for fire hydrant), and
 - 1.03.9. (1) 12” flanged plug (for 2” BO valve)

ARTICLE II

Construction of Improvements

- 2.01. Construction of Improvements. Developer agrees to construct the Improvements in accordance with the plans and specifications approved by the City Engineer, and as fully set forth in Exhibit “A” hereto. No change in the construction plans shall be made by Developer without the prior written consent of the City Engineer. The entire cost of the construction of the Improvements shall be the responsibility and obligation of Developer, except as herein provided.
- 2.02. Contracts for Construction. Developer shall contract with a qualified Contractor to construct the Improvements in accordance with the approved plans and specifications. The City Engineer shall review all contract documents and costs estimates, and shall approve the Contractor prior to the award of the contract. Developer shall be solely responsible for payment of the work as it is completed, and shall make all payments in a timely manner to the Contractor, sub-contractors, and other parties involved in the construction of the Improvements.

- 2.03. Performance, Payment and Maintenance Bonds. Developer shall post within the City faithful performance, payment, and maintenance bonds for construction of the Improvements to ensure completion of the project. The bond must be executed by a corporate surety in accordance with Chapter 2253, Texas Government Code.
- 2.04. Inspection. The City Engineer shall periodically inspect the construction of the Improvements in the same manner, and shall possess the same authority, as is provided during the construction of subdivision improvements pursuant to the City of Tomball Subdivision Ordinance, as amended.
- 2.05. Insurance. The Contractor awarded the contract to construct the Improvements shall be required to carry Worker's Compensation Insurance on his employees and public liability and property damage insurance on his equipment and employees. The public liability insurance shall be not less than five hundred thousand dollars (\$500,000.00) per person and one million dollars (\$1,000,000.00) per occurrence, with property damage insurance of not less than five hundred thousand dollars (\$500,000.00). In addition, City shall be furnished with Certificates of Insurance and shall be named an additional named insured on such Certificates, and City shall be notified within ten calendar days of any cancellation of such insurance.
- 2.06. Accounting. Developer shall submit to City a complete accounting of all costs incurred by Developer in the construction of the Improvements. City will not contribute or pay for any costs incurred by Developer which was not approved by City prior to it being incurred. Developer shall maintain the accounting on this project for a period of two years from the date of acceptance by the City, and the City may inspect the Developer's books and records related to the project at any time with reasonable notice.
- 2.07. Indemnity. Developer agrees to protect, indemnify and save City harmless from and against all claims, demands and causes of action of every kind and character arising in favor of any third party on account of, or resulting from, the performance of this Agreement by Developer or Developer's agents, representatives, employees, contractors, or subcontractors.

ARTICLE III. City Obligations

- 3.01. Oversized Improvements. The City agrees to pay to Developer the construction costs of oversizing the Improvements, not to exceed
- 3.01.1. **Sixteen thousand, eight hundred ninety-eight dollars and thirty-one cents (\$ 16,898.31) for the sewer line improvements,** and
- 3.01.2. **Eleven thousand, seven hundred thirty-eight dollars and thirty cents (\$11,738.30) for the water line improvements,**
- as identified and described in Exhibit "B" attached hereto and made a part hereof.

- 3.02. Payment to Developer. Exhibit “B” attached hereto designates the proportional split in costs for construction of the Improvements. City shall deliver to Developer full payment of the City’s share of the costs of construction of the Improvements following submittal and review of documentation showing final, actual construction costs paid by the Developer. The City Engineer shall review the construction documents, conduct a final inspection on the Improvements, noting any required corrections or repairs, and make a recommendation to City Council on acceptance of the Improvements. Upon action by City Council accepting such Improvements, the City will pay to Developer the City’s share of the costs. Any additional costs above those enumerated, or above the amounts described in Exhibit “B” must be approved by the City prior to being incurred.

ARTICLE IV Miscellaneous Provisions

- 4.01 Assignment. This Agreement shall bind and benefit the respective Parties and their legal successors and shall not be assignable, in whole or in part, by any party without first obtaining written consent of the other party.
- 4.02 Amendment or Modification. Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment or modification only in writing, and by the signatures and mutual consent of the Parties.
- 4.03. Parties in Interest. This Agreement shall be for the sole and exclusive benefit of the Parties hereto and shall not be construed to confer any rights upon any third party.
- 4.04. Remedies Not Exclusive. The rights and remedies contained in this Agreement shall not be exclusive, but shall be cumulative of all rights and remedies now or hereinafter existing, by law or in equity.
- 4.05. Waiver. The failure of any party to insist in any one or more instances on the performance of any of the terms, covenants or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance.
- 4.06. Entire Agreement. This Agreement constitutes the entire agreement between the Parties related to the subject matter of this Agreement and supersedes any and all prior agreements, whether oral or written, dealing with the subject matter of this Agreement.
- 4.07. Venue. This Agreement shall be performable and enforceable in Harris County, Texas, and shall be construed in accordance with the laws of the State of Texas.
- 4.08. Severability. If any term or provision of this Agreement is held to be invalid, void or unenforceable by a court of competent jurisdiction, the remainder of the

terms and provisions of this Agreement shall remain in full force and effect and shall not in any way be invalidated, impaired or affected.

- 4.09. Notices. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by (i) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, registered or certified mail, return receipt requested; or (ii) by delivering the same in person to such party; or (iii) by overnight or messenger delivery service that retains regular records of delivery and receipt; or (iv) by facsimile; provided a copy of such notice is sent within one (1) day thereafter by another method provided above. The initial addresses of the parties for the purpose of notice under this Agreement shall be as follows:

If to City: City of Tomball
401 W. Market Street
Tomball, Texas 77375
ATTN: City Engineer

If to Developer: **Premium Interests, LLC**
14406 Spring Mountain Drive
Tomball, Texas 77377
ATTN: James Mohrfeld

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one and the same instrument.

CITY OF TOMBALL

Gretchen Fagan
Mayor

ATTEST:

Doris Speer
City Secretary

DEVELOPER:
PREMIUM INTERESTS, LLC

Authorized Signature, Name, and Title:
James W. Mohrfeld
Owner and President Premium Interests LLC

100-YEAR FLOOD PLAIN INFORMATION:

According to FEMA map no. 48201C0210-L dated effective June 18, 2007 of the Federal Emergency Management Agency's flood insurance rate map for Harris County and incorporated areas, the subject tract is entirely situated within Unshaded Zone "X" defined as areas determined to be outside the 0.2% annual chance flood. This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes.

BENCHMARK INFORMATION:

- RM 100195: Floodplain reference number 100195 is described as a brass disk set in concrete with an elevation of 231.72 feet above mean sea level, N.A.V.D. 1988, 2001 adjustment.
- TBM: TBM is a PK nail set in the pavement with an elevation of 183.52'

PERMIT NOTES:

- OWNER OR OWNER'S AGENT to obtain all permits required by the "Regulations of the City of Tomball, Texas" prior to starting construction.
- OWNER OR OWNER'S AGENT to obtain all notifications required by Harris County, Texas prior to starting construction of utilities and/or culverts within Harris County and Harris County Flood Control District Rights-of-Way.
- The contractor(s) shall notify Harris County Public Infrastructure Department - Architecture and Engineering Division - Permit Office twenty-four (24) hours in advance of commencing utility and/or paving construction at (713) 316-3561 and written notification forty-eight (48) hours in advance of commencing construction at 10555 Northwest Freeway, Suite 146, Houston, TX 77092.

POLLUTION PREVENTION NOTES:

- Adequate drainage shall be maintained at all times during construction and any drainage ditch or structure disturbed during construction shall be restored to the satisfaction of the owning authority. All construction storm runoff shall comply with the Texas Pollution Discharge Elimination System (TPDES) requirements.
- Contractor shall be responsible for enforcement of TPDES requirements per "General Requirements for Permit TMR15000".
- Contractor shall be responsible for implementing and maintaining general source controls.
- The location of the stabilized construction access is to be determined by the Contractor.
- Contractor to regrade all disturbed areas after construction is complete to equal or better condition. Seed or hydromulch disturbed areas to establish turf inside City of Tomball, Harris County, and any Public right-of-way or Private Property that is disturbed.
- Regrade all ditches after construction is complete that are disturbed during construction. Regrade ditch to establish flow in a positive direction.
- All open excavation to be clearly identified by Contractor. Contractor is required to cover all open excavation areas at the end of each work day and whenever Contractor is not working onsite using steel plates.

WATER LINE AND SANITARY SEWER NOTES:

- CONTRACTOR TO ALLOW A MINIMUM OF 6 INCHES VERTICAL CLEARANCE BETWEEN PROPOSED WATER LINE AND OTHER EXISTING OR PROPOSED UTILITIES.
- ALL WATER LINES TO HAVE A MINIMUM COVER OF 4' BELOW FINISHED GRADE. VARY THE FLOWLINE UNIFORMLY FROM DEPTH AND LOCATION SHOWN TO ACHIEVE COVER.
- ALL WATER LINE FITTINGS TO BE EITHER BRONZE, PVC, OR DUCTILE IRON.
- ALL WATER LINE FITTINGS TO BE INSTALLED WITH ADEQUATE CONCRETE THRUST BLOCKS.
- ALL WATER LINES TO BE TESTED AS PER THE CITY OF HOUSTON SPECIFICATIONS, DETAILS AND FIRE MARSHALL AS APPLICABLE.
- ALL WATER LINES TO BE WRAPPED IN A MINIMUM OF 6-INCHES OF CLEAN BANK SAND, OR ONSITE SUITABLE FILL MATERIAL, UNLESS OTHERWISE NOTED. REMAINING BACKFILL TO BE MADE WITH COMPACTED SELECT MATERIAL UNLESS OTHERWISE NOTED.
- WHENEVER NEW WATER LINES CROSS SANITARY SEWER LINES WITH LESS THAN NINE (9) FEET OF VERTICAL CLEARANCE, THE SEWER LINE SHALL BE CONSTRUCTED OF A CONTINUOUS DUCTILE IRON PIPE OR C-300 PVC PIPE FOR A DISTANCE OF NINE (9) FEET EACH SIDE OF THE WATER LINE, MINIMUM VERTICAL CLEARANCE TO BE SIX (6) INCHES WITH THE SEWER LINE LOCATED LOWER THAN THE WATER LINE.

WARNING:

CONTRACTOR SHALL VERIFY LOCATION OF UNDERGROUND UTILITY LINES BY CONTACTING "TEXAS ONE CALL" AT 1-800-245-4545 AT LEAST 48 HOURS BEFORE YOU DIG, DRILL OR BLAST.

EXISTING, WATER, SANITARY, GAS, ELECTRICAL, TELECOMMUNICATIONS AND ALL OTHER UTILITY LINES ARE SHOWN PER RECORD DRAWINGS. CONTRACTOR SHALL VERIFY LOCATION AT THE SITE PRIOR TO CONSTRUCTION.



Living Unit Equivalent (LUE) Calculations

Office Space (finished)	2,900 SF
Office Space (unfinished)	2,900 SF
Warehouse Space	9,020 SF

Determine Service Unit Equivalent (SUE):

Office Space (finished)	0.00035 per SF
Office Space (unfinished)	0 per SF
Warehouse Space	0.000096 per SF

Office Space (finished)	1.015 SUE
Office Space (unfinished)	0 SUE
Warehouse Space	0.86592 SUE

TOTAL = 1.88092 SUE

LUE = (370 gpd) x (1.88092 SUE) / (315 gpd)

LUE = 2.2093 LUE's

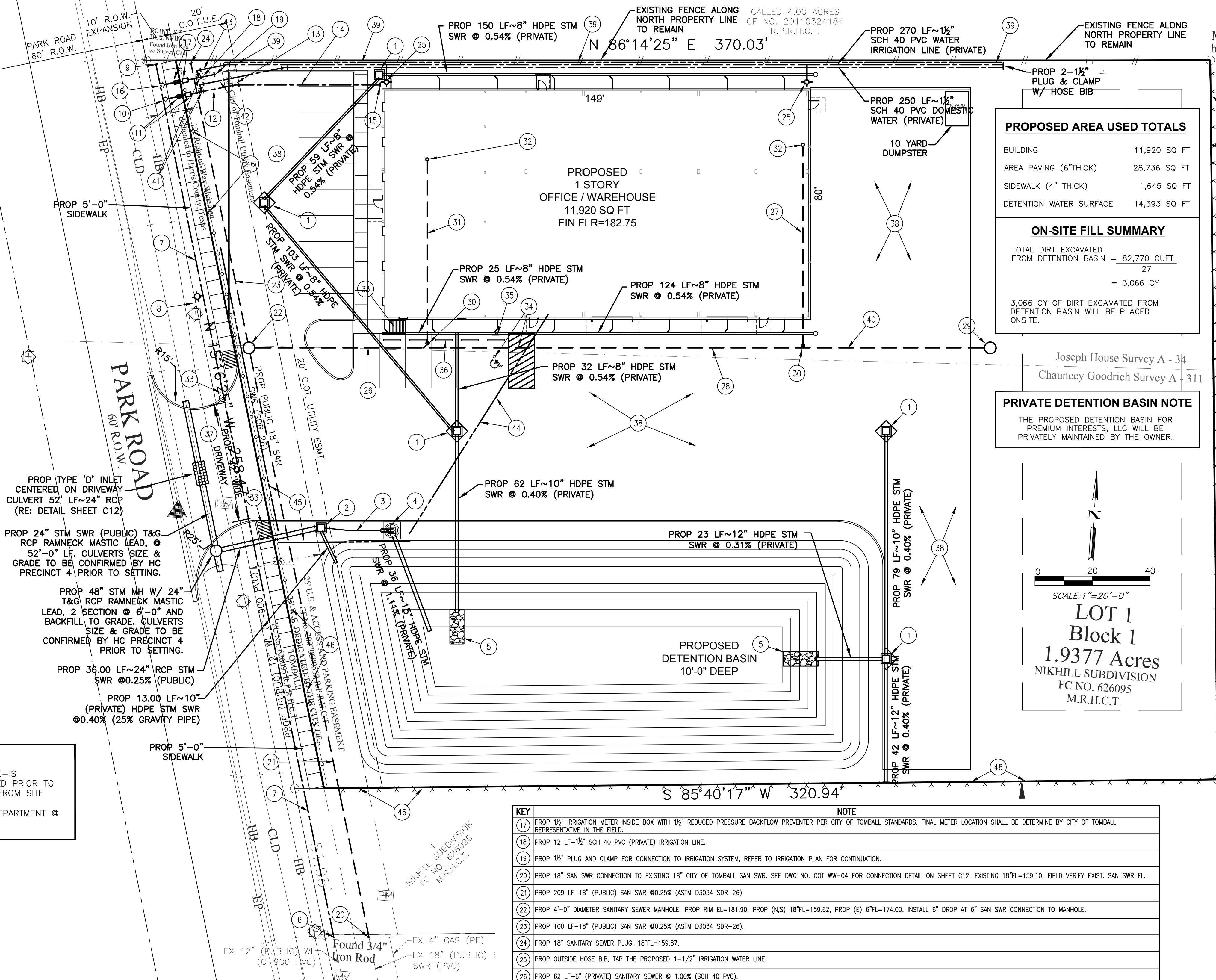
CONSTRUCTION OF FACILITIES AND/OR PAVING WORK WITHIN PUBLIC RIGHT-OF-WAY

NOTIFICATIONS (PERMIT) ISSUED BY HARRIS COUNTY PUBLIC INFRASTRUCTURE DEPARTMENT-PERMITS OFFICE-IS REQUIRED FOR PROPOSED WORK WITHIN HARRIS COUNTY RIGHT-OF-WAY. THE PROJECT MUST BE APPROVED PRIOR TO OBTAINING THE REQUIRED NOTIFICATION. BE ADVISE THAT A NOTIFICATION MUST BE OBTAINED SEPARATELY FROM SITE DEVELOPMENT PERMIT PACKAGE. FOR ADDITIONAL INFORMATION, PLEASE VISIT http://hcpid.org/permits/pr_notification_of_construction.html OR CONTACT PUBLIC REVIEW INSPECTIONS DEPARTMENT @ (713-274-3931)

LEGEND:

■	EXISTING GRATE INLET	— OH —	EXISTING OVERHEAD ELECTRIC LINE
■	EXISTING B INLET	— GAS —	EXISTING ENTEN GAS LINE
■	EXISTING C INLET	— T —	EXISTING SWBT TELEPHONE LINE
●	EXISTING MANHOLE	-----	EXISTING EASEMENT LINE
⊙	EXISTING SAMPLE WELL	—	PROPOSED STORM SEWER LINE
CO ●	EXISTING CLEAN OUT	—	PROPOSED SANITARY SEWER LINE
+	EXISTING POWER POLE	—	PROPOSED WATER LINE
+	EXISTING DOWN GUY	+	PROPOSED FLUSING VALVE
+	EXISTING FIRE HYDRANT	+	PROPOSED GATE VALVE
+	EXISTING WATER VALVE	+	PROPOSED SANITARY MANHOLE
+	EXISTING WATER METER	×	EXISTING SPOT ELEVATION
+	EXISTING BLOWOFF VALVE	— 20 —	EXISTING CONTOUR
+	EXISTING STREET SIGN	+	EXISTING CONCRETE PAVEMENT
+	EXISTING AREA LIGHT	+	EXISTING ASPHALT PAVEMENT
+	EXISTING TELEPHONE ENCLOSURE	+	PROPOSED CONCRETE PAVEMENT
+	EXISTING TELEPHONE PEDESTAL	+	PROPOSED ASPHALT PAVEMENT
+	EXISTING TELEPHONE CABLE MARKER	TC 92.58	PROPOSED TOP OF CURB ELEVATION
+	EXISTING GAS METER	TP 92.58	PROPOSED TOP OF PAVEMENT
+	EXISTING PIPE LINE MARKER	SW 92.58	PROPOSED TOP OF SIDEWALK ELEVATION
---	EXISTING PROPERTY LINE	FG 92.58	PROPOSED FINISH GRADE ELEVATION
---	EXISTING STORM SEWER LINE	FF 92.58	PROPOSED FINISHED FLOOR ELEVATION
---	EXISTING SANITARY SEWER LINE	TG 92.58	PROPOSED TOP OF GRATE ELEVATION
---	EXISTING WATER LINE	TW 92.58	PROPOSED TOP OF WALL ELEVATION
→		→	DIRECTIONAL SHEET FLOW ARROW

Page 7 of 13



CONSTRUCTION KEY NOTES

KEY	NOTE
1	PROP TYPE "A" GRATE INLET, SEE SHEET C4 FOR DETAILS.
2	PROP JUNCTION BOX, SEE SHEET C6 FOR DETAILS.
3	PROP 12 LF-4" FORCE MAIN (PRIVATE).
4	PROP STORM WATER PUMP STATION, SEE SHEET C6 FOR DETAILS.
5	PROP 60 SF 8" THICK RIP RAP FOR EROSION CONTROL.
6	PROP 12" WET CONNECTION ON EXISTING CITY OF TOMBALL PUBLIC 12" WATER LINE.
7	PROP 310 LF-12" WATER (PUBLIC) C-900 PVC, CITY OF TOMBALL WATER LINE EXTENSION.
8	PROP FIRE HYDRANT, 12"x6" TEE AND 6" G.V. W/ BOX.
9	PROP 12" G.V. W/ BOX AND 12" PLUG W/ 2" B.O. VALVE.
10	PROP 1½" T.S. W/ CORPORATION STOP ON 12" WATER LINE.
11	PROP 1½" DOMESTIC WATER METER INSIDE BOX WITH 1½" REDUCED PRESSURE BACKFLOW PREVENTER PER CITY OF TOMBALL STANDARDS. FINAL METER LOCATION SHALL BE DETERMINE BY CITY OF TOMBALL REPRESENTATIVE IN THE FIELD.
12	PROP 26 LF-1½" SCH 40 PVC (PRIVATE) DOMESTIC WATER LINE.
13	PROP 1½" x 11.25 DEGREE BEND W/ FITTINGS.
14	PROP 55 LF-1½" SCH 40 PVC (PRIVATE) DOMESTIC WATER LINE.
15	PROP 1½" PLUG AND CLAMP FOR CONNECTION TO BUILDING SERVICE LINE, REFER TO PLUMBING PLAN FOR CONTINUATION INSIDE BUILDING.
16	PROP 1½" T.S. W/ CORPORATION STOP ON 12" WATER LINE.

KEY

17	PROP 1½" IRRIGATION METER INSIDE BOX WITH 1½" REDUCED PRESSURE BACKFLOW PREVENTER PER CITY OF TOMBALL STANDARDS. FINAL METER LOCATION SHALL BE DETERMINE BY CITY OF TOMBALL REPRESENTATIVE IN THE FIELD.
18	PROP 12 LF-1½" SCH 40 PVC (PRIVATE) IRRIGATION LINE.
19	PROP 1½" PLUG AND CLAMP FOR CONNECTION TO IRRIGATION SYSTEM, REFER TO IRRIGATION PLAN FOR CONTINUATION.
20	PROP 18" SAN SWR CONNECTION TO EXISTING 18" CITY OF TOMBALL SAN SWR. SEE DWG NO. COT WW-04 FOR CONNECTION DETAIL ON SHEET C12. EXISTING 18"FL=159.10, FIELD VERIFY EXIST. SAN SWR FL.
21	PROP 209 LF-18" (PUBLIC) SAN SWR @0.25% (ASTM D3034 SDR-26)
22	PROP 4'-0" DIAMETER SANITARY SEWER MANHOLE. PROP RIM EL=181.90, PROP (N.S) 18"FL=159.62, PROP (E) 6"FL=174.00. INSTALL 6" DROP AT 6" SAN SWR CONNECTION TO MANHOLE.
23	PROP 100 LF-18" (PUBLIC) SAN SWR @0.25% (ASTM D3034 SDR-26).
24	PROP 18" SANITARY SEWER PLUG, 18"FL=159.87.
25	PROP OUTSIDE HOSE BIB, TAP THE PROPOSED 1-1/2" IRRIGATION WATER LINE.
26	PROP 62 LF-6" (PRIVATE) SANITARY SEWER @ 1.00% (SCH 40 PVC).
27	PROP 60 LF-4" (PRIVATE) SANITARY SEWER @ 1.50% (SCH 40 PVC).
28	PROP 130 LF-6" (PRIVATE) SANITARY SEWER @ 1.00% (SCH 40 PVC).
29	PROP 4'-0" DIAMETER SANITARY SEWER MANHOLE. PROP RIM EL=180.60, PROP (W) 6"FL=176.55.
30	PROP SADDLE TYPE CONNECTION TO PROP 6" SAN SWR. USE 45 OR 30 DEGREE BEND ON 6" SAN SWR W/ TWO-WAY GRADE CLEAN-OUT AT WALL.
31	PROP 65 LF-4" (PRIVATE) SANITARY SEWER @ 1.50%.
32	PROP SAN SWR CLEAN OUT, 4"FL=179.00.
33	PROP ADA RAMP, MAX SLOPE 1:12.
34	PROP ADA PAINTED PARKING AND ACCESS AISLE.
35	PROP ADA PARKING SIGN.
36	PROP CONCRETE WHEEL STOP, TYP OF 5.
37	PROP 42'-0" DRIVEWAY W/ VARIABLE WIDTH RADI.
38	PROP 6" THICK CONCRETE AREA PAVING.
39	PROP 2-4" PVC ELECTRICAL CONDUITS FOR FUTURE BUILDING. BEGIN NEAR SERVICE POLE, TERMINATE NEAR REAR OF PROPERTY NEAR PROPOSED DUMPSTER LOCATION.
40	PROP 65 LF-6" (PRIVATE) SANITARY SEWER @ 1.00% (SCH 40 PVC).
41	PROP 1½" TEE W/ 1/2" TURN BALL VALVE.
42	PROP 30 LF-1½" WATER SCH 40 PVC (PRIVATE) DOMESTIC WATER LINE.
43	PROP 11 LF-1½" WATER SCH 40 PVC (PRIVATE) IRRIGATION LINE.
44	PROP 2" PVC ELECTRICAL CONDUITS FOR POWER TO STORM WATER PUMP STATION.
45	PROP 2" PVC ELECTRICAL CONDUITS FOR POWER TO GATE CONTROLLERS.
46	PROP FENCE (RELANDSCAPE PLAN SHEET C7 FOR TYPE AND MATERIAL).

PROPOSED AREA USED TOTALS

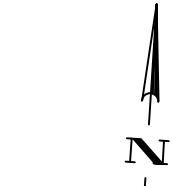
BUILDING	11,920 SQ FT
AREA PAVING (6"THICK)	28,736 SQ FT
SIDEWALK (4" THICK)	1,645 SQ FT
DETENTION WATER SURFACE	14,393 SQ FT

ON-SITE FILL SUMMARY

TOTAL DIRT EXCAVATED FROM DETENTION BASIN =	82,770 CUFT
	27
	= 3,066 CY
3,066 CY OF DIRT EXCAVATED FROM DETENTION BASIN WILL BE PLACED ONSITE.	

PRIVATE DETENTION BASIN NOTE

THE PROPOSED DETENTION BASIN FOR PREMIUM INTERESTS, LLC WILL BE PRIVATELY MAINTAINED BY THE OWNER.



SCALE: 1"=20'-0"

LOT 1

Block 1

1.9377 Acres

NIKHILL SUBDIVISION

FC NO. 626095

M.R.H.C.T.

Monument be Set

Res NIKHILL FC M

RESIDUAL SUBDIVISION

FC NO. 626095

M.R.H.C.T.

S. 04°19'43" E. 250.09'

Monument be Set

DevTex Engineering, LP
Civil Engineering • Site Development • Land Development

CIVIL ENGINEER:
Dev-Tex Engineering, LP
ATTN: Randy Rutherford, P.E.
11210 Stepiencrest Drive, Suite 250
Houston, Texas 77055
Phone: 281-955-1197 Fax: 281-955-1158

PREMIUM INTERESTS, LLC
22502 Park Road
Tomball, Texas 77377

DEV-TEX ENGINEERING, LP
TEXAS REGISTERED
ENGINEERING FIRM# F-7999



NO.	DATE	DESCRIPTION
1	03-17-16	COT REVIEW 1
2	04-20-16	HARRIS COUNTY REVIEW 1
3	07-14-16	HARRIS COUNTY REVIEW 2
4	08-23-16	REVISED PER HARRIS COUNTY CIVIL DEVELOPMENT PM
5	10-04-16	CITY OF TOMBALL REVIEW 1
6	12-28-16	CITY OF TOMBALL REVIEW 2

PROJECT LOCATION:
Premium Interests, LLC
22502 Park Road
Tomball, TX 77377
Key Map Location: 288-J

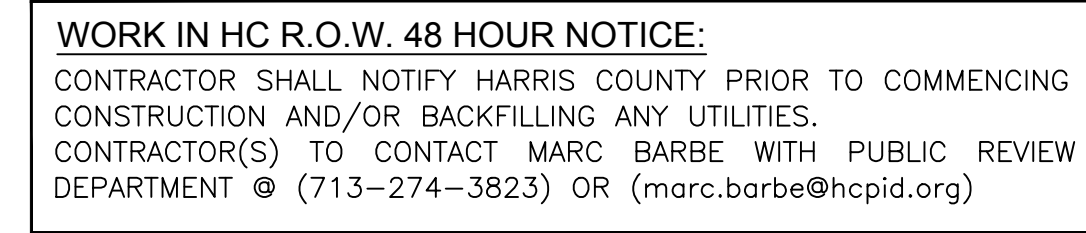
PROJECT OWNER:
Premium Interests, LLC
ATTN: James W. Mohrfield
14405 Spring Mountain Drive
Tomball, TX 77377
Phone: 713-682-6494

DRAWN BY:	EP
CHECKED BY:	RLR
JOB NO:	2015-503
SCALE:	HORIZ: N/A
	VERT: N/A
DATE PLOTTED:	Feb 09, 2017 - 10:37am

OVERALL UTILITY LAYOUT

DRAWING NO.

C3



Dev Tex

Engineering, LP
Civil Engineering • Site Development • Land Development

CIVIL ENGINEER:
Dev-Tex Engineering, LP
ATTN: Randy Rutherford, P.E.
11210 Steeplecrest Drive, Suite 250
Houston, Texas 77065
Phone: 281-955-1187 Fax: 281-955-1158

PREMIUM INTERESTS, LLC

22502 Park Road Tomball, Texas 77377

DEV-TEX ENGINEERING, LP
TEXAS REGISTERED
ENGINEERING FIRM# F-7999

Dev-Tex Engineering, LP
F-7999
01/11/2017

NO.	DATE	DESCRIPTION
1	03-17-16	COT REVIEW 1
2	04-20-16	HARRIS COUNTY REVIEW 1
3	07-14-16	HARRIS COUNTY REVIEW 2
4	08-23-16	REVISED PER HARRIS COUNTY CIVIL DEVELOPMENT IN
5	10-04-16	CITY OF TOMBALL REVIEW 1
6	12-28-16	CITY OF TOMBALL REVIEW 2

PROJECT LOCATION:
Premium Interests, LLC
22502 Park Road
Tomball, TX 77377
Key Map Location: 288-J

PROJECT OWNER:
Premium Interests, LLC
ATTN: James W. Mohrfield
14406 Spring Mountain Drive
Tomball, TX 77377
Phone: 713-682-6494

DRAWN BY: EP

CHECKED BY: RLR

JOB NO: 2015-503

SCALE:

HORIZ: 1"=20'

VERT: 1"=2'

DATE PLOTTED: Feb 09,2017 - 10:42am

PARK ROAD PLAN & PROFILE

DRAWING NO.

C15

EXHIBIT B to
AGREEMENT WITH DEVELOPER FOR CONSTRUCTION OF PUBLIC IMPROVEMENT
Between City of Tomball, TX and Premium Interests, LLC

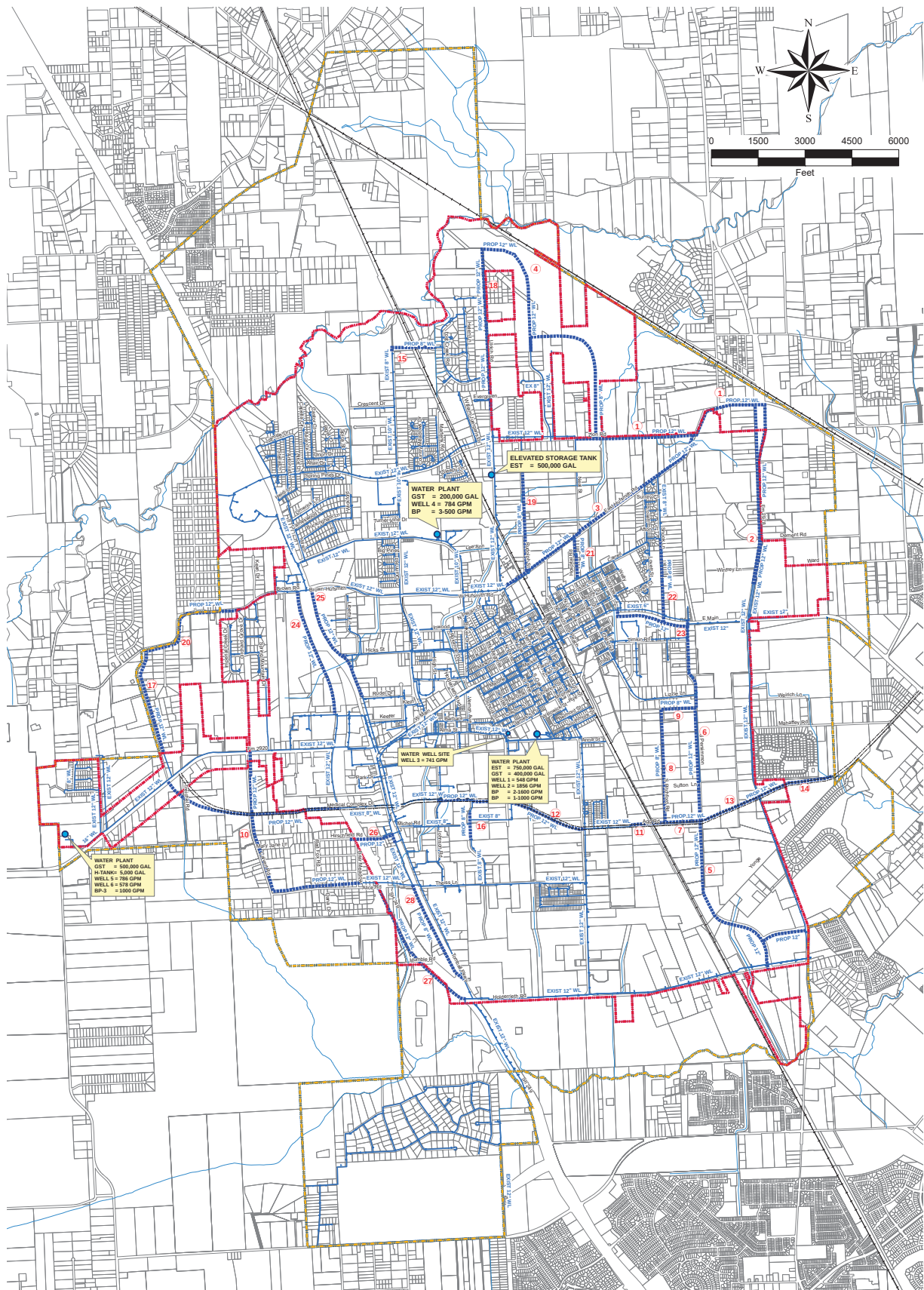
March, 2017

Sanitary Sewer Facilities - Materials Cost Differential between 18" line required by the City vs. 8" line sized for Project												
Item	Description (18")	Unit	Qty	Unit Price (\$)	Total \$	Description (8")	Unit	Qty	Unit Price (\$)	Total \$	Cost Difference (\$)	
1	18" pipe SDR26	LF	309	57.41	17,739.69	8" pipe SDR26	LF	309	14.82	4,579.38	13,160.31	
2	18" plug	EA	1	1,500.00	1,500.00	8" plug	EA	1	500.00	500.00	1,000.00	
3	Tie from 18" pipe to existing 18" sewer	EA	1	2,500.00	2,500.00	Tie from 18" pipe to existing 18" sewer	EA	1	1,000.00	1,000.00	1,500.00	
4	18" * 6" Wye	EA	1	1,365.00	1,365.00	8" * 6" Wye	EA	1	127.00	127.00	1,238.00	
18" Sewer Total					\$23,104.69	8" Sewer Total				6,206.38	\$16,898.31	
										Sanitary Sewer Total Cost Difference		\$16,898.31

Domestic Water Facilities - Materials Cost Differential between 12" line required by the City vs. 8" line sized for Project												
Item	Description (12")	Unit	Qty	Unit Price (\$)	Total \$	Description (8")	Unit	Qty	Unit Price (\$)	Total \$	Cost Difference (\$)	
1	12" water pipe C900	LF	310	34.65	10,741.50	8" water pipe C900	LF	310	12.02	3,726.20	7,015.30	
2	12" gate valve	EA	1	3,278.00	3,278.00	8" gate valve	EA	1	1,310.00	1,310.00	1,968.00	
3	12" Wet Connection	EA	1	3,000.00	3,000.00	8" Wet Connection	EA	1	1,000.00	1,000.00	2,000.00	
4	12"*6" TEE (for fire hydrant)	EA	1	1,105.00	1,105.00	8"*6" TEE (for fire hydrant)	EA	1	480.00	480.00	625.00	
5	12" flanged plug (for 2" BO valve)	EA	1	260.00	260.00	8" flanged plug (for 2" BO valve)	EA	1	130.00	130.00	130.00	
12" WaterTotal					\$18,384.50	8" Water Total				6,646.20	\$11,738.30	
										Water Facilities Total Cost Difference		\$11,738.30
										Sewer + Water Lines Total Cost Difference		\$28,636.61

Future Water Distribution System Projects, 2012 to 2022

Project No.	Description	Priority (1)	Quantity	Units	Unit Cost	Total Cost
1	12-inch Water Line along Zion Road and E. Hufsmith Road from Neal Street east to F.M. 2978 E. ROW	1	6,700	LF	\$ 127.00	\$ 850,900.00
2	12-inch Water Line along FM 2978 from North of FM 2920 north to E. Hufsmith Road (East & West)	1	12,600	LF	\$ 127.00	\$ 1,600,200.00
3	12-inch Water Line along E. Hufsmith Road from Ulrich Road to Zion Road (includes Railroad Crossing)	1	8,300	LF	\$ 127.00	\$ 1,054,100.00
4	12-inch Water Line through new development between Ulrich Road and Zion Road	2	4,400	LF	\$ 127.00	\$ 558,800.00
5	12-inch Water Line along S. Persimmon Street from Agg Road to Holderrieth Road	2	5,700	LF	\$ 127.00	\$ 723,900.00
6	12-inch Water Line along S. Persimmon Street from FM 2920 to Agg Road	2	4,500	LF	\$ 127.00	\$ 571,500.00
7	12-inch Water Line along Agg Road from S. Pitchford Road to S. Persimmon Street	2	1,200	LF	\$ 127.00	\$ 152,400.00
8	8-inch Water Line along S. Pitchford Road	2	3,600	LF	\$ 88.00	\$ 316,800.00
9	8-inch Water Line between S. Pitchford Road and S. Persimmon Street south of channel south of Lizzie Lane	2	1,200	LF	\$ 88.00	\$ 105,600.00
10	12-inch Water Line along Calvert Road and Alice Road from FM 2920 to High Meadows Rd	2	7,700	LF	\$ 127.00	\$ 977,900.00
11	12-Inch Water Line along Agg Road from Mulberry Street to S. Pitchford Road (includes Railroad Crossing)	2	1,900	LF	\$ 127.00	\$ 241,300.00
12	12-Inch Water Line along the Future Medical Complex Drive from S. Holderrieth to S. Cherry Street	2	3,900	LF	\$ 127.00	\$ 495,300.00
13	12-Inch Water Line along the Future Agg Rd from S. Persimmon Street to Hufsmith-Kohrville Road	2	2,100	LF	\$ 127.00	\$ 266,700.00
14	12-Inch Water Line along the Future Agg Rd east of Hufsmith-Kohrville Road to ETJ	3	2,600	LF	\$ 127.00	\$ 330,200.00
15	8-inch Water Line between Quinn Road and Julia Street of Hunterwood (includes Railroad Crossing)	3	1,500	LF	\$ 88.00	\$ 132,000.00
16	8-inch Water Line along Future Commercial Park Drive between Medical Complex Drive and Theis Lane	4	1,100	LF	\$ 88.00	\$ 96,800.00
17	12-Inch Water Line along Park Road from FM 2920 to Brown Road	4	3,900	LF	\$ 127.00	\$ 495,300.00
18	12-Inch Water Line along Ulrich Road north of Zion to replace existing 6-inch Water Line	4	4,500	LF	\$ 127.00	\$ 571,500.00
19	8-inch Water Line along Rudolph Road	4	3,700	LF	\$ 88.00	\$ 325,600.00
20	12-Inch Water Line along Brown Road from Park Road to Orchard Grove Drive	4	4,300	LF	\$ 127.00	\$ 546,100.00
21	8-Inch Water Line along Hospital Road between E. Hufsmith Road and E. Carrell Street	5	1,400	LF	\$ 88.00	\$ 123,200.00
22	8-Inch Water Line along Snook Lane from FM 2920 south ROW north to the Cedar Post Street backlot WL	5	2,800	LF	\$ 88.00	\$ 246,400.00
23	12-Inch Water Line along FM 2920 from N. Willow to S. Persimmon	5	2,400	LF	\$ 127.00	\$ 304,800.00
24	12-Inch Water Line along SH 249 Bypass west ROW from Brown Road south to Lowe's	5	4,100	LF	\$ 127.00	\$ 520,700.00
25	12-Inch Water Line along Business SH 249 east ROW from Brown Road south to Rudel Drive	5	4,000	LF	\$ 127.00	\$ 508,000.00
26	12-Inch Water Line along Hirschfield Road from SH 249 Bypass W. ROW east to Business SH 249	5	1,600	LF	\$ 127.00	\$ 203,200.00
27	12-Inch Water Line along SH 249 Bypass west ROW from Alice Road south to Holderrieth Road	5	4,900	LF	\$ 127.00	\$ 622,300.00
28	8-Inch Water Line along Business SH 249 west ROW from Theis Lane south to Holderrieth Road	5	3,200	LF	\$ 88.00	\$ 281,600.00
	Totals		109,800	LF		\$ 13,223,100.00
	(1) Priority Rating of 1 is highest priority and 5 is lowest priority					



■■■■ Tomball ETJ
 ■■■■ Tomball City Limits
Water
 — Existing
 - - - Proposed

Tomball Master Plan Water Distribution System

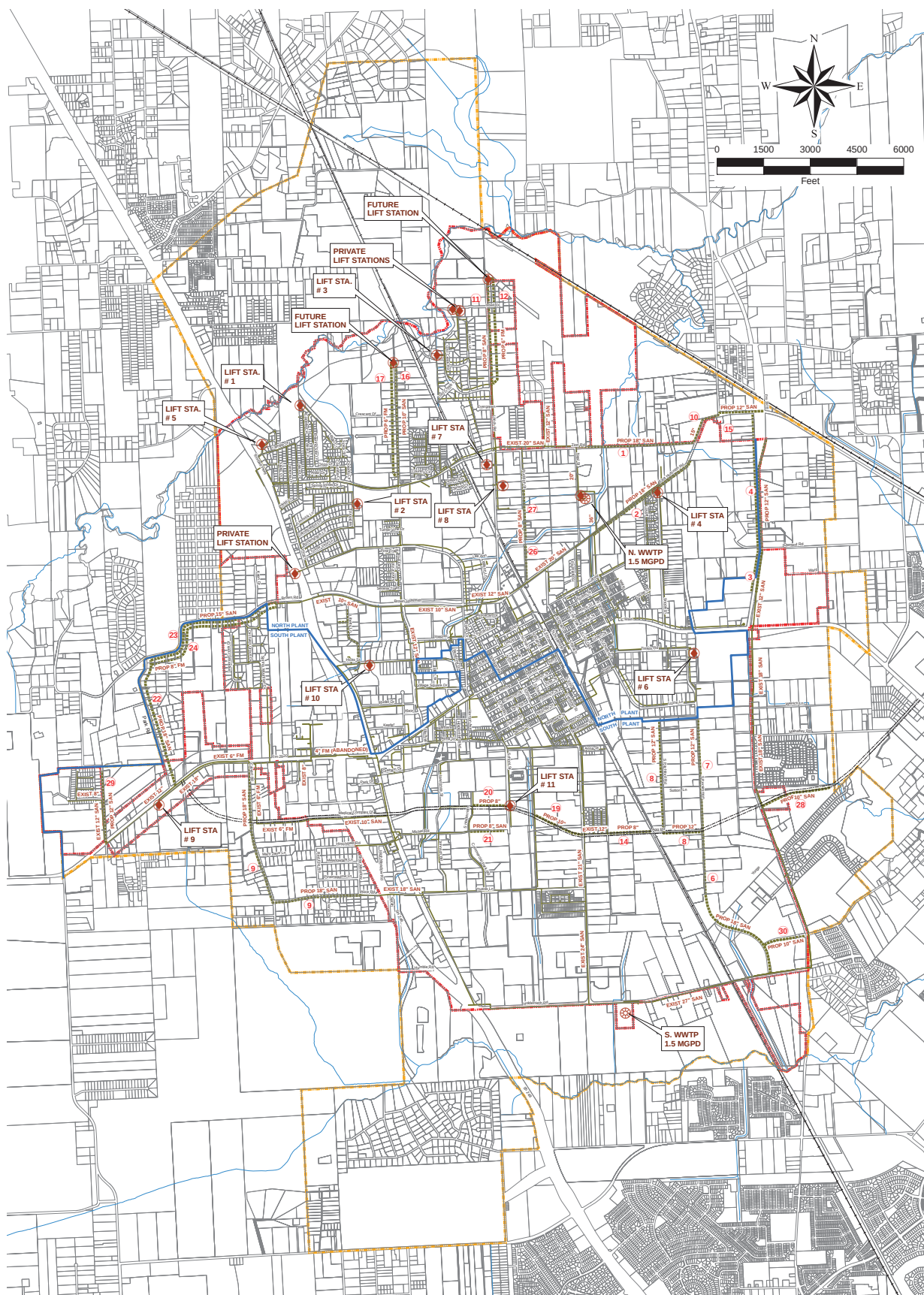


CLR, Inc.

Engineers • Surveyors **Page 11 of 18**
19530 FM-362, Waller, Texas 77487 Phone: (713) 462-0993

Future Wastewater Collection System Projects, 2012 to 2022

Project No.	Description	Priority (1)	Quantity	Units	Unit Cost (2)	Total Cost
1	18-inch Gravity Sanitary Sewer along Zion Road from Neal Street to Cabotway Road	1	2,600	LF	\$222.00	\$577,200.00
2	18-inch Gravity Sanitary Sewer along E. Hufsmith Road from existing 36-inch line to Zion Road	2	3,900	LF	\$222.00	\$865,800.00
3	12-inch Gravity Sanitary Sewer along F.M. 2978 from north of F.M. 2920 to Dement Road	2	1,400	LF	\$142.00	\$198,800.00
4	12-inch Gravity Sanitary Sewer along F.M. 2978 north of Dement Road	2	3,600	LF	\$142.00	\$511,200.00
5	8-inch Gravity Sanitary Sewer along Liberty Lane from Hicks	2	2,000	LF	\$92.00	\$184,000.00
6	18-inch Gravity Sanitary Sewer along S. Persimmon Street from Agg Road to Holderrieth Road	3	5,600	LF	\$222.00	\$1,243,200.00
7	12-inch Gravity Sanitary Sewer along S. Persimmon Street north of Agg Road	3	3,600	LF	\$142.00	\$511,200.00
8	12-inch Gravity Sanitary Sewer along S. Pitchford Road and Agg Road to S. Persimmon Street	3	4,700	LF	\$142.00	\$667,400.00
9	18-inch Gravity Sanitary Sewer along Calvert Road and Alice Road from F.M. 2920 to SH 249	3	8,100	LF	\$222.00	\$1,798,200.00
10	15-inch Gravity Sanitary Sewer along Zion Road and E. Hufsmith Road from Cabotway Road to Stanolind Rd	3	2,600	LF	\$182.00	\$473,200.00
11	8-inch Gravity Sanitary Sewer along Ulrich Road	3	3,500	LF	\$92.00	\$322,000.00
12	6-inch Force Main along Ulrich Road	3	3,600	LF	\$62.00	\$223,200.00
13	Lift Station at the end of Ulrich Road (Design Flow = 375 gpm)	3	1	LS	\$400,000.00	\$400,000.00
14	8-inch Gravity Sanitary Sewer along Agg Road east of Mulberry Street	3	1,300	LF	\$92.00	\$119,600.00
15	12-inch Gravity Sanitary Sewer along E. Hufsmith Road from Stanolind Road across F.M. 2978	4	1,600	LF	\$142.00	\$227,200.00
16	10-inch Gravity Sanitary Sewer along Quinn Road	4	4,000	LF	\$112.00	\$448,000.00
17	6-inch Force Main along Quinn Road	4	4,200	LF	\$62.00	\$260,400.00
18	Lift Station at the end of Quinn Road (Design Flow = 430 gpm)	4	1	LS	\$400,000.00	\$400,000.00
19	10-inch Gravity Sanitary Sewer along the Future Medical Complex Drive west of Cherry Street	4	1,800	LF	\$112.00	\$201,600.00
20	8-inch Gravity Sanitary Sewer along the Future Medical Complex Drive west of School Street	4	1,100	LF	\$92.00	\$101,200.00
21	8-inch Gravity Sanitary Sewer along the Future Michel Road extension east of Commercial Park Drive	4	1,200	LF	\$92.00	\$110,400.00
22	18-inch Gravity Sanitary Sewer along Park Road from FM 2920 to Brown Road	4	4,500	LF	\$222.00	\$999,000.00
23	15-inch Gravity Sanitary Sewer along Brown Road from Park Road to Orchard Grove Drive	4	5,200	LF	\$182.00	\$946,400.00
24	8-inch Force Main along Brown Road from Orchard Drive to Park Road	4	5,200	LF	\$72.00	\$374,400.00
25	Lift Station at Brown Road and Orchard Grove Drive (Design Flow = 1,000 gpm)	4	1	LS	\$550,000.00	\$550,000.00
26	8-inch Gravity Sanitary Sewer along Rudolph Road north of E. Hufsmith Road	4	1,200	LF	\$92.00	\$110,400.00
27	8-inch Gravity Sanitary Sewer along Rudolph Road south of Zion Road	5	2,400	LF	\$92.00	\$220,800.00
28	10-inch Gravity Sanitary Sewer along the Future Med Complex east of Hufsmith-Kohrville Road	5	2,200	LF	\$112.00	\$246,400.00
29	8-inch Tomball Cemetery Rd north of FM 2920	6	1,000	LF	\$92.00	\$92,000.00
30	10-inch Gravity Sanitary Sewer along Spell Road from S Persimmon to FM 2978	6	1,000	LF	\$112.00	\$112,000.00
	(1) Priority Rating of 1 is highest priority and 5 is lowest priority		83,100	Construction Total		\$13,495,200.00
	(2) Unit Price for Gravity Sanitary Sewer Includes Manholes					



--- Tomball ETJ
 --- Tomball City Limits

Sanitary

- Existing
- Proposed
- ⊗ Waste Water Treatment Plant
- ⬮ Lift Station

**Tomball Master Plan
 Sanitary Sewer System**



CLR, Inc.

Engineers • Surveyors • GIS
 19530 FM-362, Waller, Texas 77487 Phone (713) 462-0993

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