

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



MONDAY, MAY 16, 2016

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, May 16, 2016 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 Rick Brown, Sr. Pastor, ChristBridge Fellowship Church

3.0 Pledges to U.S. and Texas Flags

- Navy Junior ROTC will present colors; Lt. Commander Greg Boucher will lead pledges

4.0 Canvass of Elections:

4.1 Canvass of Election
Escrutinio de la Elección
Kiểm Phiếu của Cuộc Bầu Cử
拉票選舉

Resolution No. 2016-05, Canceling the Regular City Officer's Election Scheduled to be held on the 7th Day of May, 2016, in Accordance with Section 2.053(a) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election as approved by City Council on March 7, 2016, at the Regular Council Meeting. The following actions complete the canvass of the May 7, 2016 Election.

Resolución Nro. 2016-05, cancelando la Elección Regular de Funcionarios de la Ciudad programada para el 7 de mayo de 2016, de acuerdo con la Sección 2.053(a) del Código Electoral de Texas; instruyendo que se de aviso de tal cancelación de elección; y disponiendo los detalles relativos a la cancelación de tal elección como fue aprobada por el Consejo Municipal el 7 de marzo de 2016 en la asamblea ordinaria del Consejo. Las medidas indicadas a continuación completan el escrutinio de la Elección del 7 de mayo de 2016.

Nghị quyết số 2016-05, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Lệ Dự Kiến sẽ được tổ chức vào ngày 7 tháng Năm, 2016 chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Tiểu Bang Texas; Chỉ thị việc Ban Hành Thông Báo Hủy Bỏ Cuộc Bầu Cử; và Cung Cấp Thông Tin Chi Tiết liên quan đến Hủy Bỏ Cuộc Bầu Cử theo phê chuẩn của Hội Đồng Thành Phố vào ngày 7 tháng Ba, 2016 tại Cuộc Họp Hội Đồng Thường Lệ. Các hành động sau đây hoàn tất việc kiểm phiếu ngày 7 tháng Năm, 2016.

決議案2016-05號，取消一般市府官員應於2016年5月7日的選舉計畫，其是根據德克薩斯州選舉法2.053(a)節；茲此通知該選舉取消；以及提供關於由市政委員會於2016年3月7日，在一般是政會議通過取消該選舉的詳情。下列行動完成2016年5月7日選舉遊說

4.2 Administer Oath of Office to Elected Officials

Administrar el juramento al cargo de los funcionarios electos

Làm lễ Tuyên Thệ Nhậm Chức cho các Viên Chức Được Bầu Chọn

管管理選舉官員宣誓就職

4.3 Consideration to Elect Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter

Considerar elegir un Alcalde Interino, de acuerdo con la Sección 6.08 de la Carta Orgánica de Gobierno Local de la Ciudad de Tomball.

Xem xét Bầu Chọn Thị Trưởng, Tạm Thời, chiếu theo Mục 6.08 của Hiến Chương Điều Lệ Địa Phương Thành Phố Tomball.

考慮選出暫替市長，根據Tomball市自治憲章6.08節

5.0 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.]*

6.0 Presentations:

- *Certificate of Appreciation – P. Garland Davis, III, for his **Eagle Scout Project – U. S. Flag Drop Box***
- *Proclamation – May 15-21, 2016 is “**National Public Works Week – Tomball, Texas**”*
- *Proclamation – May 15-21, 2016 is “**National Emergency Medical Services Week – “EMS STRONG” – Tomball, Texas**”*
- *Proclamation – May 15-21, 2016 is “**Tomball Firefighter Appreciation Week**”*
- *Proclamation – May 22-28, 2016 is “**National Hurricane Preparedness Week – Tomball, Texas**”*

7.0 Reports and Announcements

- May 15-21, 2016 – **“Tomball Police Week”** and May 17, 2016 – **“Peace Officers Memorial Day”**
- May 25, 2016 – ***“Tomball Special Olympics Day – 2016”*** at the Depot
- May 28, 2016 – **Tomball Chili Challenge 2016** at the Depot
- ***Tomball City Pool – 2016 Swim Season - Jerry Matheson Park Pool*** will open May 28 through May 30 for Memorial Day weekend, then close May 31 through June 3. The Pool will reopen on June 4 and will operate will normal hours through August 21. From August 22 through September 4, the pool will be open on Saturday and Sunday only. The pool will be closed every Monday during swim season 2016, except Memorial Day (May 31), July 4th, and Labor Day (September 5). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- June 4, 2016 – ***Tomball Honky Tonk Music Festival*** at the Depot
- June 11, 2016 – **2nd Saturday at the Depot**
- **TOMBALL KID'S CLUB – June 14, 17, 21, 24, 28 and July 1, 8, 12, 15, 19, and 22, 2016** - 11:00 a.m.-1:00 p.m., at the Community Center
- June 23, 2016 – **8th Annual Economic Outlook Luncheon**, sponsored by the **Tomball Economic Development Corporation** at Lone Star College-Tomball – 11:30 a.m.-1:30 p.m.
- July 4, 2016 – **July Fourth Celebration & Street Festival** – Business 249 at FM 2920
- July 9, 2016 – **2nd Saturday at the Depot**
- Reports by City staff and members of council about items of community interest on which no action will be taken

8.0 Approve the Minutes of the May 2, 2016 Regular City Council Meeting and the May 5, 2016 Special City Council Meeting

9.0 New Business:

- 9.1 Approve Resolution No. 2016-10, 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 (4.847 Acres of Land, Being a Portion of FM 2920 Right-of-Way and a Portion of Telge Road Right-of-Way, Tomball, Texas)
- 9.2 Approve Resolution No. 2016-11, 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 (14.570 Acres of Land Located at 15945 FM 2920, 21706 Telge Road, and 21718 Telge Road, Tomball, Texas)
- 9.3 Approve Request from Woodlands Church Tomball Campus to Reserve the Railroad Depot Plaza on Saturday, June 18, 2016, from 9:00 a.m. to 12:00 p.m.,

for **"Launch"**, a Free Event for all Tomball families

9.4 Approve Proposed Amendment to Current Tomball Municipal Court Contract for Court Fees and Fines Collection Services

9.5 Award Contract for City of Tomball Project Bid Number 2016-12, Zion Road Sidewalk Project to Site Work Contractors, LLC in the Amount of \$295,917.75

9.6 Consideration to Approve **Zoning Case P16-0048**: Request by Brannon King, on behalf of DPIS Engineering, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 9.6 acres of land, legally described as Tract 24, Abstract 50 J Miller Survey, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **ZONING CASE P16-0048**
- Adopt, on First Reading, Ordinance No. 2016-06, 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 9.6 Acres Of Land, Legally Described As Tract 24, Abstract 50 J Miller Survey, Within The City Of Tomball, Harris County, Texas, From the Agricultural District To The Commercial District; Said Property Being Generally Located At The Northeast Corner Of Hufsmith Road And Zion Road At 1600 E. Hufsmith 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.

9.7 Consideration to Approve **Zoning Case P16-0054**: Request by Christopher Wohrer, on behalf of Moffett Productions Inc., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Tract 14G Abstract 632 C N Pillot, within the City of Tomball, Harris County, Texas, generally located on the south side of Holderrieth Road west of the Tomball Business and Technology Park at 11835 Holderrieth Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **ZONING CASE P16-0054**
- Adopt, on First Reading, Ordinance No. 2016-07, 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 2 Acres Of Land, Legally Described As Tract 14g Abstract 632 C N Pillot, Within The City Of Tomball, Harris County, Texas, From The Agricultural District To The Commercial District; Said Property Being Generally Located On The South Side Of Holderrieth Road West Of The Tomball Business And Technology Park At 11835 Holderrieth 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.

9.8 Discussion and Possible Adoption of 2016-2021 City of Tomball Strategic Plan

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 12th day of May 2016 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: May 16, 2016

Topic:

- Led by Rick Brown, Sr. Pastor, ChristBridge Fellowship Church

Background:

Origination:

Recommendation:

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

City Secretary

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: May 16, 2016

Topic:

- Navy Junior ROTC will present colors; Lt. Commander Greg Boucher will lead pledges

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: May 16, 2016

Topic:

Canvass of Election

Escrutinio de la Elección

Kiểm Phiếu của Cuộc Bầu Cử

拉票選舉

Resolution No. 2016-05, Canceling the Regular City Officer's Election Scheduled to be held on the 7th Day of May, 2016, in Accordance with Section 2.053(a) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election as approved by City Council on March 7, 2016, at the Regular Council Meeting. The following actions complete the canvass of the May 7, 2016 Election.

Resolución Nro. 2016-05, cancelando la Elección Regular de Funcionarios de la Ciudad programada para el 7 de mayo de 2016, de acuerdo con la Sección 2.053(a) del Código Electoral de Texas; instruyendo que se de aviso de tal cancelación de elección; y disponiendo los detalles relativos a la cancelación de tal elección como fue aprobada por el Consejo Municipal el 7 de marzo de 2016 en la asamblea ordinaria del Consejo. Las medidas indicadas a continuación completan el escrutinio de la Elección del 7 de mayo de 2016.

Nghị quyết số 2016-05, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Lệ Dự Kiến sẽ được tổ chức vào ngày 7 tháng Năm, 2016 chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Tiểu Bang Texas; Chỉ thị việc Ban Hành Thông Báo Hủy Bỏ Cuộc Bầu Cử; và Cung Cấp Thông Tin Chi Tiết liên quan đến Hủy Bỏ Cuộc Bầu Cử theo phê chuẩn của Hội Đồng Thành Phố vào ngày 7 tháng Ba, 2016 tại Cuộc Họp Hội Đồng Thường Lệ. Các hành động sau đây hoàn tất việc kiểm phiếu ngày 7 tháng Năm, 2016.

決議案2016-05號, 取消一般市府官員應於2016年5月7日的選舉計畫, 其是根據德克薩斯州選舉法2.053(a)節; 茲此通知該選舉取消; 以及提供關於由市政委員會於2016年3月7日, 在一般是政會議通過取消該選舉的詳情。下列行動完成2016年5月7日選舉遊說

Background:

Resolution No. 2016-05, canceling the May 7, 2016 Regular City Officer's Election was approved by Council on March 7, 2016, following the deadline for additional candidates to file for the open positions of Mayor and Council, Position 3, and declaring Gretchen Fagan duly elected as Mayor and Chad Degges duly elected as Council, Position 3.

Tonight's activities complete the 2016 election process.

Origination:

City Secretary

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1st ☐ 2nd	Other
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ATTACHMENTS:

Notice of Canvass of May 7, 2016 Election

Unofficial Canvass

Resolution No. 2016-05 and Order

**NOTICE OF CANVASS OF ELECTION
AT THE
REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, MAY 16, 2016



6:00 P.M.

Notice is hereby given that the Canvass of the May 7, 2016 General City Election will be held at a Regular meeting of the Tomball City Council, on Monday, May 16, 2016 at 6:00 p.m., at City Hall, 401 Market Street, Tomball, Texas 77375.

Por el presente se notifica que el escrutinio de la Elección General de la Ciudad del 7 de mayo de 2016 se realizará en una asamblea regular del Consejo Municipal de la Ciudad de Tomball el lunes 16 de mayo de 2016 a las 6:00 p.m. en City Hall, 401 Market Street, Tomball, Texas 77375.

Thông báo theo đây cho biết rằng Thủ Tục Kiểm Phiếu cho Cuộc Bầu Cử Tổng Quát của Thành Phố ngày 7 tháng Năm, 2016 sẽ được tổ chức trong một buổi họp mặt Thường lệ của Hội Đồng Thành Phố Tomball, vào lúc 6 giờ chiều thứ Hai, 16 tháng Năm, 2016 ở tòa thị chính, 401 Market Street, Tomball, Texas 77375.

茲此通知 2016 年 5 月 7 日的特別選舉城的招商會在湯波市議會，在星期一，2016 年 5 月 16 日下午 6:00 例會，在市政府，市場街 401 舉行，湯波，德州 77375。

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 10th day of May 2016 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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UNOFFICIAL CANVASS

UNOFFICIAL CANVASS

REGULAR CITY OFFICER'S ELECTION ON THE 7TH DAY OF MAY, 2016

The Regular Election, scheduled to be held in the City of Tomball on the 7th day of May 2016, at which election the following officers were to be elected by the qualified voters of the City, was canceled in accordance with Section 2.053(a) of the Texas Election Code.

ELECTION RESULTS:

The following candidates were certified as unopposed and were hereby elected as follows:

Candidate
Gretchen Fagan
Chad Degges

Office Sought
Mayor
Council Position 3

RESOLUTION NO. 2016-05

**A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, CANCELING THE
REGULAR CITY OFFICER'S ELECTION SCHEDULED TO BE HELD ON
THE 7TH DAY OF MAY, 2016, IN ACCORDANCE WITH SECTION 2.053(a) OF
THE TEXAS ELECTION CODE; DIRECTING THE GIVING OF NOTICE OF
SUCH CANCELLATION OF ELECTION; AND PROVIDING DETAILS
RELATING TO THE CANCELLATION OF SUCH ELECTION**

* * * * *

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

Section 1: It is hereby ordered that the Regular Election, scheduled to be held in the City of Tomball on the 7th day of May, 2016, at which election the following officers were to be elected by the qualified voters of the City, is canceled in accordance with Section 2.053(a) of the Texas Election Code.

POSITION:	MAYOR
	COUNCIL POSITION 3

Section 2: The following candidates have been certified as unopposed and are hereby elected as follows:

<u>Candidate</u>	<u>Office Sought</u>
Gretchen Fagan	Mayor
Chad Degges	Council Position 3

Section 3: A copy of the Order of Cancellation, attached herein and made part of Resolution No. 2016-05, will be posted on Election Day at the following polling place, which would have been used in the election:

POLLING PLACE
Tomball City Hall
401 Market Street
Tomball, Texas 77375

PASSED, APPROVED and RESOLVED this 7th day of March, 2016.

Gretchen Fagan
Gretchen Fagan, Mayor
City of Tomball

ATTEST:

Doris Speer
Doris Speer, City Secretary
City of Tomball

RESOLUCIÓN Nro. 2016-05

RESOLUCIÓN DE LA CIUDAD DE TOMBALL, TEXAS, CANCELANDO LA ELECCIÓN REGULAR DE FUNCIONARIOS MUNICIPALES PROGRAMADA PARA EL DÍA 7 DE MAYO DE 2016 DE ACUERDO CON LA SECCIÓN 2.053(A) DEL CÓDIGO ELECTORAL DE TEXAS; INSTRUYENDO QUE SE DE AVISO DE TAL CANCELACIÓN DE ELECCIÓN; Y PROVEYENDO DETALLES RELATIVOS A LA CANCELACIÓN DE TAL ELECCIÓN

* * * * *

EL CONSEJO MUNICIPAL DE LA CIUDAD DE TOMBALL, TEXAS, RESUELVE:

Sección 1: Por la presente se ordena que la Elección Regular, programada para celebrarse en la Ciudad de Tomball el 7 de mayo de 2016, en la cual los votantes calificados de la Ciudad habrían votado para elegir a los siguientes funcionarios, sea cancelada de acuerdo con la sección 2.053(a) del Código Electoral de Texas.

POSICIÓN:	ALCALDE
	POSICIÓN 3 EN EL CONSEJO

Sección 2: Los siguientes candidatos han sido certificados como candidatos únicos y por la presente son electos como sigue a continuación:

<u>Candidato</u>	<u>Cargo que aspira ocupar</u>
Gretchen Fagan	Alcalde
Chad Degges	Posición 3 del Consejo

Sección 3: Una copia de la Orden de Cancelación, adjunta al presente y hecha parte de la Resolución Nro. 2016-05, será colocada el Día de Elección en el siguiente lugar de votación que se hubiera utilizado en la elección:

LUGAR DE VOTACIÓN
Tomball City Hall
401 Market Street
Tomball, Texas 77375

PASADA, APROBADA y RESUELTA este día 7 de marzo de 2016.

Gretchen Fagan
Gretchen Fagan, Alcaldesa
City of Tomball

ATESTIGUA:

Doris Speer
Doris Speer, Secretaria de la Ciudad
Ciudad de Tomball

NGHỊ QUYẾT SỐ 2016-05

MỘT NGHỊ QUYẾT CỦA THÀNH PHỐ TOMBALL, TIỂU BANG TEXAS, HỦY BỎ CUỘC BẦU CỬ VIÊN CHỨC THÀNH PHỐ THƯỜNG KỲ DỰ KIẾN SẼ ĐƯỢC TỔ CHỨC VÀO NGÀY 7 THÁNG NĂM, 2016, CHIẾU THEO MỤC 2.053(a) CỦA BỘ LUẬT TUYỂN CỬ TEXAS; CHỈ THỊ VIỆC ĐƯA RA THÔNG BÁO VỀ HỦY BỎ CUỘC BẦU CỬ ĐÓ; VÀ CUNG CẤP THÔNG TIN CHI TIẾT LIÊN QUAN ĐẾN VIỆC HỦY BỎ CUỘC BẦU CỬ ĐÓ.

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HỘI ĐỒNG THÀNH PHỐ CỦA THÀNH PHỐ TOMBALL, TEXAS QUYẾT NGHỊ:

Mục 1: Theo đây ra lệnh rằng Cuộc Bầu Cử Thường Kỳ, dự kiến sẽ được tổ chức tại Thành Phố Tomball vào ngày 7 tháng Năm 2016, tại đó cuộc bầu cử các viên chức sau đây đã được lựa chọn bởi các cử tri hội đủ điều kiện của Thành Phố, bị hủy bỏ chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Texas.

VỊ TRÍ:	THỊ TRƯỞNG: ỦY VIÊN HỘI ĐỒNG VỊ TRÍ 3
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Mục 2: Các ứng cử viên sau đây đã được xác nhận là không có đối thủ và theo đây được đặc cử như sau:

<u>Ứng Cử Viên</u> Gretchen Fagan Chad Degges	<u>Vị Trí Đặc Cử</u> Thị Trưởng Ủy Viên Hội Đồng Vị Trí 3
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Mục 3: Một bản sao của Lệnh Hủy Bỏ, được đính kèm theo Nghị Quyết này và trở thành một phần của Nghị Quyết số 2016-05, sẽ được niêm yết vào Ngày Bầu Cử tại địa điểm bỏ phiếu sau đây, mà lẽ ra được sử dụng trong cuộc bầu cử:

ĐỊA ĐIỂM BỎ PHIẾU
Tomball City Hall
401 Market Street
Houston, Texas 77375

ĐƯỢC CHẤP THUẬN VÀ THÔNG QUA hôm nay ngày 7 tháng Ba, 2016.

Gretchen Fagan
Gretchen Fagan, Thị Trưởng
Thành Phố Tomball

CHỨNG THỰC:

Doris Speer
Doris Speer, Bí Thư Thành Phố
Thành Phố Tomball

決議案編號2016-05

一德克薩斯州，TOMBALL市決議案，取消一般市府官員應於2016年5月7日的選舉計畫，其是根據德克薩斯州選舉法2.053(a)節；茲此通知該選舉取消；以及提供關於取消該選舉的詳情

* * * * *

特此由德克薩斯州，TOMBALL市決議:

第1條: 茲此命令計畫在德克薩斯州，TOMBALL市2016年5月7日舉行的選舉，在該選舉應由本市合乎資格選民選出下列官職，根據德克薩斯州選舉法2.053(a)節該選舉已取消。

席位:	市長
	委員席位 3

第2條: 下列候選人已被證實為無競爭對手當選候選人:

<u>候選人</u>	<u>當選職位</u>
Gretchen Fagan	市長
Chad Degges	委員席位 3

第3條: 本取消令命令副本，在此附上以及成為決議案編號2016-05的一部分，將於選舉日張貼在在下列可能啟用的投票場所。

投票場所
Tomball市政廳
401 Market Street
Tomball, Texas 77375

在2016年3月7日通過，批准及決議。

Gretchen Fagan
Gretchen Fagan市長
Tomall市

此證:

Doris Speer
Doris Speer, 市秘書
Tomall市

ORDER OF CANCELLATION
(ORDEN DE CANCELACIÓN)
(LỆNH HỦY BỎ)
(取消命令)

The City of Tomball, Texas hereby cancels the election scheduled to be held on May 7, 2016 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

(En conformidad con la Sección 2.053(a) del Código de Elecciones de Texas, por la presente la Ciudad de Tomball, Texas, cancela la elección programada para el 7 de mayo 2016. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente son electos como sigue a continuación:)

(Thành Phố Tomball, Texas theo đây hủy bỏ cuộc bầu cử dự kiến sẽ được tổ chức vào ngày 7 tháng Năm, 2016 chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Texas. Các ứng cử viên sau đây đã được xác nhận là không có đối thủ và theo đây được đắc cử như sau:)

(茲依照德州選舉法 2.053(a) 款的規定，德克薩斯州，Tomball市在此取消計畫在 2016 年5月 7 日舉辦的選舉。以下候選人業經證實為無競選對手的候選人，並已當選以下職位：)

Candidate
(Candidato)
(Ứng Cử Viên)
(候選人)

Office Sought
(Cargo que aspira ocupar)
(Vị Trí Đắc Cử)
(當選職位)

Gretchen Fagan
Chad Degges

Mayor (Alcalde) (Thị Trưởng) (市長)
Council Position 3 (Posición 3 del Consejo)
(Ủy Viên Hội Đồng Vị Trí 3)(委員席位3)

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

(El Día de Elección se colocará una copia de esta orden en cada lugar de votación que se hubieran utilizado en la elección.)

(Một bản sao của Lệnh này sẽ được niêm yết vào Ngày Bầu Cử tại mỗi địa điểm bỏ phiếu mà lẽ ra được sử dụng trong cuộc bầu cử.)

(本取消令副本將於選舉日張貼在每個可能啟用的投票所。)

Gretchen Fagan
Mayor (Alcalde) (Thị Trưởng) (市長)

Doris Speer
Secretary (Secretaria) (Thư Ký) (秘書)

(seal) (sello) (con dấu) (印鑑)

March 7, 2016
Date of Adoption (Fecha de Adopción) (Ngày Chấp Thuận) (正式通過日期)

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Administer Oath of Office to Elected Officials

Administrar el juramento al cargo de los funcionarios electos

Làm lễ Tuyên Thệ Nhậm Chức cho các Viên Chức Được Bầu Chọn

管管理選舉官員宣誓就職

Background:

Origination:

City Secretary

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Consideration to Elect Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter

Considerar elegir un Alcalde Interino, de acuerdo con la Sección 6.08 de la Carta Orgánica de Gobierno Local de la Ciudad de Tomball.

Xem xét Bầu Chọn Thị Trưởng Tạm Thời, chiếu theo Mục 6.08 của Hiến Chương Điều Lệ Địa Phương Thành Phố Tomball.

考慮選出暫替市長，根據Tomball市自治憲章6.08節

Background:**Origination:**

City Secretary

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: May 16, 2016

Topic:

- *Certificate of Appreciation – P. Garland Davis, III, for his **Eagle Scout Project – U. S. Flag Drop Box***
- *Proclamation – May 15-21, 2016 is “**National Public Works Week – Tomball, Texas**”*
- *Proclamation – May 15-21, 2016 is “**National Emergency Medical Services Week – “EMS STRONG” – Tomball, Texas**”*
- *Proclamation – May 15-21, 2016 is “**Tomball Firefighter Appreciation Week**”*
- *Proclamation – May 22-28, 2016 is “**National Hurricane Preparedness Week – Tomball, Texas**”*

Background:

Origination:

Tomball Economic Development Corporation

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

ATTACHMENTS:

Certificate of Appreciation – P. Garland Davis, III, for his Eagle Scout Project – U. S. Flag Drop Bo
Eagle Scout Project – U. S. Flag Drop Box
“National Public Works Week – Tomball, Texas”
“National Emergency Medical Services Week – “EMS STRONG” – Tomball, Texas”
“Tomball Firefighter Appreciation Week”
“National Hurricane Preparedness Week – Tomball, Texas”

City of Tomball
Certificate of Appreciation

This certificate is awarded to

P. Garland Davis

For the Completion of Your

Eagle Scout Project

*in appreciation from the City of Tomball, Texas
and in recognition of your substantial contribution
to our community in the construction and installation of an
Official U. S. Flag Drop Box
at the City of Tomball Public Works Building.*

Attest:

Doni Egan
City Secretary

Hitcher Fags

Mayor, City of Tomball, Texas

May 16, 2016
Date

U.S. Flag Drop Box

P. Garland Davis, III
Eagle Scout Project



BOY SCOUTS
OF AMERICA®

P. Garland Davis, III

Eagle Scout Project

U.S. FLAG DROP BOX

to be located inside the
Tomball Public Works Building
501 James Street

Hours: Mon - Thurs 7:45 AM - 5:00 PM, Fri 7:45 AM - 4:00 PM



The U.S. Code states that when a U.S. Flag is in such condition that it is no longer a fitting emblem for display, it should be destroyed in a dignified way. The Boy Scouts are one of the few organizations who regularly perform U.S. flag retirement ceremonies. U. S. flags that are brought in to the Tomball Public Works Building at 501 James Street and placed in the new U.S. Flag Drop Box will be retired with the same dignity and respect that they preserve and command during they're display tenure as an emblem of the United States.















Office of the Mayor
Tomball, Texas

Proclamation



- WHEREAS,** the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs for the health, safety and comfort of this community, such as water, sewer, gas, streets and highways, public buildings, parks, and solid waste collection; and
- WHEREAS,** the health, safety and comfort of Tomball greatly depends on these facilities and services and the quality and effectiveness of Tomball's facilities, as well as their planning, design and construction, is vitally dependent upon the efforts and skill of Public Works officials; and
- WHEREAS,** the public works services provided in Tomball are an integral part of our citizens' everyday lives and the efficiency of the qualified and dedicated personnel who staff Tomball's Public Works Department is materially influenced by people's attitude and understanding of the importance of the work they perform; and
- WHEREAS,** there would be no community without the quality of life Public Works provides, no community to police and protect, no public to lead or represent—this year's theme "*Always Ready*" speaks to the importance of Public Works and the men and women of the profession that are always there and always ready to perform the services in support of our daily quality of life; and
- WHEREAS,** 2016 marks the 56th annual National Public Works Week, sponsored by the American Public Works Association and the Tomball City Council wishes to recognize the dedication, talents and contributions made by Tomball Public Works employees;

NOW THEREFORE, I, Gretchen Fagan, Mayor of the City of Tomball, Texas on behalf of the Tomball City Council, do hereby proclaim May 15-21, 2016 as:

"NATIONAL PUBLIC WORKS WEEK – TOMBALL, TEXAS"

in the City of Tomball, Texas and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our Public Works services and to recognize the contributions that Public Works officials and employees make every day to our health, safety, comfort, and quality of life.



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

ATTEST: _____

DATE: _____

Dei Spun
May 16, 2016

Office of the Mayor
Tomball, Texas

Proclamation



WHEREAS, emergency medical services is a vital public service that the members of **Northwest Rural Emergency Medical Service (NWEMS)** are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those experiencing sudden illness or injury and **NWEMS** plays a critical role in public outreach and injury prevention, and is evolving in its role as an important member of the healthcare community; and

WHEREAS, emergency medical responders are supported by emergency medical dispatchers, firefighters, law enforcement officers, educators, administrators, researchers, emergency nurses, emergency physicians and others; and

WHEREAS, **NWEMS** responders will be the first to respond to terrorist or natural events and are constantly training to respond to any possible occurrence, benefitting the citizens of Tomball daily through the knowledge and skills of these highly-trained individuals, who, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their life-saving skills, and the availability of the Texas trauma system; and

WHEREAS, it is appropriate for the City of Tomball to recognize the value and the accomplishments of emergency medical services providers, especially **Northwest Rural Emergency Medical Service**, by designating the **42nd Annual Emergency Medical Services Week**;

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor, on behalf of the City Council of the City of Tomball, Texas, do hereby proclaim the week of May 15-21, 2016 as:

**"NATIONAL EMERGENCY MEDICAL SERVICES
WEEK – "EMS STRONG" – TOMBALL, TEXAS"**



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

ATTEST:

DATE:

Doris Spivey

May 16, 2016

Office of the Mayor
Tomball, Texas

Proclamation



- WHEREAS,** the **Tomball Fire Department** has been protecting the City of Tomball and the surrounding area since its inception in 1934; and
- WHEREAS,** the **City of Tomball** recognizes, honors and promotes the value of the contributions of the members of the **Tomball Fire Department**, who place themselves in harm's way to ensure that persons and property are protected; and
- WHEREAS,** the **Tomball Fire Department** has grown to 22 full-time, 34 part-time employees, numerous volunteers, and 10 vehicles/apparatus operating from three stations, providing fire and rescue services for the protection of life and property in and around Tomball 24 hours a day, seven days a week; and
- WHEREAS,** the **City of Tomball** and the **Tomball Fire Department** personnel have worked together to provide for the rapid deployment of firefighters and equipment, improved water supply and distribution systems, improved communication systems, and significant firefighter training—resulting in Tomball's earning an ISO rating of 1, the best rating for any fire department—volunteer or career—in the nation, benefitting our residents through the lowest possible insurance rates on property coverage; and
- WHEREAS,** **Tomball Fire Department** personnel also care for the community by teaching first-aid classes, assisting in preparing for and recovery from natural and man-made disasters, providing safe holiday fireworks displays; providing public education, providing Community Emergency Response Team (CERT) training and providing support for local families during the Christmas and Thanksgiving holiday seasons; and
- WHEREAS,** the members of the **Tomball Fire Department** are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education and constantly train to respond to any possible occurrence;
- NOW, THEREFORE, I, GRETCHEN FAGAN,** Mayor of the City of Tomball, Texas, on behalf of the Tomball City Council and all citizens hereof, do hereby proclaim **the week of May 15 through May 21, 2016** as:

"TOMBALL FIREFIGHTER APPRECIATION WEEK"



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

ATTEST: _____

DATE: _____

Doni Speer
May 16, 2016

Office of the Mayor
Tomball, Texas

Proclamation



- WHEREAS,** Texas' hurricane season officially begins June 1 and ends November 30, and history teaches that a lack of hurricane awareness and preparation are common threads among all major hurricane disasters, but that knowing our vulnerabilities and the actions we should take can reduce the effects of a hurricane disaster; and
- WHEREAS,** the 624-mile Texas Gulf coastline, areas of Texas hundreds of miles inland, and our area in particular, are vulnerable to the devastating effects of a hurricane or tropical storm, including heavy rainfall, inland flooding, high winds, tornadoes, and storm surges; and
- WHEREAS,** both public and private entities should develop emergency response and recovery plans in accordance with local jurisdictions and local emergency management offices, and
- WHEREAS,** the *National Oceanic and Atmospheric Administration* and the *Texas Division of Emergency Management* have designated the week of May 22-28, 2016 as ***National Hurricane Preparedness Week***; and
- WHEREAS,** the NOAA, the National Weather Service, the Texas Division of Emergency Management, and the leaders of the City of Tomball strongly suggest that all residents and visitors to this area be made aware of the potential dangers of these storms; and
- WHEREAS,** the best defense is preparedness and public education about the dangers of high winds, storm surge, flooding and tornadoes that may occur for hundreds of miles in conjunction with a hurricane or tropical storm;

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, on behalf of the City Council, do hereby proclaim the week of May 22 through May 28, 2016 as:

“NATIONAL HURRICANE PREPAREDNESS WEEK – TOMBALL, TEXAS”

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



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

ATTEST:

DATE:

[Signature]

Don Spier

May 16, 2016

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

- May 15-21, 2016 – “**Tomball Police Week**” and May 17, 2016 – “**Peace Officers Memorial Day**”
- May 25, 2016 – “**Tomball Special Olympics Day – 2016**” at the Depot
- May 28, 2016 – **Tomball Chili Challenge 2016** at the Depot
- **Tomball City Pool – 2016 Swim Season - Jerry Matheson Park Pool** will open May 28 through May 30 for Memorial Day weekend, then close May 31 through June 3. The Pool will reopen on June 4 and will operate will normal hours through August 21. From August 22 through September 4, the pool will be open on Saturday and Sunday only. The pool will be closed every Monday during swim season 2016, except Memorial Day (May 31), July 4th, and Labor Day (September 5). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- June 4, 2016 – **Tomball Honky Tonk Music Festival** at the Depot
- June 11, 2016 – **2nd Saturday at the Depot**
- **TOMBALL KID'S CLUB – June 14, 17, 21, 24, 28 and July 1, 8, 12, 15, 19, and 22, 2016** - 11:00 a.m.-1:00 p.m., at the Community Center
- June 23, 2016 – **8th Annual Economic Outlook Luncheon**, sponsored by the **Tomball Economic Development Corporation** at Lone Star College-Tomball – 11:30 a.m.-1:30 p.m.
- July 4, 2016 – **July Fourth Celebration & Street Festival** – Business 249 at FM 2920
- July 9, 2016 – **2nd Saturday at the Depot**
- 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:

“Tomball Police Week” and “Peace Officers Memorial Day”

"Tomball Special Olympics Day – 2016"

Chili Challenge 2016

8th Annual Economic Outlook Luncheon, sponsored by the Tomball Economic Development Corporation

July 4th Celebration and Street Festival

Office of the Mayor
Tomball, Texas

Proclamation



- WHEREAS,** in every American community, law enforcement officers commit themselves to the preservation of life and property, risking their lives to protect us from all who would mock the law, providing protection, law and order and serving the cause of justice; and
- WHEREAS,** law enforcement officers, including members of the **Tomball Police Department**, accept a profound responsibility and work to uphold our laws, safeguard our rights and freedoms, and serve on the front lines in the fight against crime and terrorism; and
- WHEREAS,** we honor the heroism of all our law enforcement officers, especially those who have given their lives so that others might live, asking God's blessing for the families and friends they left behind; and
- WHEREAS,** by Joint Resolution approved October 1, 1962, as amended, Congress authorized and President Kennedy proclaimed May 15th of each year "**Peace Officers Memorial Day**" in honor of the Federal, State and municipal officers who have been killed or disabled in the line of duty, further designating the calendar week in which May 15 falls "**Police Week**," and has directed that flags be flown at half-staff on "**Peace Officers Memorial Day**", under Public Law 103-322, as amended, and
- WHEREAS,** across the nation, **Police Week** is observed with ceremonies, including the hanging of a blue bow or ribbon to honor law enforcements officers who have sacrificed their lives in the line of duty and to honor those who still strive to keep us safe; and
- WHEREAS,** I encourage all citizens to express their deep appreciation to the men and women who risk their lives to guard and protect us;

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, do hereby proclaim **Tuesday, May 17, 2016** as:

"PEACE OFFICERS MEMORIAL DAY"

and **May 15-21, 2016** as:

"TOMBALL POLICE WEEK"

and encourage the citizens of Tomball and those with us today to join us as we

"HONOR THE STANDING AND THE FALLEN"



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

ATTEST: _____

DATE: _____

[Signature]
[Signature]
May 2, 2016

Office of the Mayor
Tomball, Texas

Proclamation



WHEREAS the **SPECIAL OLYMPICS** showcases the courage and perseverance of the human spirit, challenging millions of people with disabilities to set high goals, always try their best, and embody the Special Olympics Athlete Oath "Let me win. But if I cannot win, let me be brave in the attempt"; and

WHEREAS the **SPECIAL OLYMPICS**' mission is to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, providing continuous opportunities to develop physical fitness, demonstrate courage, experience joy, and share skills, gifts, and fellowship with fellow athletes, their families, and the community; and

WHEREAS law enforcement officers serve as the "Guardians of the Flame," the **TOMBALL POLICE DEPARTMENT** will participate in the **SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN** as it proceeds from Houston to Arlington and will carry the "**FLAME OF HOPE**" through a portion of the City of Tomball on Wednesday, May 25, 2016; and

WHEREAS the **TORCH RUN** will begin in downtown Houston and arrive in Tomball, meeting at the Tomball Depot at approximately 9:15 a.m., where participants in the **TORCH RUN** will proceed, escorted by a rolling barricade, through the City and returning to the Tomball Depot at approximately 9:45 a.m.; and

WHEREAS the City of Tomball wishes to support the **SPECIAL OLYMPICS** and honor those volunteers and athletes who participate in year-round sports training and athlete competitions for children and adults with intellectual disabilities in 150 countries around the world;

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, do hereby proclaim Wednesday, May 25, 2016, as:

"TOMBALL SPECIAL OLYMPICS DAY - 2016."

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

ATTEST: _____

DATE: _____



CHILI CHALLENGE 2016

TOMBALL ★ TEXAS

MAY 28TH

PRESENTED BY



*C. A.S.I. SANCTIONED
COOK TEAMS

*BUSINESS CATEGORY

*KID COOKERS

*TROPHIES AWARDED IN
ALL CATEGORIES

*MARGARITA
POUR-OFF

THE POSSE BAND
ON-STAGE

STARTING AT NOON

FOOD & DRINKS

VENDORS

KIDS ZONE

CALL 281-351-5484

OR VISIT

TOMBALLTX.GOV



at TOMBALL'S HISTORIC DOWNTOWN DEPOT – 221 S. ELM



8TH ANNUAL

ECONOMIC OUTLOOK LUNCHEON

Lone Star College–Tomball • Beckendorf Conference Center

JUNE 23, 2016

11:30 A.M. – 1:30 P.M.

FEATURED SPEAKERS:

Patrick Duffy, MCR
*President–Houston,
Colliers International*

Glenn Hegar
*Texas Comptroller
of Public Accounts*

TOMBALL
ECONOMIC DEVELOPMENT CORPORATION

29201 Quinn Rd., Ste. B • Tomball, Texas 77375
281.401.4086 • tomballxedc.org

JULY FOURTH

CELEBRATION & STREET FESTIVAL

TOMBALL, TEXAS

PRESENTED BY ALLIED SIDING & WINDOWS

GIANT FIREWORKS SPECTACULAR

LIVE MUSIC ON THE **K-STAR 99.7FM STAGE**

THE KROGER KIDS ZONE * FOOD AND BEVERAGES

FREE ADMISSION & PARKING * VISIT TOMBALLTX.GOV

BUSINESS 249 AT FM 2920 * GATES OPEN AT 5:00 PM

CALL 281-351-5484 OR VISIT TOMBALLTX.GOV FOR INFO

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Approve the Minutes of the May 2, 2016 Regular City Council Meeting and the May 5, 2016 Special City Council Meeting

Background:**Origination:**

City Secretary

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

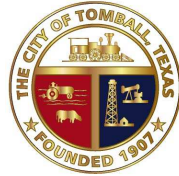
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Draft Minutes of the May 2, 2016 Regular City Council Meeting

Draft Minutes of the May 5, 2016 Special City Council Meeting

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



MONDAY, MAY 2, 2016

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 Townsend
Councilman Degges
Councilman Klein Quinn
Councilman Stoll

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Public Works Director – David Esquivel
Director of Community Development – Craig Meyers
City Planner – Harold Ellis
Assistant City Planner – Amelia Lindley
Community Center Manager – Rosalie Dillon
Executive Director-TEDC – Kelly Violette
Coordinator-TEDC – Tiffani Wooten
CSO Administrative Assistant – Tracy Garcia
Police Detective – Kenneth Yoho
Police Lieutenant – Danny Arriaga
Police Sergeant – Shon Davis

2.0 The invocation was led by Pastor Dustin Reitzel, Woodlands Church, Tomball Campus.

3.0 The pledges to U. S. and Texas Flags were led by Robert Hauck and Randy Parr. A moment of silence was led by Mayor Fagan in honor of Diane Holland, former Councilman.

4.0 The following public comments were received:

- | | |
|---|---|
| Albert Thomas
24903 Elmira, 77377 | - Requested support for the TEAM Food Drive, sponsored by “ <i>Men Who Set Trends</i> ” to benefit TEAM, to be held May 16-21, 2016 |
| Charlie Fenner
12303 Preece Court, 77429
Blake Bartlett
27914 Waller Spring Creek, 77484 | - Requested support for amendment to City’s Code regarding donation boxes, to allow the donation box at Concordia Lutheran High School. |

5.0 Presentations:

Mayor Fagan presented a proclamation to the Tomball Economic Development Corporation for “**Economic Development Week**” – May 8-14, 2016.

6.0 Reports and Announcements:

- May 5, 2016 – **National Day of Prayer** at the Depot – 12 Noon
- May 14, 2016 – **Ribbon Cutting and Open House at Fire Station 5**, 19900 Telge Road
- May 14, 2016 – **2nd Saturday at the Depot**
- May 28, 2016 – **Tomball Chili Challenge 2016** at the Depot
- June 4, 2016 – **Tomball Honky Tonk Music Festival** at the Depot
- June 23, 2016 – **8th Annual Economic Outlook Luncheon**, sponsored by the **Tomball Economic Development Corporation** at Lone Star College-Tomball – 11:30 a.m.-1:30 p.m.
- July 4, 2016 – **July Fourth Celebration & Street Festival** – Business 249 at FM 2920
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - Randy Parr reported on the success of the ***Shattered Lives*** Event at **Tomball High School**.
 - David Esquivel reported on the success of the **Annual Spring Clean-Up and Chipping Week** and **Tomball Consolidated Recycling Day** Events.
 - Glenn Windsor presented the Quarterly investment report for period ending March 31, 2016. The Public Funds Investment Act requires that a report of the City's investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values, yield information, and weighted average maturities. On March 31, 2016, the City had total cash equivalents and investments totaling \$51,513,436. A copy of the report was provided for review.

- 7.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the Minutes of the April 25, 2016 Regular City Council Meeting.

Motion carried unanimously.

9.0 New Business

Request was made by Councilman Townsend to move Item 9.6 to allow discussion with the Concordia Lutheran High School students. Hearing no objections, Mayor Fagan moved Item 9.6 forward:

- 9.6 Discussion was held regarding Chapter 42, Health and Sanitation, Regarding Regulation of Donation Containers. Consensus of Council was unanimous to amend the Code and City Staff was directed to bring recommendations/proposed amendments to Council for consideration and action.

No action taken.

8.0 Old Business:

- 8.1 Motion was made by Councilman Degges, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2016-05, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 13.1 Acres of Land, Legally Described as 5.001 Acres H.C.C.F. No. X733739 Portion of Lots 487, 488, & 489 and 8.1479 Acres H.C.C.F. No. U200671 Portion of Lots 487, 488 & 489 Tomball Townsite Volume 2, Page 65 M.R.H.C., within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property Being Generally Located on the East Side of Hufsmith-Kohrville, South of The Estates at Willow Creek Subdivision; 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.

The following public comments were received:

- | | |
|--|--|
| Robert White
11014 N. Club Green, 77375 | - Expressed his opposition to approval of the zoning reclassification. |
| Todd Johnson
30614 Quinn Road, 77375 | - Expressed his opposition to approval of the zoning reclassification. |
| Leigh Anne Maxwell
10934 S. Country Club Green, 77375 | - Expressed her opposition to approval of the zoning reclassification. |

- | | |
|---|---|
| Cressie Wright
11311 Misty Willow, 77375 | - Requested that her opposition to the zoning reclassification be read into the record. |
| Mitchell Forrest
11110 S. Country Club Green, 77375 | - Requested that his opposition to the zoning reclassification be read into the record. |
| Andrew Canales
11114 S. Country Club Green, 77375 | - Requested that his opposition to the zoning reclassification be read into the record. |
| Fredrick Westling
11214 N. Country Club Green, 77375 | - Requested that his opposition to the zoning reclassification be read into the record. |
| Jerry Calhoon
11002 N. Country Club Green, 77375 | - Requested that his opposition to the zoning reclassification be read into the record. |
| Sally Calhoon
11002 N. Country Club Green, 77375 | - Requested that her opposition to the zoning reclassification be read into the record. |
| Richard N. Merchant
11006 N. Country Club Green, 77735 | - Requested that his opposition to the zoning reclassification be read into the record. |
| Eric Hobbs
11018 N. Country Club Green, 77375 | - Requested that his opposition to the zoning reclassification be read into the record. |
| Jay Judge
11104 N. Country Club Green, 77375 | - Requested that his opposition to the zoning reclassification be read into the record. |
| Meghan Raney
11311 Misty Willow, 77375 | - Requested that her opposition to the zoning reclassification be read into the record. |
| Patty Zachary
10909 S. Country Club Green, 77375 | - Requested that her opposition to the zoning reclassification be read into the record. |
| Kristi Zadik
21602 Country Club Green, 77375 | - Requested that her opposition to the zoning reclassification be read into the record. |
| Katie Jones
21502 Country Club Green Circle | - Requested that her opposition to the zoning reclassification be read into the record. |
| Sandra Glasscock
11056 Crestbrook Park, 77375 | - Requested that her opposition to the zoning reclassification be read into the record. |
| Angelynn Johnson
30614 Quinn Road, 77375 | - Requested that her opposition to the zoning reclassification be read into the record. |

- | | |
|---|---|
| Les Coker
11102 N. Country Club Green, 77375 | - Requested that his opposition to the zoning reclassification be read into the record. |
| Patricia Killough
11210 N. Country Club Green, 77375 | - Email - Requested that her opposition to the zoning reclassification be read into the record. |
| Johnny Johnson
21619 Country Club Green, 77375 | - Email - Requested that his opposition to the zoning reclassification be read into the record. |
| Neil and Karen Guiles
22303 Willow Creek Bridge, 77375 | - Email - Requested that their opposition to the zoning reclassification be read into the record. |
| Derek Townsend, Sr.
30618 Williams Juergens, 77375 | - Speaking as citizen, expressed his opposition to the zoning reclassification. |

Motion was made by Councilman Hudgens, second by Councilman Klein Quinn to Move the Previous Question.

Motion carried unanimously.

Vote on Main Motion, to adopt, on Second Reading, Ordinance No. 2016-05, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 13.1 Acres of Land, Legally Described as 5.001 Acres H.C.C.F. No. X733739 Portion of Lots 487, 488, & 489 and 8.1479 Acres H.C.C.F. No. U200671 Portion of Lots 487, 488 & 489 Tomball Townsite Volume 2, Page 65 M.R.H.C., within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property Being Generally Located on the East Side of Hufsmith-Kohrville, South of The Estates at Willow Creek Subdivision; 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, was as follows:

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

A tie resulting, Mayor Fagan cast her vote to break the tie: Aye

Motion carried, 3 votes Aye, 2 votes Nay.

Mayor Fagan called a 10-minute recess at 7:35 p.m. Upon reconvening into regular session at 7:45 p.m., the following items were considered:

9.0 New Business:

- 9.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to award Contract for City of Tomball Project No. 2016-01, 2016 W. Main Sidewalk Annual Maintenance & Repair Project, to Core Stone Construction Services for the Base Bid Amount of \$48,830.00.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to award Contract for City of Tomball Project No. 2016-13, Market Street and Walnut Street Sidewalk and Paving, to Site Work Contractors, LLC for the Base Bid Amount of \$111,535.00.

Motion carried unanimously.

- 9.3 Motion was made by Councilman Degges, second by Councilman Townsend, to award Contract for Project No. 2016-17 for the Purchase of Two (2) Work Trucks, in the Amount of \$54,670.00 to Caldwell Country.

Motion carried unanimously.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Resolution No. 2016-08, a Resolution of the City Council of the City of Tomball, Texas, Sponsoring the July 4th Celebration, to be held in Tomball on Monday, July 4, 2016, Closing State Highway Business 249 from Hicks Street to the North Entrance to the Kroger Parking Lot from 3:00 PM until 11:00 PM, and Authorizing the City Manager to issue a Letter to TxDOT Requesting the Closure of the Designated Portion of State Highway Business 249.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to authorize the City Manager to Request that Harris County Commissioners Court Enter into an Interlocal Agreement with the City of Tomball for Harris County to Provide Contingency Debris Removal Services to the City of Tomball in the Event of a Disaster Incident.

Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to Move the Previous Question.

Motion carried unanimously.

Vote was cast on Main Motion, to authorize the City Manager to Request that Harris County Commissioners Court Enter into an Interlocal Agreement with the City of Tomball for Harris County to Provide Contingency Debris Removal Services to the City of Tomball in the Event of a Disaster Incident.

Motion carried unanimously.

10.0 Motion was made by Councilman Hudgens, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

Meeting adjourned.

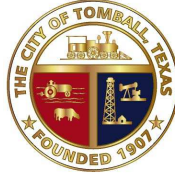
PASSED AND APPROVED this the _____ day of _____ 2016.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

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

THURSDAY, May 5, 2016



6:00 P.M.

1.0 Call to Order

Mayor Fagan called the Special Council meeting to order at 6:00 p.m. Other members present:

Councilman Hudgens
Councilman Townsend
Councilman Degges
Councilman Stoll

Members absent:

Councilman Klein Quinn - Excused

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Fire Chief – Randy Parr
Police Chief – Billy Tidwell
Executive Director-TEDC – Kelly Violette
CSO Administrative Assistant – Tracy Garcia

2.0 Public Comments and Receipt of Petitions:

- | | |
|---|---|
| Bruce Hillegeist, GTACC and
Kelly Violette, TEDC | - Expressed their personal support for the
Iron Man competition in Tomball |
| Anthony Sartori
8514 Haven Way, 77377 | - Expressed his support for the Iron Man
competition in Tomball |
| Rodney Hutson
9431 Rosie Lane - Suite 100, 77354 | - Expressed his support for the Iron Man
competition in Tomball |

- | | |
|--|---|
| <p>Peggy Hugonin
30507 Country Meadows, 77375</p> | <ul style="list-style-type: none"> - Expressed her concerns regarding the Iron Man competition in Tomball, emergency services, TISD's support, costs/benefits to City |
| <p>Linda Nelson
Memorial Herman-Woodlands</p> | <ul style="list-style-type: none"> - Expressed her support for the Iron Man competition in Tomball |
| <p>Eric Lundsford
27649 Fairhope Meadow Lane, 77339</p> | <ul style="list-style-type: none"> - Expressed his support for the Iron Man competition in Tomball |
| <p>Michelle O'Rourke
Outback Western Wear, Magnolia</p> | <ul style="list-style-type: none"> - Expressed her support for the Iron Man competition in Tomball |
| <p>Greg Pettington and Jeff Martin
Landplan Engineering
Iron Man Competition
25325 Borough Park, #130, 77380</p> | <ul style="list-style-type: none"> - Expressed their support for the Iron Man competition in Tomball; funds donated to community via grants; expenses paid by Iron Man; race is single file; no runners; will use Baker Drive instead of Zion Road |
| <p>Stuart Corder and Paul Stafford
Harris County Engineering Dept., 77002</p> | <ul style="list-style-type: none"> - Expressed Harris County's support for the Iron Man competition in Tomball. |
| <p>Chris O'Rourke
Outback Western Wear, Magnolia</p> | <ul style="list-style-type: none"> - Email – Read his expression of support for the Iron Man competition in Tomball into the record |
| <p>Wayne Fraley and Lamar Ferman
Memorial Hermann</p> | <ul style="list-style-type: none"> - Expressed their support for the Iron Man competition in Tomball |

3.0 New Business:

- 3.1 Motion was made by Councilman Degges, second by Councilman Townsend to approve Resolution No. 2016-09, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Annual Iron Man Competition, to be Held on Saturday, May 14, 2016

Motion was made by Councilman Townsend, second by Councilman Degges, to Move the Previous Question.

Motion carried unanimously.

Vote was cast on Main Motion to approve Resolution No. 2016-09, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Annual Iron Man Competition, to be Held on Saturday, May 14, 2016. Vote was as follows:

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

Motion carried, 3 votes Aye, 1 vote Nay.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 16th day of May 2016.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Approve Resolution No. 2016-10, 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 (4.847 Acres of Land, Being a Portion of FM 2920 Right-of-Way and a Portion of Telge Road Right-of-Way, Tomball, Texas)

Background:

The City of Tomball received a request from James and Patsy Milner for annexation of approximately 14.570 acres of land located at the intersection of FM 2920 and Telge Road, on the southeast side. On January 4, 2016, Council approved Resolution No. 2016-02, indicating to the City of Houston that Tomball would accept the property into Tomball's extraterritorial jurisdiction (ETJ) if the City of Houston released it. On April 13, 2016, the City of Houston adopted Ordinance No. 2016-0276, releasing 16.577 acres of land into the City of Tomball's ETJ.

Approval of Resolution No. 2016-10 will declare the City's intention to annex 4.847 acres of FM 2920 right-of-way and a portion of Telge Road right-of-way, beginning at the City limit at FM 2920 and Tomball Cemetery/Trieche Road and continuing through the intersection of FM 2920 and Telge Road, located within the City's ETJ, thereby creating contiguity and allowing the annexation of 14.570 acres of land located at the southeast corner of FM 2920 and Telge Road.

A copy of the annexation calendar is included for Council review and the municipal service plan will be included in the annexation ordinance.

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 conducted during the regular Council meeting on June 6 and a special Council meeting on June 13 at 5:30 p.m., before the regularly scheduled Planning and Zoning Commission meeting.

If the recommended dates for the public hearings are acceptable, the first reading of the annexation ordinance will be conducted at the regular Council meeting on July 5, 2016 and the second reading will be conducted at the regular Council meeting on July 18, 2016. The annexation ordinance presented to Council will include both the FM 2920 and Telge road right-of-way and the 14.570-acre tract; annexation of the road right-of-way is required and allowed under Local Government Code, Sections 43.028(g) and 43.028(h) to create contiguity for the 14.570-acre tract to the City limits.

Origination:

City Attorney, City Staff, John Linton, Project Manager, Morris Associates, representing James and Patsy Milner

Recommendation:

Approve Resolution No. 2016-10

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. 2016-10
Annexation Calendar and Worksheet
FM 2920 and Telge Road ROW Map
Overall Site Plan
Annexation Application/Request

RESOLUTION NO. 2016-10

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 (4.847 ACRES, BEING A PORTION OF FM 2920 RIGHT-OF-WAY AND A PORTION OF TELGE ROAD RIGHT-OF-WAY, 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 June 6, 2016. 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 June 13, 2016. 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 16th day of May 2016.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

Doris Speer, City Secretary
City of Tomball

EXHIBIT "A"

4.847 ACRES
211,117 SQUARE FEET
CHANCEY GOODRICH SURVEY
ABSTRACT NO. 311
HARRIS COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 4.847 acre (211,117 square foot) tract of land located in the Chancey Goodrich Survey, Abstract Number 311, Harris County, Texas and said 4.847 acre tract of land being a portion of F.M. 2920 Right-Of-Way (R.O.W.), and a portion of Telge Road R.O.W., said 4.847 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to Texas Coordinate System, South Central Zone NAD 1983.)

BEGINNING at the intersection of the northwesterly R.O.W. line of F.M. 2920 (based on a width of 120 feet) and the westerly R.O.W. line of Tomball Cemetery Road (based on a width of 60 feet) and the southeast corner of a called 21.001 acre tract, as described in the deed to Fritz Strayer and Jack Dicke recorded under Harris County Clerk's File Number (H.C.C.F. No.) U682638, in the west line of the city limits of Tomball according to Ordinance No. 2002-30 recorded under H.C.C.F. No. W304507 and being the northeast corner of the herein described tract;

THENCE, South 03 degrees 22 minutes 21 seconds East, departing the northwesterly R.O.W. line of said F.M. 2920, over and across said F.M. 2920 along the said westerly city limits line of Tomball, a distance of 148.08 feet, to the intersection of the southeasterly R.O.W. line of said F.M. 2920 and the westerly R.O.W. line of Triechel Road (based on a width of 60 feet), and being the northeast corner of a called 1.665 acre tract as described in the deed to Anna Bugardi recorded under H.C.C.F. No. 20140383986, from which a 5/8-inch iron rod found bears, South 19 degrees 18 minutes West, 0.61 feet;

THENCE, South 50 degrees 45 minutes 39 seconds West, departing the westerly R.O.W. line of said Triechel Road and the west city limits line of Tomball and along the southeasterly R.O.W. line of said F.M. 2920, a distance of 1,173.61 feet, to a 5/8- inch iron rod with cap stamped "West Belt Surveying Inc" found marking the beginning of a curve to the right and an angle in the southerly line of the herein described tract;

THENCE, in a southwesterly direction, along the southeasterly R.O.W. line of said F.M. 2920 and said curve to the right, having a radius of 1,492.40 feet, a central angle of 16 degrees 34 minutes 57 seconds (chord bears, South 59 degrees 03 minutes 08 seconds West, 430.43 feet) and an arc distance of 431.93 feet, to a 5/8- inch iron rod with cap stamped "West Belt Surveying Inc" found marking the northerly end of the cut-back line of the intersection of the southeasterly R.O.W. line of said F.M. 2920 and the easterly R.O.W. line of Telge Road (based on a width of 60 feet) and an interior corner of the herein described tract;

THENCE, South 14 degrees 00 minutes 53 seconds West, departing the southeasterly R.O.W. line of said F.M. 2920 and along said cut-back line, a distance of 84.81 feet, to a 4-inch by 4-inch concrete monument found marking the southerly end of the said cut-back line and an exterior corner of the herein described tract;

EXHIBIT "A" – Page 2

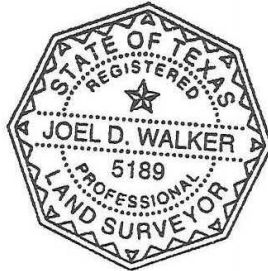
THENCE, South 84 degrees 29 minutes 02 seconds West, departing the easterly R.O.W. line of said Telge Road, over and across said Telge Road, a distance of 75.93 feet, to a 5/8-inch iron rod with cap stamped "Thomas 5736" found marking the southerly end of a cut-back line of the intersection of the westerly R.O.W. line of said Telge Road as shown on the plat of Reserve "A", Jack in the Box #3980 recorded under Film Code Number 568095 Harris County Map Records, and the southerly R.O.W. line of aforesaid F.M. 2920 and the southwest corner of the herein described tract;

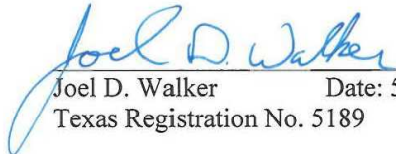
THENCE, North 01 degree 26 minutes 11 seconds West, over and across the R.O.W. of said F.M. 2920, a distance of 179.03 feet, to the northerly R.O.W. line of said F.M. 2920 and the beginning of a non-tangent curve to the left and the northwest corner of the herein described tract;

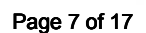
THENCE, in a northeasterly direction, along said northerly R.O.W. line of said F.M. 2920 and said curve to the left, having a radius of 1,372.40 feet, a central angle of 19 degrees 01 minutes 19 seconds (chord bears, North 60 degrees 16 minutes 19 seconds East, 453.54 feet) and an arc distance of 455.63 feet to the point of tangency;

THENCE, North 50 degrees 45 minutes 39 seconds East, continuing along the northwesterly R.O.W. line of said F.M. 2920, a distance of 1,260.37 feet, to the POINT OF BEGINNING and containing a computed area of 4.847 acre (211,117 square feet) of land.

West Belt Surveying, Inc.
Certified Firm No. 10073800
21020 Park Row.
Katy, Texas 77449
(281) 599-8288




Joel D. Walker Date: 5/9/16
Texas Registration No. 5189



PROPOSED ANNEXATION – 4.847 ACRES OF LAND (PORTIONS OF FM 2920 ROW AND TELGE ROAD ROW)

Council approves annexation request on 5/16/2016 by adopting Resolution and sets 6/6 (Monday, 6 p.m.) and 6/13 (Special-5:30 p.m.) as dates for public hearings. Send to paper on 5/17 to run in paper on 5/23 (14 days' notice for 6/6 meeting) and again on 5/30 (14 days' notice for 6/13 meeting) – one Special Council meeting required on **June 13 (5:30 p.m.), in order to meet Local Government Code deadlines.**

Publish Dates & Public Hearing Dates – Complete Annexation on 7/18/2016	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 REGULAR Meeting
Council approves annexation on 5/16 and sets dates for Public Hearings as 6/6 and 6/13:	5/23/2016	REGULAR Mtg 6/6/2016	5/30/2016	SPECIAL Mtg 5:30 p.m. 6/13/2016	TUESDAY 7/5/2016	7/18/2016
1 st public hearing to 1 st reading is 29 days total; 63 days to complete annexation from approval of resolution	14 days' notice To paper 5/17 to run on 5/23 and 5/30		14 days' notice Reminder to paper 5/23 to run 5/30			
(43 days total from first publication notice to first reading)	(-43 days)	(-29 days) to 1st reading		22 days to 1 st reading of ordinance	(Day 0)	(+14 days)

Publication date – more than 10 days' notice, less than 20 days' notice for public hearings [LGC, Sec. 43.063(c)] – **14 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**. – **22 days, 6/13 to 7/5**

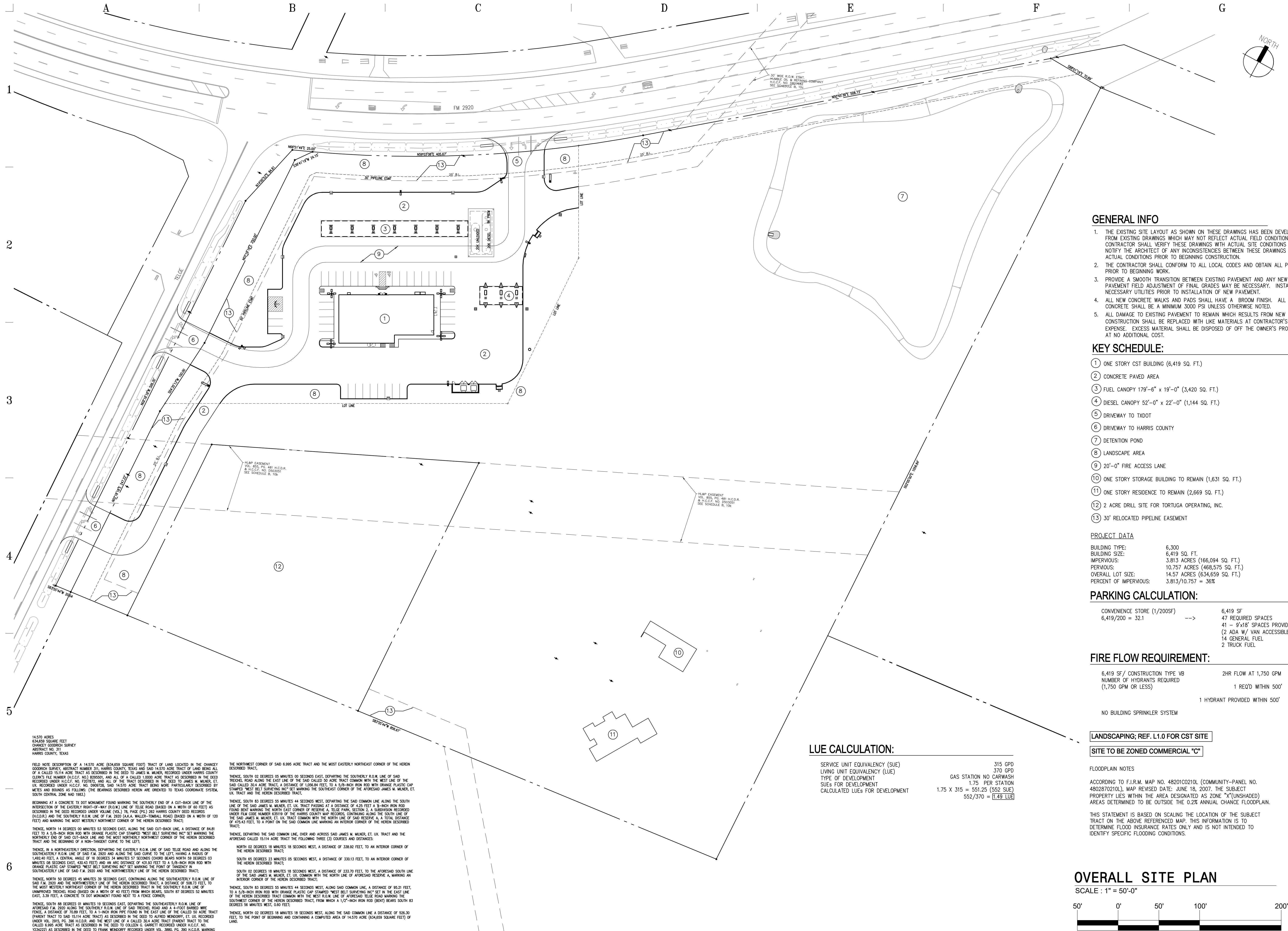
MUST have NO MORE than **40 days** between the first public hearing and the first reading of the ordinance.— **29 days, 6/6 to 7/5**

(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 5/16/16 request 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. 2016-09 and 2016-10 on the 5/16/2016 agenda for Council approval and set public hearings and special Council meeting date.



GENERAL INFO

- THE EXISTING SITE LAYOUT AS SHOWN ON THESE DRAWINGS HAS BEEN DEVELOPED FROM EXISTING DRAWINGS WHICH MAY NOT REFLECT ACTUAL FIELD CONDITIONS. THE CONTRACTOR SHALL VERIFY THESE DRAWINGS WITH ACTUAL SITE CONDITIONS AND NOTIFY THE ARCHITECT OF ANY INCONSISTENCIES BETWEEN THESE DRAWINGS AND ACTUAL CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
- THE CONTRACTOR SHALL CONFORM TO ALL LOCAL CODES AND OBTAIN ALL PERMITS PRIOR TO BEGINNING WORK.
- PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING PAVEMENT AND ANY NEW PAVEMENT FIELD ADJUSTMENT OF FINAL GRADES MAY BE NECESSARY. INSTALL ALL NECESSARY UTILITIES PRIOR TO INSTALLATION OF NEW PAVEMENT.
- ALL NEW CONCRETE WALKS AND PADS SHALL HAVE A BROOM FINISH. ALL CONCRETE SHALL BE A MINIMUM 3000 PSI UNLESS OTHERWISE NOTED.
- ALL DAMAGE TO EXISTING PAVEMENT TO REMAIN WHICH RESULTS FROM NEW CONSTRUCTION SHALL BE REPLACED WITH LIKE MATERIALS AT CONTRACTOR'S EXPENSE. EXCESS MATERIAL SHALL BE DISPOSED OF OFF THE OWNER'S PROPERTY AT NO ADDITIONAL COST.

KEY SCHEDULE:

- ONE STORY CST BUILDING (6,419 SQ. FT.)
- CONCRETE PAVED AREA
- FUEL CANOPY 179'-6" x 19'-0" (3,420 SQ. FT.)
- DIESEL CANOPY 52'-0" x 22'-0" (1,144 SQ. FT.)
- DRIVEWAY TO TXDOT
- DRIVEWAY TO HARRIS COUNTY
- DETENTION POND
- LANDSCAPE AREA
- 20'-0" FIRE ACCESS LANE
- ONE STORY STORAGE BUILDING TO REMAIN (1,631 SQ. FT.)
- ONE STORY RESIDENCE TO REMAIN (2,669 SQ. FT.)
- 2 ACRE DRILL SITE FOR TORTUGA OPERATING, INC.
- 30' RELOCATED PIPELINE EASEMENT

PROJECT DATA

BUILDING TYPE:	6,300
BUILDING SIZE:	6,419 SQ. FT.
IMPERVIOUS:	3,813 ACRES (166,094 SQ. FT.)
PERVIOUS:	10,757 ACRES (468,575 SQ. FT.)
OVERALL LOT SIZE:	14,570 ACRES (634,659 SQ. FT.)
PERCENT OF IMPERVIOUS:	3.813/10.757 = 36%

PARKING CALCULATION:

CONVENIENCE STORE (1/200SF)	6,419 SF
6,419/200 = 32.1	47 REQUIRED SPACES
	41 - 9'x18' SPACES PROVIDED
	(2 ADA W/ VAN ACCESSIBLE)
	14 GENERAL FUEL
	2 TRUCK FUEL

FIRE FLOW REQUIREMENT:

6,419 SF / CONSTRUCTION TYPE VB	2HR FLOW AT 1,750 GPM
NUMBER OF HYDRANTS REQUIRED	1 REQ'D WITHIN 500'
(1,750 GPM OR LESS)	1 HYDRANT PROVIDED WITHIN 500'

NO BUILDING SPRINKLER SYSTEM

LANDSCAPING; REF. L1.0 FOR CST SITE

SITE TO BE ZONED COMMERCIAL "C"

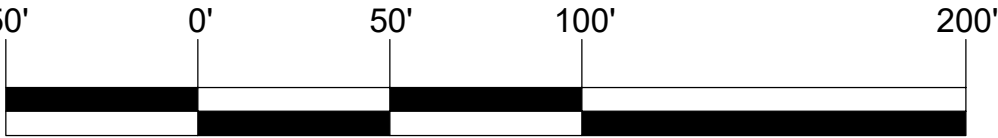
FLOODPLAIN NOTES

ACCORDING TO F.I.R.M. MAP NO. 48201C0210L (COMMUNITY-PANEL NO. 4802870210L), MAP REVISED DATE: JUNE 18, 2007, THE SUBJECT PROPERTY LIES WITHIN THE AREA DESIGNATED AS ZONE "X"(UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THIS STATEMENT IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE ABOVE REFERENCED MAP. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

OVERALL SITE PLAN

SCALE : 1" = 50'-0"



LUE CALCULATION:

SERVICE UNIT EQUIVALENCY (SUE)	315 GPD
LIVING UNIT EQUIVALENCY (LUE)	370 GPD
TYPE OF DEVELOPMENT	GAS STATION NO CARWASH
SUES FOR DEVELOPMENT	1.75 PER STATION
CALCULATED LUES FOR DEVELOPMENT	1.75 X 315 = 551.25 (552 SUE)
	552/370 = 1.49 LUE

14,570 ACRES
634,659 SQUARE FEET
CHANCEY GOSBORN SURVEY
ABSTRACT NO. 311
HARRIS COUNTY, TEXAS

FIELD NOTE DESCRIPTION OF A 14,570 ACRE (634,659 SQUARE FOOT) TRACT OF LAND LOCATED IN THE CHANCEY GOSBORN SURVEY, ABSTRACT NUMBER 311, HARRIS COUNTY, TEXAS AND SAID 14,570 ACRE TRACT OF LAND BEING ALL OF A CALLED 15,114 ACRE TRACT AS DESCRIBED IN THE DEED TO JAMES M. MILNER, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER (H.C.C.F. NO.) 029950, AND ALL OF A CALLED 1,000 ACRE TRACT AS DESCRIBED IN THE DEED RECORDED UNDER H.C.C.F. NO. 027072, AND ALL OF THE TRACT DESCRIBED IN THE DEED TO JAMES M. MILNER, ET. UX, RECORDED UNDER H.C.C.F. NO. 0609728, SAID 14,570 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (THE BOUNDS DESCRIBED HEREIN ARE ORDERED TO TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD 1983)

BEGINNING AT A CONCRETE TX DOT MONUMENT FOUND MARKING THE SOUTHERLY END OF A CUT-BACK LINE OF THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY (R.O.W.) LINE OF TELGE ROAD (BASED ON A WIDTH OF 60 FEET) AS DESCRIBED IN THE DEED RECORDED UNDER VOLUME (VOL.) 78, PAGE (PG.) 283 HARRIS COUNTY DEED RECORDS (H.C.D.R.) AND THE SOUTHERLY R.O.W. LINE OF F.M. 2920 (A.K.A. WALKER-TOMBALL ROAD) (BASED ON A WIDTH OF 120 FEET) AND MARKING THE MOST WESTERLY NORTHWEST CORNER OF THE HEREN DESCRIBED TRACT;

THENCE, NORTH 14 DEGREES 00 MINUTES 53 SECONDS EAST, ALONG THE SAID CUT-BACK LINE, A DISTANCE OF 84.81 FEET TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING INC" SET MARKING THE NORTHWEST END OF SAID CUT-BACK LINE AND THE MOST WESTERLY NORTHWEST CORNER OF THE HEREN DESCRIBED TRACT AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE, IN A NORTHEASTERLY DIRECTION, DEPARTING THE EASTERLY R.O.W. LINE OF SAID TELGE ROAD AND ALONG THE NORTHEASTERLY R.O.W. LINE OF SAID F.M. 2920 AND ALONG THE SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,492.40 FEET, A CENTRAL ANGLE OF 18 DEGREES 54 MINUTES 57 SECONDS (CHORD BEARS NORTH 59 DEGREES 03 MINUTES 05 SECONDS EAST, 430.43 FEET) AND AN ARC DISTANCE OF 431.63 FEET TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING INC" SET MARKING THE POINT OF TANGENCY IN THE SOUTHEASTERLY LINE OF SAID F.M. 2920 AND THE NORTHEASTERLY LINE OF THE HEREN DESCRIBED TRACT;

THENCE, NORTH 50 DEGREES 45 MINUTES 39 SECONDS EAST, CONTINUING ALONG THE SOUTHEASTERLY R.O.W. LINE OF SAID F.M. 2920 AND THE NORTHEASTERLY LINE OF THE HEREN DESCRIBED TRACT, A DISTANCE OF 506.17 FEET, TO THE MOST WESTERLY NORTHEAST CORNER OF THE HEREN DESCRIBED TRACT IN THE SOUTHERLY R.O.W. LINE OF UNIMPROVED TRELOAR ROAD (BASED ON A WIDTH OF 40 FEET) FROM WHICH BEARS, SOUTH 87 DEGREES 52 MINUTES EAST, 3.38 FEET, A CONCRETE TX DOT MONUMENT FOUND NEXT TO A FENCE CORNER;

THENCE, SOUTH 88 DEGREES 01 MINUTES 19 SECONDS EAST, DEPARTING THE SOUTHEASTERLY R.O.W. LINE OF AFORESAID F.M. 2920 ALONG THE SOUTHERLY R.O.W. LINE OF SAID TRELOAR ROAD AND A 4-FOOT BARBED WIRE FENCE, A DISTANCE OF 70.88 FEET, TO A 1-INCH IRON PIPE FOUND IN THE EAST LINE OF A CALLED 50 ACRE TRACT (PARENT TRACT TO SAID 15,114 ACRE TRACT) AS DESCRIBED IN THE DEED TO ALFRED WENDORFF, ET. UX, RECORDED UNDER VOL. 391, PG. 386 H.C.D.R. AND THE WEST LINE OF A CALLED 30.4 ACRE TRACT (PARENT TRACT TO THE CALLED 8,998 ACRE TRACT AS DESCRIBED IN THE DEED TO COLLEEN G. GARRETT RECORDED UNDER H.C.C.F. NO. 1234222) AS DESCRIBED IN THE DEED TO FRANK WENDORFF RECORDED UNDER VOL. 3880, PG. 390 H.C.D.R. MARKING

THE NORTHWEST CORNER OF SAID 8,998 ACRE TRACT AND THE MOST EASTERLY NORTHEAST CORNER OF THE HEREN DESCRIBED TRACT;

THENCE, SOUTH 02 DEGREES 05 MINUTES 00 SECONDS EAST, DEPARTING THE SOUTHERLY R.O.W. LINE OF SAID TRELOAR ROAD ALONG THE EAST LINE OF THE SAID CALLED 50 ACRE TRACT COMMON WITH THE WEST LINE OF THE SAID CALLED 30.4 ACRE TRACT, A DISTANCE OF 1,056.84 FEET, TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING INC" SET MARKING THE SOUTHEAST CORNER OF THE AFORESAID JAMES M. MILNER, ET. UX, TRACT AND THE HEREN DESCRIBED TRACT;

THENCE, SOUTH 83 DEGREES 55 MINUTES 44 SECONDS WEST, DEPARTING THE SAID COMMON LINE ALONG THE SOUTH LINE OF THE SAID JAMES M. MILNER, ET. UX, TRACT PASSING AT A DISTANCE OF 4.25 FEET A 3/8-INCH IRON ROD FOUND BENT MARKING THE NORTH EAST CORNER OF RESERVE A, TELGE PARK, SECTION 2, A SUBDIVISION RECORDED UNDER FILM CODE NUMBER 630119 OF THE HARRIS COUNTY MAP RECORDS, CONTINUING ALONG THE SOUTH LINE OF THE SAID JAMES M. MILNER, ET. UX, TRACT COMMON WITH THE NORTH LINE OF SAID RESERVE A, A TOTAL DISTANCE OF 425.43 FEET, TO A POINT ON THE SAID COMMON LINE MARKING AN INTERIOR CORNER OF THE HEREN DESCRIBED TRACT;

THENCE, DEPARTING THE SAID COMMON LINE, OVER AND ACROSS SAID JAMES M. MILNER, ET. UX, TRACT AND THE AFORESAID CALLED 15,114 ACRE TRACT THE FOLLOWING THREE (3) COURSES AND DISTANCES:

NORTH 02 DEGREES 18 MINUTES 18 SECONDS WEST, A DISTANCE OF 338.92 FEET, TO AN INTERIOR CORNER OF THE HEREN DESCRIBED TRACT;

SOUTH 65 DEGREES 23 MINUTES 05 SECONDS WEST, A DISTANCE OF 330.13 FEET, TO AN INTERIOR CORNER OF THE HEREN DESCRIBED TRACT;

SOUTH 02 DEGREES 18 MINUTES 18 SECONDS WEST, A DISTANCE OF 233.70 FEET, TO THE AFORESAID SOUTH LINE OF THE SAID JAMES M. MILNER, ET. UX, COMMON WITH THE NORTH LINE OF AFORESAID RESERVE A, MARKING AN INTERIOR CORNER OF THE HEREN DESCRIBED TRACT;

THENCE, SOUTH 83 DEGREES 55 MINUTES 44 SECONDS WEST, ALONG SAID COMMON LINE, A DISTANCE OF 95.21 FEET, TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING INC" SET IN THE EAST LINE OF THE HEREN DESCRIBED TRACT COMMON WITH THE WEST R.O.W. LINE OF AFORESAID TELGE ROAD MARKING THE SOUTHWEST CORNER OF THE HEREN DESCRIBED TRACT, FROM WHICH A 1/2-INCH IRON ROD (BENT) BEARS SOUTH 83 DEGREES 50 MINUTES WEST, 0.60 FEET;

THENCE, NORTH 02 DEGREES 18 MINUTES 18 SECONDS WEST, ALONG THE SAID COMMON LINE A DISTANCE OF 526.30 FEET, TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 14,570 ACRE (634,659 SQUARE FEET) OF LAND.

PROJECT NO.

☐ PRELIMINARY, NOT FOR REGULATORY APPROVAL, PERMIT OR CONSTRUCTION

☒ ISSUED FOR REGULATORY APPROVAL AND PERMIT ONLY

☐ ISSUED FOR CONSTRUCTION

REVISIONS

SITE PLAN SUBMITTAL
05-06-2016

SHEET NO.

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.

James & Patsy Milner

Name of Owner(s) (Type or Print)

James M. Milner Patsy A. Milner

Owner's Signature

Date

4/13/16

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:

14.570 ACRES
634,659 SQUARE FEET
CHANCEY GOODRICH SURVEY
ABSTRACT NO. 311
HARRIS COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 14.570 acre (634,659 square foot) tract of land located in the Chancey Goodrich Survey, Abstract Number 311, Harris County, Texas and said 14.570 acre tract of land being all of a called 15.114 acre tract as described in the deed to James M. Milner, recorded under Harris County Clerk's File Number (H.C.C.F. No.) B295501, and all of a called 1.0000 acre tract as described in the deed recorded under H.C.C.F. No. F207872, and all of the tract described in the deed to James M. Milner, ET. UX. recorded under H.C.C.F. No. D909728, said 14.570 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to Texas Coordinate System, South Central Zone NAD 1983.)

BEGINNING at a concrete TX DOT monument found marking the southerly end of a cut-back line of the intersection of the easterly Right-Of-Way (R.O.W.) line of Telge Road (based on a width of 60 feet) as described in the deed recorded under Volume (Vol.) 78, Page (Pg.) 262 Harris County Deed Records (H.C.D.R.) and the southerly R.O.W. line of F.M. 2920 (A.K.A. Waller-Tomball Road) (based on a width of 120 feet) and marking the most westerly northwest corner of the herein described tract;

THENCE, North 14 degrees 00 minutes 53 seconds East, along the said cut-back line, a distance of 84.81 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the northerly end of said cut-back line and the most northerly northwest corner of the herein described tract and the beginning of a non-tangent curve to the left;

THENCE, in a northeasterly direction, departing the easterly R.O.W. line of said Telge Road and along the southeasterly R.O.W. line of said F.M. 2920 and along the said curve to the left, having a radius of 1,492.40 feet, a central angle of 16 degrees 34 minutes 57 seconds (chord bears North 59 degrees 03 minutes 08 seconds East, 430.43 feet) and an arc distance of 431.93 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the point of tangency in southeasterly line of said F.M. 2920 and the northwesterly line of the herein described tract;

THENCE, North 50 degrees 45 minutes 39 seconds East, continuing along the southeasterly R.O.W. line of said F.M. 2920 and the northwesterly line of the herein described tract, a distance of 508.73 feet, to the most westerly northeast corner of the herein described tract in the southerly R.O.W. line of Unimproved Treichel Road (based on a width of 40 feet) from which bears, South 87 degrees 52 minutes East, 3.39 feet, a concrete TX DOT monument found next to a fence corner;

THENCE, South 88 degrees 01 minutes 19 seconds East, departing the southeasterly R.O.W. line of aforesaid F.M. 2920 along the southerly R.O.W. line of said Treichel Road and a 4-foot barbed wire fence, a distance of 70.89 feet, to a 1-inch iron pipe found in the east line of the called 50 acre tract (parent tract to said 15.114 acre tract) as described in the deed to Alfred Weindorff, ET. UX. recorded under Vol. 2915, Pg. 396 H.C.D.R. and the west line of a called 30.4 acre tract (parent tract to the called 6.995 acre tract as described in the deed to Colleen G. Garrett recorded under H.C.C.F. No. Y234222) as described in the deed to Frank Weindorff recorded under Vol. 3880, Pg. 390 H.C.D.R. marking the northwest corner of said 6.995 acre tract and the most easterly northeast corner of the herein described tract,

THENCE, South 02 degrees 05 minutes 00 seconds East, departing the southerly R.O.W. line of said Treichel Road along the east line of the said called 50 acre tract common with the west line of the said called 30.4 acre tract, a distance of 1,056.84 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the southeast corner of the aforesaid James M. Milner, ET. UX. tract and the herein described tract,

THENCE, South 83 degrees 55 minutes 44 seconds West, departing the said common line along the south line of the said James M. Milner, ET. UX. tract passing at a distance of 4.25 feet a 1/2-inch iron rod found bent marking the north east corner of Reserve A, Telge Park, Section 2, a subdivision recorded under Film Code Number 635119 of the Harris County Map Records, continuing along the south line of the said James M. Milner, ET. UX. tract common with the north line of said Reserve A, a total distance of 475.43 feet, to a point on the said common line marking an interior corner of the herein described tract;

THENCE, departing the said common line, over and across said James M. Milner, ET. UX. tract and the aforesaid called 15.114 acre tract the following three (3) courses and distances:

North 02 degrees 18 minutes 18 seconds West, a distance of 338.92 feet, to an interior corner of the herein described tract;

South 65 degrees 23 minutes 05 seconds West, a distance of 330.13 feet, to an interior corner of the herein described tract;

South 02 degrees 18 minutes 18 seconds West, a distance of 233.70 feet, to the aforesaid south line of the said James M. Milner, ET. UX. common with the north line of aforesaid Reserve A, marking an interior corner of the herein described tract;

THENCE, South 83 degrees 55 minutes 44 seconds West, along said common line, a distance of 95.21 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the east line of the herein described tract common with the west R.O.W. line of aforesaid Telge Road marking the southwest corner of the herein described tract, from which a 1/2"-inch iron rod (bent) bears South 83 degrees 56 minutes West, 0.60 feet;

THENCE, North 02 degrees 18 minutes 18 seconds West, along the said common line a distance of 526.30 feet, to the POINT OF BEGINNING and containing a computed area of 14.570 acre (634,659 square feet) of land.

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:

042-181-000-0183, 042-181-000-0140, 042-181-000-0078, 042-181-000-0079, 042-181-000-0072

(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.

J.M. Milner
Full Legal Signature

JAMES MAXWELL MILNER
Name (print)

Company Name (if applicable)

21706 TELGE Rd.
Mailing Address (print)

TOMBALL, TX. 77377
City, State, Zip

281-351-4344
Phone Number

Pmilner@aol.com
E-mail Address (print)

4-17-2016
Date

Patsy A. Milner
Full Legal Signature

PATSY A. MILNER
Name (print)

Company Name (if applicable)

21706 TELGE Rd.
Mailing Address (print)

TOMBALL, TX 77377
City, State, Zip

281-351-4344
Phone Number

pmilner@aol.com
E-mail Address (print)

4-17-2016
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.

Name: JOHN D. LINTON

Company Name: MORRIS AND ASSOCIATES

Mailing Address: 12715 TELGE RD, CYPRESS, TX 77429
City/State/Zip

Phone Number: 832-334-5004

E-mail Address: JOHN@MORRISASSOC.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. 15945 FM 2920, TOMBALL, TX
- b. 21706 TELGE RD, TOMBALL, TX
- c. 21718 TELGE RD, TOMBALL, TX
- d. _____
- e. _____
- f. _____
- g. _____
- h. _____
- i. _____
- j. _____
- k. _____

3. Nature of Existing Property:

Property Location: SOUTHEAST CORNER OF FM2920 AND TELGE

Number of Acres: 14.570

Existing Zoning: NA

Is development in conformance with existing zoning districts?

Yes ___ No X Don't know

Current Assessed Valuation of Land: 807,210

Improvements: 215,818

Total: 1,023,028

_____ 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.) _____

Structure _____

Exterior Site Improvements _____

Total Site Coverage _____

4. **Anticipated Development**

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

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

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

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

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

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

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

☐ Yes If yes, please describe: _____ acres of _____
☒ No

c.) Residential (anticipated)

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

No. of Units _____ **Value of Units** _____
No. of Lots or Acres _____ **Total Estimated Value** _____

Single-Family _____
Duplexes _____
Four-Plex _____
Patio Homes _____
Townhouses _____
Apartments _____
Total _____

d.) Office and Commercial (anticipated)

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

Size (Sq. Ft.) 6,350
Unit Value (\$/Sq. Ft.) 380
Total Estimated Value 2.5MIL
Structure C-Store, car fuel canopy and truck fuel canopy
Exterior Site Improvements new C-store, 7 multi-product fuel dispenser and a separate diesel fueling area.
Total Site Coverage 14.570

e.) Institutional (anticipated)

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

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

f.) Industrial (anticipated)

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

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

g.) Staging of Anticipated Development (In %)

	Current							
	Yr	Yr2	Yr3	Yr4	Yr5	Yr10	Yr20	
Residential	_____	_____	_____	_____	_____	_____	_____	_____
Office / Commercial	_____	_____Y	_____	_____	_____	_____	_____	_____
Institutional	_____	_____	_____	_____	_____	_____	_____	_____
Industrial	_____	_____	_____	_____	_____	_____	_____	_____

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Approve Resolution No. 2016-11, 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 (14.570 Acres of Land Located at 15945 FM 2920, 21706 Telge Road, and 21718 Telge Road, Tomball, Texas)

Background:

The City of Tomball received a request from James and Patsy Milner for annexation of approximately 14.570 acres of land located at the intersection of FM 2920 and Telge Road, on the southeast corner.

On January 4, 2016, Council approved Resolution No. 2016-02, indicating to the City of Houston that Tomball would accept the property into Tomball's extraterritorial jurisdiction (ETJ) if the City of Houston released it. On April 13, 2016, the City of Houston adopted Ordinance No. 2016-0276, releasing 16.577 acres of land into the City of Tomball's ETJ.

Approval of Resolution No. 2016-11 will declare the City's intention to annex 14.570 acres of the the above-referenced 16.577 acres of property, located within the City's ETJ. The Milners have requested that 2.007 acres remain in Tomball's ETJ, as this acreage will be used by Tortuga to relocate a pipeline easement and will remain undeveloped.

Access to water, sewer and gas utilities is available on the north side of FM 2920; access to sewer is also available on the south side of FM 2920.

A copy of the annexation calendar is included for Council review and the municipal service plan will be included in the annexation ordinance.

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 conducted during the regular Council meeting on June 6 and a special Council meeting on June 13 at 5:30 p.m., before the regularly scheduled Planning and Zoning Commission meeting.

If the recommended dates for the public hearings are acceptable, the first reading of the annexation ordinance will be conducted at the regular Council meeting on July 5, 2016 and the second reading will be conducted at the regular Council meeting on July 18, 2016. The annexation ordinance presented to Council will include both the FM 2920 and Telge road right-of-way and the 14.570-acre tract; annexation of the road right-of-way is required and allowed under Local Government Code, Sections 43.028(g) and 43.028(h) to create contiguity for the 14.570-acre tract to the City limits.

Origination:

John Linton, Project Manager, Morris Associates, representing James and Patsy Milner

Recommendation:

Approve Resolution No. 2016-11

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. 2016-11
Annexation Application/Request
Annexation Calendar and Worksheet
Overall Site Plan
HCAD Map
Houston Ordinance Releasing Property into Tomball ETJ

RESOLUTION NO. 2016-11

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 (14.570 ACRES OF LAND LOCATED AT 15945 FM 2920, 21706 TELGE ROAD, AND 21718 TELGE ROAD, 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 June 6, 2016.** 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 June 13, 2016. 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 2nd day of May 2016.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

Doris Speer, City Secretary
City of Tomball

EXHIBIT "A"

14.570 ACRES
634,659 SQUARE FEET
CHANCEY GOODRICH SURVEY
ABSTRACT NO. 311
HARRIS COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 14.570 acre (634,659 square foot) tract of land located in the Chancey Goodrich Survey, Abstract Number 311, Harris County, Texas and said 14.570 acre tract of land being all of a called 15.114 acre tract as described in the deed to James M. Milner, recorded under Harris County Clerk's File Number (H.C.C.F. No.) B295501, and all of a called 1.0000 acre tract as described in the deed recorded under H.C.C.F. No. F207872, and all of the tract described in the deed to James M. Milner, ET. UX. recorded under H.C.C.F. No. D909728, said 14.570 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to Texas Coordinate System, South Central Zone NAD 1983.)

BEGINNING at a concrete TX DOT monument found marking the southerly end of a cut-back line of the intersection of the easterly Right-Of-Way (R.O.W.) line of Telge Road (based on a width of 60 feet) as described in the deed recorded under Volume (Vol.) 78, Page (Pg.) 262 Harris County Deed Records (H.C.D.R.) and the southerly R.O.W. line of F.M. 2920 (A.K.A. Waller-Tomball Road) (based on a width of 120 feet) and marking the most westerly northwest corner of the herein described tract;

THENCE, North 14 degrees 00 minutes 53 seconds East, along the said cut-back line, a distance of 84.81 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the northerly end of said cut-back line and the most northerly northwest corner of the herein described tract and the beginning of a non-tangent curve to the left;

THENCE, in a northeasterly direction, departing the easterly R.O.W. line of said Telge Road and along the southeasterly R.O.W. line of said F.M. 2920 and along the said curve to the left, having a radius of 1,492.40 feet, a central angle of 15 degrees 34 minutes 57 seconds (chord bears North 59 degrees 03 minutes 08 seconds East, 430.43 feet) and an arc distance of 431.93 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the point of tangency in southeasterly line of said F.M. 2920 and the northwesterly line of the herein described tract;

THENCE, North 50 degrees 45 minutes 39 seconds East, continuing along the southeasterly R.O.W. line of said F.M. 2920 and the northwesterly line of the herein described tract, a distance of 508.73 feet, to the most westerly northeast corner of the herein described tract in the southerly R.O.W. line of Unimproved Treichel Road (based on a width of 40 feet) from which bears, South 87 degrees 52 minutes East, 3.39 feet, a concrete TX DOT monument found next to a fence corner;

THENCE, South 88 degrees 01 minutes 19 seconds East, departing the southeasterly R.O.W. line of aforesaid F.M. 2920 along the southerly R.O.W. line of said Treichel Road and a 4-foot barbed wire fence, a distance of 70.89 feet, to a 1-inch iron pipe found in the east line of the called 50 acre tract (parent tract to said 15.114 acre tract) as described in the deed to Alfred Weindorff, ET. UX. recorded under Vol. 2915, Pg. 396 H.C.D.R. and the west line of a called 30.4 acre tract (parent tract to the called 6.995 acre tract as described in the deed to Colleen G. Garrett recorded under H.C.C.F. No. Y234222) as described in the deed to Frank Weindorff recorded under Vol. 3880, Pg. 390 H.C.D.R. marking the northwest corner of said 6.995 acre tract and the most easterly northeast corner of the herein described tract,

EXHIBIT "A" – Page 2

THENCE, South 02 degrees 05 minutes 00 seconds East, departing the southerly R.O.W. line of said Treichel Road along the east line of the said called 50 acre tract common with the west line of the said called 30.4 acre tract, a distance of 1,056.84 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the southeast corner of the aforesaid James M. Milner, ET. UX. tract and the herein described tract,

THENCE, South 83 degrees 55 minutes 44 seconds West, departing the said common line along the south line of the said James M. Milner, ET. UX. tract passing at a distance of 4.25 feet a 1/2-inch iron rod found bent marking the north east corner of Reserve A, Telge Park, Section 2, a subdivision recorded under Film Code Number 635119 of the Harris County Map Records, continuing along the south line of the said James M. Milner, ET. UX. tract common with the north line of said Reserve A, a total distance of 475.43 feet, to a point on the said common line marking an interior corner of the herein described tract;

THENCE, departing the said common line, over and across said James M. Milner, ET. UX. tract and the aforesaid called 15.114 acre tract the following three (3) courses and distances:

North 02 degrees 18 minutes 18 seconds West, a distance of 338.92 feet, to an interior corner of the herein described tract;

South 65 degrees 23 minutes 05 seconds West, a distance of 330.13 feet, to an interior corner of the herein described tract;

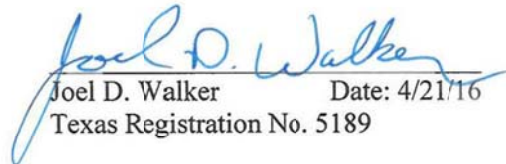
South 02 degrees 18 minutes 18 seconds West, a distance of 233.70 feet, to the aforesaid south line of the said James M. Milner, ET. UX. common with the north line of aforesaid Reserve A, marking an interior corner of the herein described tract;

THENCE, South 83 degrees 55 minutes 44 seconds West, along said common line, a distance of 95.21 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the east line of the herein described tract common with the west R.O.W. line of aforesaid Telge Road marking the southwest corner of the herein described tract, from which a 1/2"-inch iron rod (bent) bears South 83 degrees 56 minutes West, 0.60 feet;

THENCE, North 02 degrees 18 minutes 18 seconds West, along the said common line a distance of 526.30 feet, to the POINT OF BEGINNING and containing a computed area of 14.570 acre (634,659 square feet) of land.

West Belt Surveying, Inc.
Certified Firm No. 10073800
21020 Park Row.
Katy, Texas 77449
(281) 599-8288




Joel D. Walker Date: 4/21/16
Texas Registration No. 5189

MAP LOCATION

1	2	3	4
5	6	7	8
9	10	11	12

FACET 4670B

Harris County Appraisal District

LEGEND

Consolidated or map data maintained by the Harris County Appraisal District for use in the appraisal process. It is not intended to be used for any other purpose, including but not limited to, surveying purposes. It is not intended to represent the actual boundaries of the property.

MAP LOCATION

FACET 4670B

1	2	3	4
5	6	7	8
9	10	11	12

4670B

Waller - Tomball Road

West Champagne Ct

CITY OF TOMBALL

Harris County Appraisal District

Parcel 1: 042-181-000-0001, 18.7500 AC

Parcel 2: 042-181-000-0002, 2.8520 AC

Parcel 3: 042-181-000-0003, 5.2070 AC

Parcel 4: 042-181-000-0004, 2.0351 AC

Parcel 5: 042-181-000-0005, 2.0351 AC

Parcel 6: 042-181-000-0006, 2.0351 AC

Parcel 7: 042-181-000-0007, 2.0351 AC

Parcel 8: 042-181-000-0008, 2.0351 AC

Parcel 9: 042-181-000-0009, 2.0351 AC

Parcel 10: 042-181-000-0010, 2.0351 AC

Parcel 11: 042-181-000-0011, 2.0351 AC

Parcel 12: 042-181-000-0012, 2.0351 AC

Parcel 13: 042-181-000-0013, 2.0351 AC

Parcel 14: 042-181-000-0014, 2.0351 AC

Parcel 15: 042-181-000-0015, 2.0351 AC

Parcel 16: 042-181-000-0016, 2.0351 AC

Parcel 17: 042-181-000-0017, 2.0351 AC

Parcel 18: 042-181-000-0018, 2.0351 AC

Parcel 19: 042-181-000-0019, 2.0351 AC

Parcel 20: 042-181-000-0020, 2.0351 AC

Parcel 21: 042-181-000-0021, 2.0351 AC

Parcel 22: 042-181-000-0022, 2.0351 AC

Parcel 23: 042-181-000-0023, 2.0351 AC

Parcel 24: 042-181-000-0024, 2.0351 AC

Parcel 25: 042-181-000-0025, 2.0351 AC

Parcel 26: 042-181-000-0026, 2.0351 AC

Parcel 27: 042-181-000-0027, 2.0351 AC

Parcel 28: 042-181-000-0028, 2.0351 AC

Parcel 29: 042-181-000-0029, 2.0351 AC

Parcel 30: 042-181-000-0030, 2.0351 AC

Parcel 31: 042-181-000-0031, 2.0351 AC

Parcel 32: 042-181-000-0032, 2.0351 AC

Parcel 33: 042-181-000-0033, 2.0351 AC

Parcel 34: 042-181-000-0034, 2.0351 AC

Parcel 35: 042-181-000-0035, 2.0351 AC

Parcel 36: 042-181-000-0036, 2.0351 AC

Parcel 37: 042-181-000-0037, 2.0351 AC

Parcel 38: 042-181-000-0038, 2.0351 AC

Parcel 39: 042-181-000-0039, 2.0351 AC

Parcel 40: 042-181-000-0040, 2.0351 AC

Parcel 41: 042-181-000-0041, 2.0351 AC

Parcel 42: 042-181-000-0042, 2.0351 AC

Parcel 43: 042-181-000-0043, 2.0351 AC

Parcel 44: 042-181-000-0044, 2.0351 AC

Parcel 45: 042-181-000-0045, 2.0351 AC

Parcel 46: 042-181-000-0046, 2.0351 AC

Parcel 47: 042-181-000-0047, 2.0351 AC

Parcel 48: 042-181-000-0048, 2.0351 AC

Parcel 49: 042-181-000-0049, 2.0351 AC

Parcel 50: 042-181-000-0050, 2.0351 AC

Parcel 51: 042-181-000-0051, 2.0351 AC

Parcel 52: 042-181-000-0052, 2.0351 AC

Parcel 53: 042-181-000-0053, 2.0351 AC

Parcel 54: 042-181-000-0054, 2.0351 AC

Parcel 55: 042-181-000-0055, 2.0351 AC

Parcel 56: 042-181-000-0056, 2.0351 AC

Parcel 57: 042-181-000-0057, 2.0351 AC

Parcel 58: 042-181-000-0058, 2.0351 AC

Parcel 59: 042-181-000-0059, 2.0351 AC

Parcel 60: 042-181-000-0060, 2.0351 AC

Parcel 61: 042-181-000-0061, 2.0351 AC

Parcel 62: 042-181-000-0062, 2.0351 AC

Parcel 63: 042-181-000-0063, 2.0351 AC

Parcel 64: 042-181-000-0064, 2.0351 AC

Parcel 65: 042-181-000-0065, 2.0351 AC

Parcel 66: 042-181-000-0066, 2.0351 AC

Parcel 67: 042-181-000-0067, 2.0351 AC

Parcel 68: 042-181-000-0068, 2.0351 AC

Parcel 69: 042-181-000-0069, 2.0351 AC

Parcel 70: 042-181-000-0070, 2.0351 AC

Parcel 71: 042-181-000-0071, 2.0351 AC

Parcel 72: 042-181-000-0072, 2.0351 AC

Parcel 73: 042-181-000-0073, 2.0351 AC

Parcel 74: 042-181-000-0074, 2.0351 AC

Parcel 75: 042-181-000-0075, 2.0351 AC

Parcel 76: 042-181-000-0076, 2.0351 AC

Parcel 77: 042-181-000-0077, 2.0351 AC

Parcel 78: 042-181-000-0078, 2.0351 AC

Parcel 79: 042-181-000-0079, 2.0351 AC

Parcel 80: 042-181-000-0080, 2.0351 AC

Parcel 81: 042-181-000-0081, 2.0351 AC

Parcel 82: 042-181-000-0082, 2.0351 AC

Parcel 83: 042-181-000-0083, 2.0351 AC

Parcel 84: 042-181-000-0084, 2.0351 AC

Parcel 85: 042-181-000-0085, 2.0351 AC

Parcel 86: 042-181-000-0086, 2.0351 AC

Parcel 87: 042-181-000

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.

James & Patsy Milner

Name of Owner(s) (Type or Print)

J. M. Milner Patsy A. Milner

Owner's Signature

Date

4/13/16

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:

14.570 ACRES
634,659 SQUARE FEET
CHANCEY GOODRICH SURVEY
ABSTRACT NO. 311
HARRIS COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 14.570 acre (634,659 square foot) tract of land located in the Chancey Goodrich Survey, Abstract Number 311, Harris County, Texas and said 14.570 acre tract of land being all of a called 15.114 acre tract as described in the deed to James M. Milner, recorded under Harris County Clerk's File Number (H.C.C.F. No.) B295501, and all of a called 1.0000 acre tract as described in the deed recorded under H.C.C.F. No. F207872, and all of the tract described in the deed to James M. Milner, ET. UX. recorded under H.C.C.F. No. D909728, said 14.570 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to Texas Coordinate System, South Central Zone NAD 1983.)

BEGINNING at a concrete TX DOT monument found marking the southerly end of a cut-back line of the intersection of the easterly Right-Of-Way (R.O.W.) line of Telge Road (based on a width of 60 feet) as described in the deed recorded under Volume (Vol.) 78, Page (Pg.) 262 Harris County Deed Records (H.C.D.R.) and the southerly R.O.W. line of F.M. 2920 (A.K.A. Waller-Tomball Road) (based on a width of 120 feet) and marking the most westerly northwest corner of the herein described tract;

THENCE, North 14 degrees 00 minutes 53 seconds East, along the said cut-back line, a distance of 84.81 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the northerly end of said cut-back line and the most northerly northwest corner of the herein described tract and the beginning of a non-tangent curve to the left;

THENCE, in a northeasterly direction, departing the easterly R.O.W. line of said Telge Road and along the southeasterly R.O.W. line of said F.M. 2920 and along the said curve to the left, having a radius of 1,492.40 feet, a central angle of 16 degrees 34 minutes 57 seconds (chord bears North 59 degrees 03 minutes 08 seconds East, 430.43 feet) and an arc distance of 431.93 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the point of tangency in southeasterly line of said F.M. 2920 and the northwesterly line of the herein described tract;

THENCE, North 50 degrees 45 minutes 39 seconds East, continuing along the southeasterly R.O.W. line of said F.M. 2920 and the northwesterly line of the herein described tract, a distance of 508.73 feet, to the most westerly northeast corner of the herein described tract in the southerly R.O.W. line of Unimproved Treichel Road (based on a width of 40 feet) from which bears, South 87 degrees 52 minutes East, 3.39 feet, a concrete TX DOT monument found next to a fence corner;

THENCE, South 88 degrees 01 minutes 19 seconds East, departing the southeasterly R.O.W. line of aforesaid F.M. 2920 along the southerly R.O.W. line of said Treichel Road and a 4-foot barbed wire fence, a distance of 70.89 feet, to a 1-inch iron pipe found in the east line of the called 50 acre tract (parent tract to said 15.114 acre tract) as described in the deed to Alfred Weindorff, ET. UX. recorded under Vol. 2915, Pg. 396 H.C.D.R. and the west line of a called 30.4 acre tract (parent tract to the called 6.995 acre tract as described in the deed to Colleen G. Garrett recorded under H.C.C.F. No. Y234222) as described in the deed to Frank Weindorff recorded under Vol. 3880, Pg. 390 H.C.D.R. marking the northwest corner of said 6.995 acre tract and the most easterly northeast corner of the herein described tract,

THENCE, South 02 degrees 05 minutes 00 seconds East, departing the southerly R.O.W. line of said Treichel Road along the east line of the said called 50 acre tract common with the west line of the said called 30.4 acre tract, a distance of 1,056.84 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the southeast corner of the aforesaid James M. Milner, ET. UX. tract and the herein described tract,

THENCE, South 83 degrees 55 minutes 44 seconds West, departing the said common line along the south line of the said James M. Milner, ET. UX. tract passing at a distance of 4.25 feet a 1/2-inch iron rod found bent marking the north east corner of Reserve A, Telge Park, Section 2, a subdivision recorded under Film Code Number 635119 of the Harris County Map Records, continuing along the south line of the said James M. Milner, ET. UX. tract common with the north line of said Reserve A, a total distance of 475.43 feet, to a point on the said common line marking an interior corner of the herein described tract;

THENCE, departing the said common line, over and across said James M. Milner, ET. UX. tract and the aforesaid called 15.114 acre tract the following three (3) courses and distances:

North 02 degrees 18 minutes 18 seconds West, a distance of 338.92 feet, to an interior corner of the herein described tract;

South 65 degrees 23 minutes 05 seconds West, a distance of 330.13 feet, to an interior corner of the herein described tract;

South 02 degrees 18 minutes 18 seconds West, a distance of 233.70 feet, to the aforesaid south line of the said James M. Milner, ET. UX. common with the north line of aforesaid Reserve A, marking an interior corner of the herein described tract;

THENCE, South 83 degrees 55 minutes 44 seconds West, along said common line, a distance of 95.21 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the east line of the herein described tract common with the west R.O.W. line of aforesaid Telge Road marking the southwest corner of the herein described tract, from which a 1/2"-inch iron rod (bent) bears South 83 degrees 56 minutes West, 0.60 feet;

THENCE, North 02 degrees 18 minutes 18 seconds West, along the said common line a distance of 526.30 feet, to the POINT OF BEGINNING and containing a computed area of 14.570 acre (634,659 square feet) of land.

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:

042-181-000-0183, 042-181-000-0140, 042-181-000-0078, 042-181-000-0079, 042-181-000-0072

(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.

J.M. Milner
Full Legal Signature

JAMES MAXWELL MILNER
Name (print)

Company Name (if applicable)

21706 TELGE Rd.
Mailing Address (print)

TOMBALL, TX. 77377
City, State, Zip

281-351-4344
Phone Number

pmilner@aol.com
E-mail Address (print)

4-17-2016
Date

Patsy A. Milner
Full Legal Signature

PATSY A. MILNER
Name (print)

Company Name (if applicable)

21706 TELGE Rd.
Mailing Address (print)

TOMBALL, TX 77377
City, State, Zip

281-351-4344
Phone Number

pmilner@aol.com
E-mail Address (print)

4-17-2016
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.

Name: JOHN D. LINTON

Company Name: MORRIS AND ASSOCIATES

Mailing Address: 12715 TELGE RD, CYPRESS, TX 77429
City/State/Zip

Phone Number: 832-334-5004

E-mail Address: JOHN@MORRISASSOC.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. 15945 FM 2920, TOMBALL, TX
- b. 21706 TELGE RD, TOMBALL, TX
- c. 21718 TELGE RD, TOMBALL, TX
- d. _____
- e. _____
- f. _____
- g. _____
- h. _____
- i. _____
- j. _____
- k. _____

3. Nature of Existing Property:

Property Location: SOUTHEAST CORNER OF FM2920 AND TELGE

Number of Acres: 14.570

Existing Zoning: NA

Is development in conformance with existing zoning districts?

Yes ___ No X Don't know

Current Assessed Valuation of Land: 807,210

Improvements: 215,818

Total: 1,023,028

_____ 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.) _____

Structure _____

Exterior Site Improvements _____

Total Site Coverage _____

4. **Anticipated Development**

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

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

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

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

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

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

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

☐ Yes If yes, please describe: _____ acres of _____
☒ No

c.) Residential (anticipated)

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

No. of Units _____ **Value of Units** _____
No. of Lots or Acres _____ **Total Estimated Value** _____

Single-Family _____
Duplexes _____
Four-Plex _____
Patio Homes _____
Townhouses _____
Apartments _____
Total _____

d.) Office and Commercial (anticipated)

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

Size (Sq. Ft.) 6,350
Unit Value (\$/Sq. Ft.) 380
Total Estimated Value 2.5MIL
Structure C-Store, car fuel canopy and truck fuel canopy
Exterior Site Improvements new C-store, 7 multi-product fuel dispenser and a separate diesel fueling area.
Total Site Coverage 14.570

e.) Institutional (anticipated)

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

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

f.) Industrial (anticipated)

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

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

g.) Staging of Anticipated Development (In %)

	Current						
	Yr	Yr2	Yr3	Yr4	Yr5	Yr10	Yr20
Residential	_____	_____	_____	_____	_____	_____	_____
Office / Commercial	_____	_____Y_____	_____	_____	_____	_____	_____
Institutional	_____	_____	_____	_____	_____	_____	_____
Industrial	_____	_____	_____	_____	_____	_____	_____

PROPOSED ANNEXATION – MILNER – 14.570 ACRES

Council approves annexation request on 5/16/2016 by adopting Resolution and sets 6/6 (Monday, 6 p.m.) and 6/13 (Special-5:30 p.m.) as dates for public hearings. Send to paper on 5/17 to run in paper on 5/23 (14 days' notice for 6/6 meeting) and again on 5/30 (14 days' notice for 6/13 meeting) – one Special Council meeting required on **June 13 (5:30 p.m.), in order to meet Local Government Code deadlines.**

Publish Dates & Public Hearing Dates – Complete Annexation on 7/18/2016	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 REGULAR Meeting
Council approves annexation on 5/16 and sets dates for Public Hearings as 6/6 and 6/13:	5/23/2016	REGULAR Mtg 6/6/2016	5/30/2016	SPECIAL Mtg 5:30 p.m. 6/13/2016	TUESDAY 7/5/2016	7/18/2016
1 st public hearing to 1 st reading is 29 days total; 63 days to complete annexation from approval of resolution	14 days' notice To paper 5/17 to run on 5/23 and 5/30		14 days' notice Reminder to paper 5/23 to run 5/30			
(43 days total from first publication notice to first reading)	(-43 days)	(-29 days) to 1st reading		22 days to 1 st reading of ordinance	(Day 0)	(+14 days)

Publication date – more than 10 days' notice, less than 20 days' notice for public hearings [LGC, Sec. 43.063(c)] – **14 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**. – **22 days, 6/13 to 7/5**

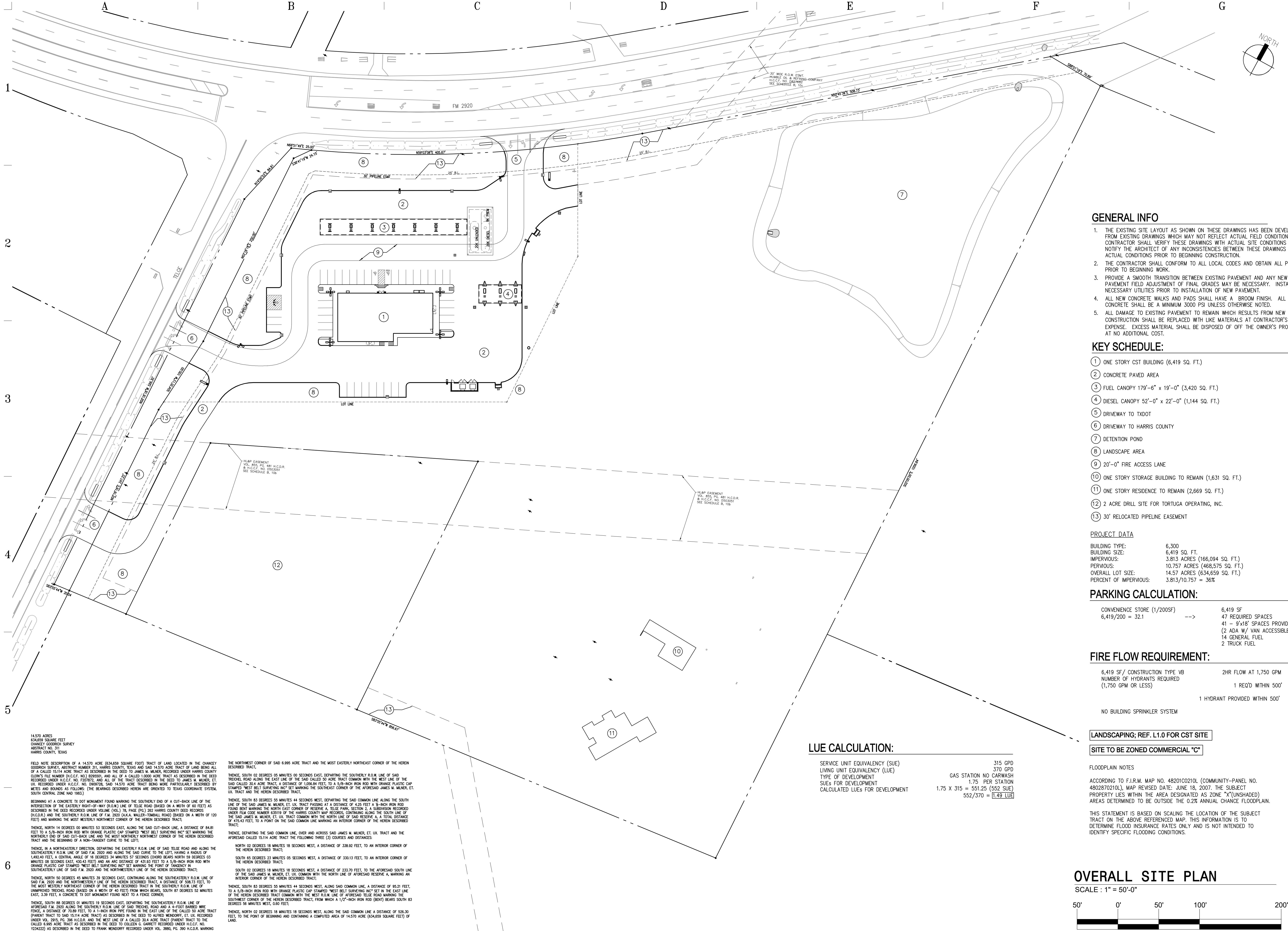
MUST have NO MORE than **40 days** between the first public hearing and the first reading of the ordinance.— **29 days, 6/6 to 7/5**

(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 5/16/16 request 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. 2016-09 and 2016-10 on the 5/16/2016 agenda for Council approval and set public hearings and special Council meeting date.



14,570 ACRES
634,659 SQUARE FEET
CHANCEY GOSBORN SURVEY
ABSTRACT NO. 311
HARRIS COUNTY, TEXAS

FIELD NOTE DESCRIPTION OF A 14,570 ACRE (634,659 SQUARE FOOT) TRACT OF LAND LOCATED IN THE CHANCEY GOSBORN SURVEY, ABSTRACT NUMBER 311, HARRIS COUNTY, TEXAS AND SAID 14,570 ACRE TRACT OF LAND BEING ALL OF A CALLED 15,114 ACRE TRACT AS DESCRIBED IN THE DEED TO JAMES M. MILNER, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER (H.C.C.F. NO.) 029950, AND ALL OF A CALLED 1,000 ACRE TRACT AS DESCRIBED IN THE DEED RECORDED UNDER H.C.C.F. NO. 027072, AND ALL OF THE TRACT DESCRIBED IN THE DEED TO JAMES M. MILNER, ET. UX. RECORDED UNDER H.C.C.F. NO. 0609728, SAID 14,570 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (THE BOUNDS DESCRIBED HEREIN ARE ORDERED TO TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD 1983)

BEGINNING AT A CONCRETE TX DOT MONUMENT FOUND MARKING THE SOUTHERLY END OF A CUT-BACK LINE OF THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY (R.O.W.) LINE OF TELGE ROAD (BASED ON A WIDTH OF 60 FEET) AS DESCRIBED IN THE DEED RECORDED UNDER VOLUME (VOL.) 78, PAGE (PG.) 283 HARRIS COUNTY DEED RECORDS (H.C.D.R.) AND THE SOUTHERLY R.O.W. LINE OF F.M. 2920 (A.K.A. WALKER-TOMBALL ROAD) (BASED ON A WIDTH OF 120 FEET) AND MARKING THE MOST WESTERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 14 DEGREES 00 MINUTES 53 SECONDS EAST, ALONG THE SAID CUT-BACK LINE, A DISTANCE OF 84.81 FEET TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING INC" SET MARKING THE NORTHWEST CORNER OF SAID CUT-BACK LINE AND THE MOST WESTERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE, IN A NORTHEASTERLY DIRECTION, DEPARTING THE EASTERLY R.O.W. LINE OF SAID TELGE ROAD AND ALONG THE NORTHEASTERLY R.O.W. LINE OF SAID F.M. 2920 AND ALONG THE SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,492.40 FEET, A CENTRAL ANGLE OF 18 DEGREES 34 MINUTES 57 SECONDS (CHORD BEARS NORTH 59 DEGREES 03 MINUTES 05 SECONDS EAST, 430.43 FEET) AND AN ARC DISTANCE OF 431.63 FEET TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING INC" SET MARKING THE POINT OF TANGENCY IN THE SOUTHEASTERLY LINE OF SAID F.M. 2920 AND THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 50 DEGREES 45 MINUTES 39 SECONDS EAST, CONTINUING ALONG THE SOUTHEASTERLY R.O.W. LINE OF SAID F.M. 2920 AND THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 506.17 FEET, TO THE MOST WESTERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT IN THE SOUTHERLY R.O.W. LINE OF UNIMPROVED TRELOAR ROAD (BASED ON A WIDTH OF 40 FEET) FROM WHICH BEARS, SOUTH 87 DEGREES 52 MINUTES EAST, 3.38 FEET, A CONCRETE TX DOT MONUMENT FOUND NEXT TO A FENCE CORNER;

THENCE, SOUTH 88 DEGREES 01 MINUTES 19 SECONDS EAST, DEPARTING THE SOUTHEASTERLY R.O.W. LINE OF AFORESAID F.M. 2920 ALONG THE SOUTHERLY R.O.W. LINE OF SAID TRELOAR ROAD AND A 4-FOOT BARBED WIRE FENCE, A DISTANCE OF 70.88 FEET, TO A 1-INCH IRON PIPE FOUND IN THE EAST LINE OF A CALLED 50 ACRE TRACT (PARENT TRACT TO SAID 15,114 ACRE TRACT) AS DESCRIBED IN THE DEED TO ALFRED WENDORFF, ET. UX. RECORDED UNDER VOL. 391, PG. 386 H.C.D.R. AND THE WEST LINE OF A CALLED 30.4 ACRE TRACT (PARENT TRACT TO THE CALLED 6,995 ACRE TRACT AS DESCRIBED IN THE DEED TO COLLEEN G. GARRETT RECORDED UNDER H.C.C.F. NO. 1234222) AS DESCRIBED IN THE DEED TO FRANK WENDORFF RECORDED UNDER VOL. 3880, PG. 390 H.C.D.R. MARKING

THE NORTHWEST CORNER OF SAID 6,995 ACRE TRACT AND THE MOST EASTERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEGREES 05 MINUTES 00 SECONDS EAST, DEPARTING THE SOUTHERLY R.O.W. LINE OF SAID TRELOAR ROAD ALONG THE EAST LINE OF THE SAID CALLED 50 ACRE TRACT COMMON WITH THE WEST LINE OF THE SAID CALLED 30.4 ACRE TRACT, A DISTANCE OF 1,056.84 FEET, TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING INC" SET MARKING THE SOUTHEAST CORNER OF THE AFORESAID JAMES M. MILNER, ET. UX. TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 83 DEGREES 55 MINUTES 44 SECONDS WEST, DEPARTING THE SAID COMMON LINE ALONG THE SOUTH LINE OF THE SAID JAMES M. MILNER, ET. UX. TRACT PASSING AT A DISTANCE OF 4.25 FEET TO A 3/8-INCH IRON ROD FOUND BENT MARKING THE NORTH EAST CORNER OF RESERVE A, TELGE PARK, SECTION 2, A SUBDIVISION RECORDED UNDER FILM CODE NUMBER 630119 OF THE HARRIS COUNTY MAP RECORDS, CONTINUING ALONG THE SOUTH LINE OF THE SAID JAMES M. MILNER, ET. UX. TRACT COMMON WITH THE NORTH LINE OF SAID RESERVE A, A TOTAL DISTANCE OF 425.43 FEET, TO A POINT ON THE SAID COMMON LINE MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE SAID COMMON LINE, OVER AND ACROSS SAID JAMES M. MILNER, ET. UX. TRACT AND THE AFORESAID CALLED 15,114 ACRE TRACT THE FOLLOWING THREE (3) COURSES AND DISTANCES:

NORTH 02 DEGREES 18 MINUTES 18 SECONDS WEST, A DISTANCE OF 338.92 FEET, TO AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

SOUTH 65 DEGREES 23 MINUTES 05 SECONDS WEST, A DISTANCE OF 330.13 FEET, TO AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

SOUTH 02 DEGREES 18 MINUTES 18 SECONDS WEST, A DISTANCE OF 233.70 FEET, TO THE AFORESAID SOUTH LINE OF THE SAID JAMES M. MILNER, ET. UX. COMMON WITH THE NORTH LINE OF AFORESAID RESERVE A, MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 83 DEGREES 55 MINUTES 44 SECONDS WEST, ALONG SAID COMMON LINE, A DISTANCE OF 95.21 FEET, TO A 5/8-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING INC" SET IN THE EAST LINE OF THE HEREIN DESCRIBED TRACT COMMON WITH THE WEST R.O.W. LINE OF AFORESAID TELGE ROAD MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2-INCH IRON ROD (BENT) BEARS SOUTH 83 DEGREES 50 MINUTES WEST, 0.60 FEET;

THENCE, NORTH 02 DEGREES 18 MINUTES 18 SECONDS WEST, ALONG THE SAID COMMON LINE A DISTANCE OF 526.30 FEET, TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 14,570 ACRE (634,659 SQUARE FEET) OF LAND.

LUE CALCULATION:

SERVICE UNIT EQUIVALENCY (SUE)	315 GPD
LIVING UNIT EQUIVALENCY (LUE)	370 GPD
TYPE OF DEVELOPMENT	GAS STATION NO CARWASH
SUES FOR DEVELOPMENT	1.75 PER STATION
CALCULATED LUES FOR DEVELOPMENT	1.75 X 315 = 551.25 (552 SUE)
	552/370 = 1.49 LUE

GENERAL INFO

- THE EXISTING SITE LAYOUT AS SHOWN ON THESE DRAWINGS HAS BEEN DEVELOPED FROM EXISTING DRAWINGS WHICH MAY NOT REFLECT ACTUAL FIELD CONDITIONS. THE CONTRACTOR SHALL VERIFY THESE DRAWINGS WITH ACTUAL SITE CONDITIONS AND NOTIFY THE ARCHITECT OF ANY INCONSISTENCIES BETWEEN THESE DRAWINGS AND ACTUAL CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
- THE CONTRACTOR SHALL CONFORM TO ALL LOCAL CODES AND OBTAIN ALL PERMITS PRIOR TO BEGINNING WORK.
- PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING PAVEMENT AND ANY NEW PAVEMENT FIELD ADJUSTMENT OF FINAL GRADES MAY BE NECESSARY. INSTALL ALL NECESSARY UTILITIES PRIOR TO INSTALLATION OF NEW PAVEMENT.
- ALL NEW CONCRETE WALKS AND PADS SHALL HAVE A BROOM FINISH. ALL CONCRETE SHALL BE A MINIMUM 3000 PSI UNLESS OTHERWISE NOTED.
- ALL DAMAGE TO EXISTING PAVEMENT TO REMAIN WHICH RESULTS FROM NEW CONSTRUCTION SHALL BE REPLACED WITH LIKE MATERIALS AT CONTRACTOR'S EXPENSE. EXCESS MATERIAL SHALL BE DISPOSED OF OFF THE OWNER'S PROPERTY AT NO ADDITIONAL COST.

KEY SCHEDULE:

- ONE STORY CST BUILDING (6,419 SQ. FT.)
- CONCRETE PAVED AREA
- FUEL CANOPY 179'-6" x 19'-0" (3,420 SQ. FT.)
- DIESEL CANOPY 52'-0" x 22'-0" (1,144 SQ. FT.)
- DRIVEWAY TO TXDOT
- DRIVEWAY TO HARRIS COUNTY
- DETENTION POND
- LANDSCAPE AREA
- 20'-0" FIRE ACCESS LANE
- ONE STORY STORAGE BUILDING TO REMAIN (1,631 SQ. FT.)
- ONE STORY RESIDENCE TO REMAIN (2,669 SQ. FT.)
- 2 ACRE DRILL SITE FOR TORTUGA OPERATING, INC.
- 30' RELOCATED PIPELINE EASEMENT

PROJECT DATA

BUILDING TYPE:	6,300
BUILDING SIZE:	6,419 SQ. FT.
IMPERVIOUS:	3,813 ACRES (166,094 SQ. FT.)
PERVIOUS:	10,757 ACRES (468,575 SQ. FT.)
OVERALL LOT SIZE:	14,570 ACRES (634,659 SQ. FT.)
PERCENT OF IMPERVIOUS:	3,813/10,757 = 36%

PARKING CALCULATION:

CONVENIENCE STORE (1/200SF)	6,419 SF
6,419/200 = 32.1	47 REQUIRED SPACES
	41 - 9'x18' SPACES PROVIDED
	(2 ADA W/ VAN ACCESSIBLE)
	14 GENERAL FUEL
	2 TRUCK FUEL

FIRE FLOW REQUIREMENT:

6,419 SF / CONSTRUCTION TYPE VB	2HR FLOW AT 1,750 GPM
NUMBER OF HYDRANTS REQUIRED	1 REQ'D WITHIN 500'
(1,750 GPM OR LESS)	1 HYDRANT PROVIDED WITHIN 500'
NO BUILDING SPRINKLER SYSTEM	

LANDSCAPING; REF. L1.0 FOR CST SITE

SITE TO BE ZONED COMMERCIAL "C"

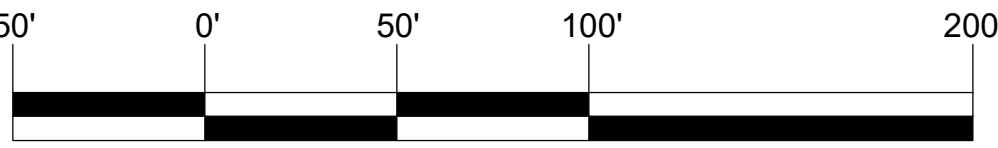
FLOODPLAIN NOTES

ACCORDING TO F.I.R.M. MAP NO. 48201C0210L (COMMUNITY-PANEL NO. 4802870210L), MAP REVISED DATE: JUNE 18, 2007, THE SUBJECT PROPERTY LIES WITHIN THE AREA DESIGNATED AS ZONE "X"(UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THIS STATEMENT IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE ABOVE REFERENCED MAP. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

OVERALL SITE PLAN

SCALE : 1" = 50'-0"



PROJECT NO.

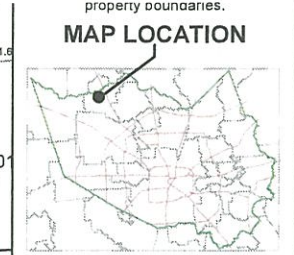
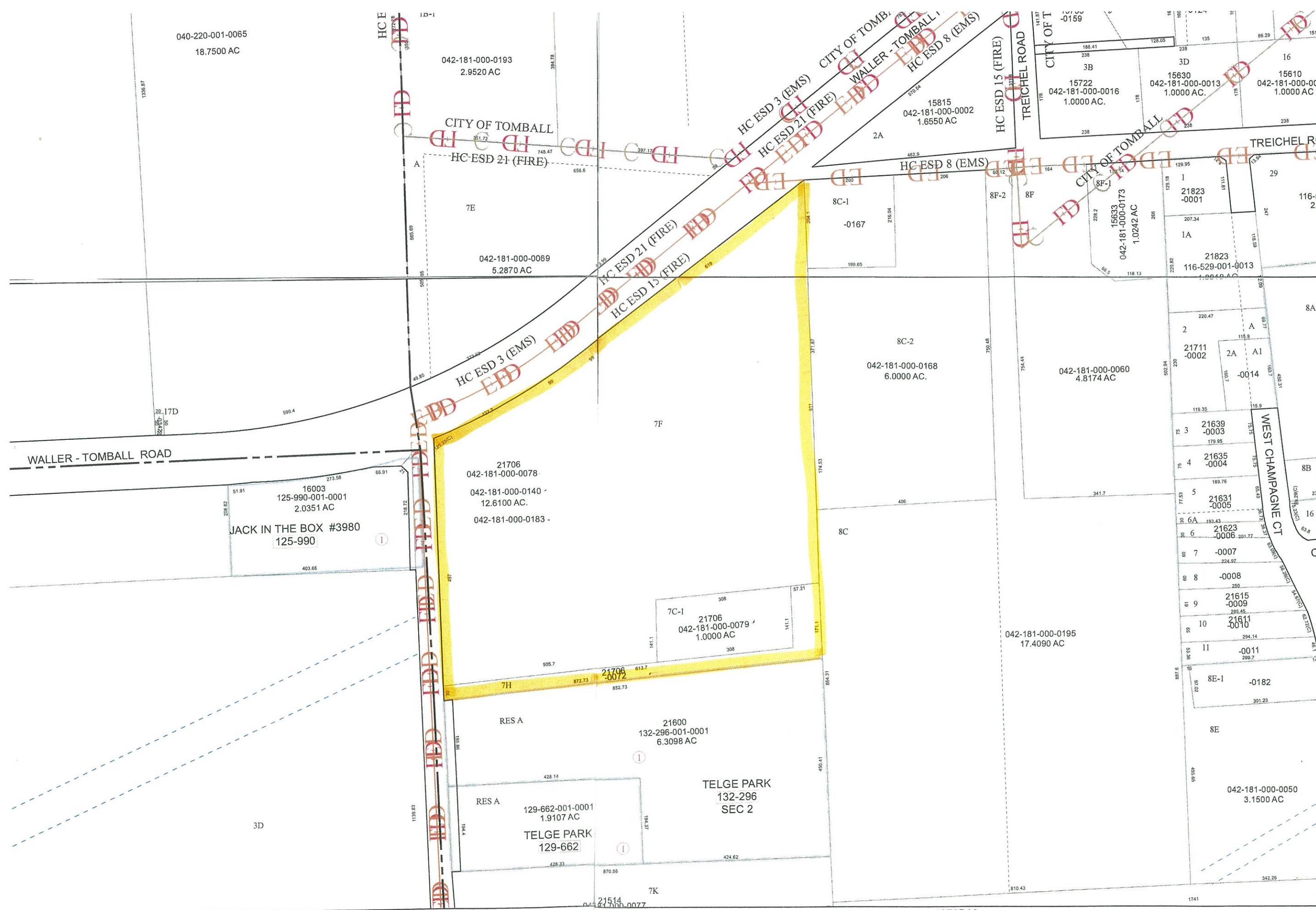
☐ PRELIMINARY, NOT FOR REGULATORY APPROVAL, PERMIT OR CONSTRUCTION

☒ ISSUED FOR REGULATORY APPROVAL AND PERMIT ONLY

☐ ISSUED FOR CONSTRUCTION

REVISIONS
SITE PLAN SUBMITTAL
06-06-2016

SHEET NO.



**FACET
4670B**

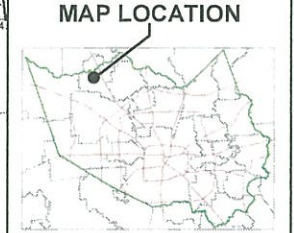
1	2	3	4
5	6	7	8
9	10	11	12

**Harris
County
Appraisal
District**



0 100 200
PUBLICATION DATE:
2/24/2016

Geospatial or map data maintained by the Harris County Appraisal District is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries.



**FACET
4670B**

1	2	3	4
5	6	7	8
9	10	11	12

City of Houston, Texas, Ordinance No. 2016-276

AN ORDINANCE RELEASING CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 16.577 ACRES IN HARRIS COUNTY, ADJACENT TO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TOMBALL, TEXAS, LOCATED AT THE SOUTHEAST CORNER OF FM 2920 AND TELGE ROAD, FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HOUSTON; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, certain tracts of land comprising approximately 16.577 acres located near the City of Tomball presently lie within the extraterritorial jurisdiction of the City of Houston; and

WHEREAS, James Milner, the owner of certain land which is situated within the existing extraterritorial jurisdiction of the City of Houston, Texas, petitioned the City of Houston to release from its extraterritorial jurisdiction such tracts; and

WHEREAS, the City of Tomball petitioned the City of Houston to release from its extraterritorial jurisdiction such tracts; and

WHEREAS, the annexation by the City of Houston of such tracts would result in municipal boundaries that would not lend themselves to the efficient provision of services; and

WHEREAS, neither the financial position nor the operational activities of the City of Houston would be harmed if the City of Houston failed to annex such tracts; and

WHEREAS, as a precondition to an extraterritorial jurisdiction release, the property owner and the City have agreed to ensure compliance with the City of Houston Major Thoroughfare Plan so that such a release will not impair mobility near the City of Houston; and

WHEREAS, James Milner submitted a street dedication plat that was approved by the Planning Commission on November 12, 2015, and submitted for recordation, thereby fulfilling the Major Thoroughfare Plan conditions for the Transportation Division; and

WHEREAS, the release of such tracts from the extraterritorial jurisdiction of the City of Houston would result in a clarification of boundary lines and would eventually result in the provision of police protection, fire protection, and emergency medical services to the affected properties by the City of Tomball; and

WHEREAS, the release of such area from the extraterritorial jurisdiction of the City of Houston and the inclusion of such area within the extraterritorial jurisdiction of the City of Tomball would benefit the City of Houston and would promote the policy of the State as declared in Section 42.001 of the Texas Local Government Code "to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities"; **NOW, THEREFORE**,

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

Section 1. The findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

Section 2. "Exhibit A," which is attached hereto, was furnished by the Department of Planning and Development of the City of Houston. The area in the City of Houston's extraterritorial jurisdiction within the boundaries of the property description set out in "Exhibit A" are hereby released from the extraterritorial jurisdiction of the City of Houston. This same area is also represented by the shaded boundaries in the map included as "Exhibit B." A copy of the petitions submitted to the City of Houston by James Milner, the sole landowner, and the City of Tomball are attached hereto in "Exhibit C" and "Exhibit D", respectfully, and made a part hereof for all purposes. The street dedication plat and the property description for the street to be widened are attached hereto in "Exhibit E" and "Exhibit F", respectfully, and made a part hereof for all purposes.

Section 3. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof have been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 4. If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 5. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on that date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the

Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 13th day of April, 2016.

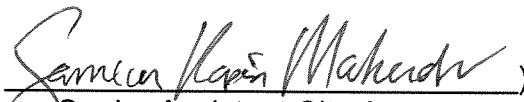
APPROVED this ____ day of _____, 2016.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is APR 19 2016.



City Secretary

mc
(Prepared by Legal Dept. )

Senior Assistant City Attorney

(Requested by Patrick Walsh, Director, Department of Planning and Development)
(L.D. File No. 0611300113001)

G:\Annexation\Tomball ETJ Release\Tomball ETJ Ord.doc

CAPTION PUBLISHED IN DAILY COURT
REVIEW **APR 19 2016**
DATE:

-4-

AYE	NO	
✓		MAYOR TURNER
....		COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		LE
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		EDWARDS
✓		CHRISTIE
CAPTION	ADOPTED	

MAY 017 Rev. 12/15

Exhibit “A”

16.577 ACRES
722,104 SQUARE FEET
CHANCEY GOODRICH SURVEY
ABSTRACT NO. 311
HARRIS COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 16.577 acre (722,104 square foot) tract of land located in the Chancey Goodrich Survey, Abstract Number 311, Harris County, Texas and said 16.577 acre tract of land being all of a called 15.114 acre tract as described in the deed to James M. Milner, recorded under Harris County Clerk's File Number (H.C.C.F. No.) B295501, and all of a called 1.0000 acre tract as described in the deed recorded under H.C.C.F. No. F207872, and all of the tract described in the deed to James M. Milner, ET. UX. recorded under H.C.C.F. No. D909728, said 16.577 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to Texas Coordinate System, South Central Zone NAD 1983.)

BEGINNING at a concrete TX DOT monument found marking the southerly end of a cut-back line of the intersection of the easterly Right-Of-Way (R.O.W.) line of Telge Road (based on a width of 60 feet) as described in the deed recorded under Volume (Vol.) 78, Page (Pg.) 262 Harris County Deed Records (H.C.D.R.) and the southerly R.O.W. line of F.M. 2920 (A.K.A. Waller-Tomball Road) (based on a width of 120 feet) and marking the most westerly northwest corner of the herein described tract;

THENCE, North 14 degrees 00 minutes 53 seconds East, along the said cut-back line, a distance of 84.81 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the northerly end of said cut-back line and the most northerly northwest corner of the herein described tract and the beginning of a non-tangent curve to the left;

THENCE, in a northeasterly direction, departing the easterly R.O.W. line of said Telge Road and along the southeasterly R.O.W. line of said F.M. 2920 and along the said curve to the left, having a radius of 1,492.40 feet, a central angle of 16 degrees 34 minutes 57 seconds (chord bears North 59 degrees 03 minutes 08 seconds East, 430.43 feet) and an arc distance of 431.93 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the point of tangency in southeasterly line of said F.M. 2920 and the northwesterly line of the herein described tract;

THENCE, North 50 degrees 45 minutes 39 seconds East, continuing along the southeasterly R.O.W. line of said F.M. 2920 and the northwesterly line of the herein described tract, a distance of 508.73 feet, to the most westerly northeast corner of the herein described tract in the southerly R.O.W. line of Unimproved Treichel Road (based on a width of 40 feet) from which bears, South 87 degrees 52 minutes East, 3.39 feet, a concrete TX DOT monument found next to a fence corner;

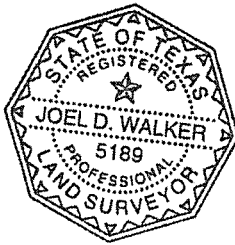
THENCE, South 88 degrees 01 minutes 19 seconds East, departing the southeasterly R.O.W. line of aforesaid F.M. 2920 along the southerly R.O.W. line of said Treichel Road and a 4-foot barbed wire fence, a distance of 70.89 feet, to a 1-inch iron pipe found in the east line of the called 50 acre tract (parent tract to said 15.114 acre tract) as described in the deed to Alfred Weindorff, ET. UX. recorded under Vol. 2915, Pg. 396 H.C.D.R. and the west line of a called 30.4 acre tract (parent tract to the called 6.995 acre tract as described in the deed to Colleen G. Garrett recorded under H.C.C.F. No. Y234222) as described in the deed to Frank Weindorff recorded under Vol. 3880, Pg. 390 H.C.D.R. marking the northwest corner of said 6.995 acre tract and the most easterly northeast corner of the herein described tract,

THENCE, South 02 degrees 05 minutes 00 seconds East, departing the southerly R.O.W. line of said Treichel Road along the east line of the said called 50 acre tract common with the west line of the said called 30.4 acre tract, a distance of 1056.84 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the southeast corner of the aforesaid James M. Milner, ET. UX. tract and the herein described tract,

THENCE, South 83 degrees 55 minutes 44 seconds West, departing the said common line along the south line of the said James M. Milner, ET. UX. tract passing at a distance of 4.25 feet a 1/2-inch iron rod found bent marking the north east corner of Reserve A, Telge Park, Section 2, a subdivision recorded under Film Code Number 635119 of the Harris County Map Records, continuing along the south line of the said James M. Milner, ET. UX. tract common with the north line of said Reserve A, a total distance of 876.72 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the east line of the herein described tract common with the west R.O.W. line of aforesaid Telge Road marking the southwest corner of the herein described tract, from which a 1/2"-inch iron rod (bent) bears South 83 degrees 56 minutes West, 0.60 feet;

THENCE, North 02 degrees 18 minutes 18 seconds West, along the said common line a distance of 526.30 feet, to the POINT OF BEGINNING and containing a computed area of 16.577 acre (722,104 square feet) of land as depicted on the ALTA/ACSM Land Title Survey dated: July 21, 2015, prepared by West Belt Surveying, Inc., Project No. S342-0149A.

West Belt Surveying, Inc.
Certified Firm No. 10073800
21020 Park Row.
Katy, Texas 77449
(281) 599-8288



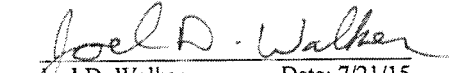

Joel D. Walker Date: 7/21/15
Texas Registration No. 5189

EXHIBIT “B”

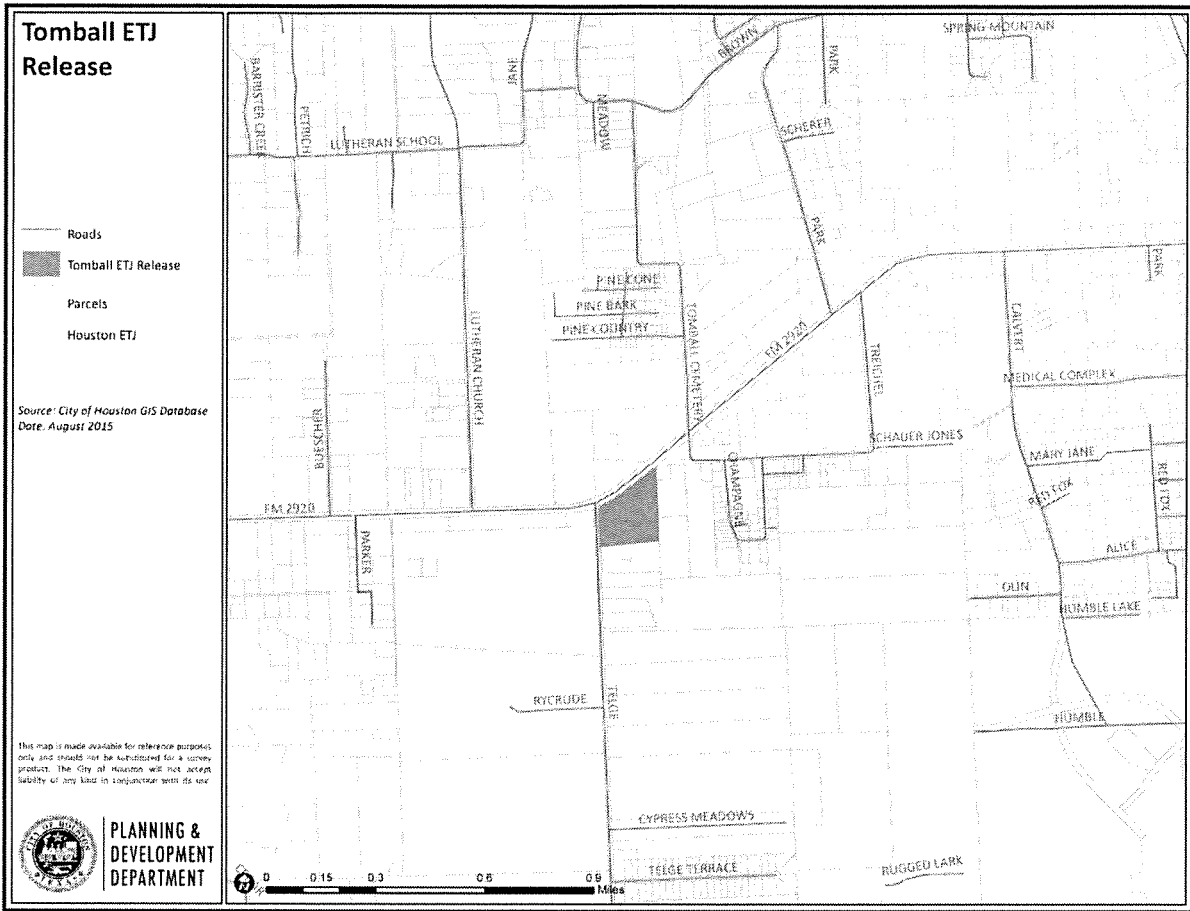


EXHIBIT "C"

July 24, 2015

Ms. Nicole Smothers
City of Houston
Planning and Development Department
P.O. Box 1562
Houston, TX 77251

Re: Request to remove 16.65 acre tract on FM 2920 at Telge Road from City of Houston
E.T.J.

Dear Ms. Smothers,

I, James M. Milner, currently own a 16.65 acre tract located at the southeast corner of FM 2920 and Telge Road. See attached Exhibit "A". This tract is currently located in unincorporated Harris County. At this location the south side of FM 2920 is located in the City of Houston E.T.J. and the north side is located in the E.T.J. of the City of Tomball. The City of Houston currently has no utilities serving this area.

The City of Tomball has indicated their willingness to accept this tract into the City of Tomball city limits and provide utility service if the tract can be released from the City of Houston's jurisdiction.

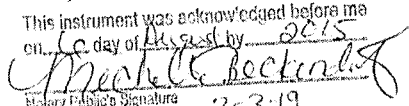
At this time I respectfully request that the City of Houston begin the process to release this property from the City of Houston's E.T.J. to allow me to annex my property into the City of Tomball.

Thank you for your cooperation.

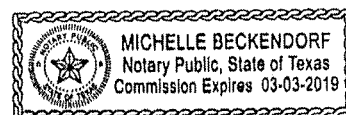
Best Regards,



James M. Milner
Land Owner

State of Texas
County of Harris
This instrument was acknowledged before me
on 30 day of August by 2015

Notary Public's Signature
My Commission Expires 3-3-19

Enclosures



F:\Valero\142-0799 FM 2920 @ Telge Road\L COH.Smothers.07.24.2015.LandOwner.docx

EXHIBIT "D"

RESOLUTION NO. 2016-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL,
TEXAS REGARDING RELEASE OF AN APPROXIMATELY 16.577 ACRE
TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF FM 2920
AND TELGE ROAD FROM THE EXTRATERRITORIAL JURISDICTION
OF THE CITY OF HOUSTON.**

* * * * *

WHEREAS, a tract of land consisting of approximately 16.577 acres out of the Chancey Goodrich Survey, Abstract No. 311, Harris County, Texas, located at the southeast corner of FM 2920 and Telge Road (the "Property") is situated in the extraterritorial jurisdiction of the City of Houston; and,

WHEREAS, the City of Houston has indicated it will release the Property from its extraterritorial jurisdiction provided that the City of Tomball agrees to accept the Property into its extraterritorial jurisdiction; and

WHEREAS, the City Council of the City of Tomball finds it to be in the best interest of the City of Tomball to indicate such intentions; now, therefore,

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

SECTION 1. The facts and matters set forth in the preamble are hereby found to be true and correct.

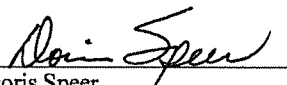
SECTION 2: That the City Council agrees that it will accept the Property into the Tomball extraterritorial jurisdiction if released by the City of Houston from its extraterritorial jurisdiction.

PASSED, APPROVED AND ADOPTED this 4th day of January, 2016.



Gretchen Fagan, Mayor
City of Tomball, Texas

ATTEST:



Doris Speer
City Secretary

EXHIBIT “E”

EXHIBIT “F”

0.3442 ACRE
14,996 SQUARE FEET
CHANCEY GOODRICH SURVEY
ABSTRACT NO. 311
HARRIS COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 0.3442 acre (14,996 square foot) tract of land located in the Chancey Goodrich Survey, Abstract Number 311, Harris County, Texas and said 0.3442 acre tract of land being out of and a part of the called 15.114 acre tract as described in the deed to James M. Milner, recorded under Harris County Clerk's File Number (H.C.C.F. No.) B295501, and out of and a part of a tract described in the deed to James M. Milner, ET. UX. recorded under H.C.C.F. No. D909728, said 0.3442 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to Texas Coordinate System, South Central Zone NAD 1983.)

BEGINNING at a concrete TX DOT monument found marking the southerly end of a cut-back line of the intersection of the easterly Right-Of-Way (R.O.W.) line of Telge Road (based on a width of 60 feet) as described in the deed recorded under Volume (Vol.) 78, Page (Pg.) 262 Harris County Deed Records (H.C.D.R.) and the southerly R.O.W. line of F.M. 2920 (A.K.A. Waller-Tomball Road) (based on a width of 120 feet) and marking the most westerly northwest corner of the herein described tract;

THENCE, North 14 degrees 00 minutes 53 seconds East, along the said cut-back line, a distance of 84.81 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" found marking the northerly end of said cut-back line and the most northerly northwest corner of the herein described tract and the beginning of a non-tangent curve to the left;

THENCE, in a northeasterly direction, departing the easterly R.O.W. line of said Telge Road and along the southeasterly R.O.W. line of said F.M. 2920 and along the said curve to the left, having a radius of 1,492.40 feet, a central angle of 00 degrees 57 minutes 35 seconds (chord bears North 66 degrees 51 minutes 49 seconds East, 25.00 feet) and an arc distance of 25.00 feet to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the northeast corner of the herein described tract;

THENCE, South 36 degrees 41 minutes 19 seconds West, departing the southerly R.O.W. line of said F.M. 2920, over and across the aforesaid 15.114 acre tract, a distance of 24.15 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the southerly end of the proposed cut-back line of F.M. 2920 and Telge Road and an interior corner of the herein described tract;

THENCE, South 02 degrees 18 minutes 18 seconds East, continuing over and across the said called 15.114 acre tract along the proposed easterly R.O.W. line of Telge Road, a distance of 250.00 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking an angle point in the east line of the herein described tract;

THENCE, South 04 degrees 35 minutes 13 seconds West, continuing over and across said 15.114 acre tract along the proposed easterly R.O.W. line of Telge Road, a distance of 100.00 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking an angle point in the east line of the herein described tract;

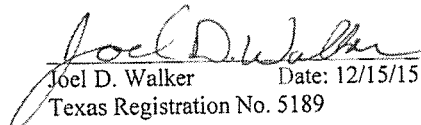
THENCE, South 02 degrees 18 minutes 18 seconds East, continuing over and across the said called 15.114 acre tract along the proposed easterly R.O.W. line of Telge Road, a distance of 247.22 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the south line of a tract described in the deed to James M. Milner recorded under H.C.C.F. No. D909728, marking the northwest corner of Reserve "A", Telge Park Section 2, a subdivision plat recorded under Film Code Number (F.C. No.) 635119 Harris County Map Records (H.C.M.R.) and the southeast corner of the herein described tract;

THERCE, South 83 degrees 55 minutes 44 seconds West, along the south line of the said James M. Milner tract, a distance of 20.04 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" found in the east R.O.W. line of aforesaid Telge Road marking the southwest corner of the said James M. Milner tract and the herein described tract from which a 1/2-inch iron rod bears, South 83 degrees 56 minutes West, 0.60 feet;

THENCE, North 02 degrees 18 minutes 18 seconds West, along the east R.O.W. line of said Telge Road, a distance of 526.30 feet, to the POINT OF BEGINNING and containing a computed area of 0.3442 acre (14,996 square feet) of land.

West Belt Surveying, Inc.
Certified Firm No. 10073800
21020 Park Row.
Katy, Texas 77449
(281) 599-8288




Joel D. Walker Date: 12/15/15
Texas Registration No. 5189

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Approve Request from Woodlands Church Tomball Campus to Reserve the Railroad Depot Plaza on Saturday, June 18, 2016, from 9:00 a.m. to 12:00 p.m., for "**Launch**", a Free Event for all Tomball families

Background:

Woodlands Church Tomball Campus is requesting to reserve the Railroad Depot Plaza on Saturday, June 18th 2016, from 9am to 12pm, in order to put on a free event for all Tomball families. The name of our event is Launch.

Woodlands Church Tomball Campus will not charge guests for the activities nor will we accept donations. We need to reserve the park from 7am to 2pm that day for set-up, for the event itself and for packing up afterward. We are requesting access to the permanent, on-site restroom facilities for this event. We are requesting to waive the Depot rental fee and for in-kind services to be provided by Police, Fire, Public Works and NWEMS.

- We are planning to set up a stage, speakers and a sound system for music and live entertainment on the large concrete pad. Access to plug in extension cords will be needed to power the soundboard and speakers.
- BoBo Bouncers will provide four inflatables. They are licensed and insured. One inflatable will be for preschool age children only with a combination bounce house and waterslide. One is a double lane water slip-n-slide. Another is a double lane water slide. The fourth is an inflatable foam pit, which will contain non-toxic, hypo-allergenic, and biodegradable bubble foam. An image of this inflatable is attached. Bobo Bouncers will also provide trained operators as required by the State of TX. Four electric receptacles will be needed to power the four inflatables. Access to water hose hook ups will be needed for the inflatable foam pit and water slides/bouncers.
- Merry Makers will provide three professional face painters. The face painters will be stationed inside the large gazebo.
- We will have a station for skin stickers (aka. age appropriate temporary tattoos)
- We will have three craft stations where children may make a craft to take home.
- We are requesting that the pop-up fountain be available for use during the event.
- We are expecting approximately 500 to 600 attendees.

Origination:

Denise Fiore

Recommendation:

Council Approval

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

Denise Fiore Mike Baxter

ACTION TAKEN

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Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Launch Proposal

City Pricing



Dear Denise,

Our church is requesting to reserve the Railroad Depot Plaza on Saturday, June 18th 2016, from 9am to 12pm, in order to put on a free event for all Tomball families. The name of our event is Launch.

- We are planning to set up a stage, speakers and a sound system for music and live entertainment on the large concrete pad. Access to plug in extension cords will be needed to power the soundboard and speakers.
- BoBo Bouncers will provide four inflatables. They are licensed and insured. One inflatable will be for preschool age children only with a combination bounce house and waterslide. One is a double lane water slip-n-slide. Another is a double lane water slide. The fourth is an inflatable foam pit, which will contain non-toxic, hypo-allergenic, and biodegradable bubble foam. An image of this inflatable is attached. Bobo Bouncers will also provide trained operators as required by the State of TX. Four electric receptacles will be needed to power the four inflatables. Access to water hose hook ups will be needed for the inflatable foam pit and water slides/bouncers.
- Merry Makers will provide three professional face painters. The face painters will be stationed inside the large gazebo.
- We will have a station for skin stickers (aka. age appropriate temporary tattoos)
- We will have three craft stations where children may make a craft to take home.
- We are requesting that the pop-up fountain be available for use during the event.
- We are expecting approximately 500 to 600 attendees.

We will not charge guests for the activities nor will we accept donations. We need to reserve the park from 7am to 2pm that day for set-up, for the event itself and for packing up afterward. We are requesting access to the permanent, on-site restroom facilities for this event. We are requesting to waive the Depot rental fee and for in-kind services to be provided by Police, Fire, Public Works and NWEMS.

We are so excited about the opportunity of partnering together to provide the community with this fun and memorable event.

Thank you so much for your help.

Ryan and Heather Warren

Children's and Preschool Ministries

Woodlands Church Tomball (meets at Concordia Lutheran High School)

936-662-6826 Ryan Warren

936-521-9202 Heather Warren

Additional information concerning the Woodlands Church Tomball Campus Family Event

The cost for City resources is approximately \$651.00.

This is the breakdown:

Public Works \$351

Fire Depart. \$300

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Approve Proposed Amendment to Current Tomball Municipal Court Contract for Court Fees and Fines Collection Services

Background:

In 2008, the City of Tomball and Perdue, Brandon, Fielder, Collins & Mott L.L.P. ("Perdue") entered into a Contract for Court Fees and Fines Collection Services, by which terms we are currently operating under. After meeting with court staff, the presiding judge, chief prosecutor, and representatives from Perdue, it has been determined that an amendment to our Contract for Court Fees and Fines Collection Services is appropriate and necessary. While the revisions are minor, they are necessary to remain consistent with current standard operational procedures.

Origination:

Municipal Court

Recommendation:

Approve Amendment to Contract for Court Fees and Fines Collection Services, and authorize the Mayor to sign on behalf of the City.

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

Robert S. Hauck

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Current Contract
Amendment to Contract

STATE OF TEXAS §
§
COUNTY OF HARRIS §

1

III

Perdue is to refer all payments and correspondence directly to the court that has assessed or levied the fees and fines being collected pursuant to this contract. Perdue reserves the right to return all accounts not collected within one (1) year of referral by City, as well as any accounts identified as being in bankruptcy. Upon return of these accounts, neither party will have any obligation to the other party to this contract.

IV

City agrees to pay to Perdue (1) fifteen percent (15%) of the collected fees and fines referred to Perdue by City imposed on all unadjudicated offenses committed on or before June 18, 2003; (2) thirty percent (30%) on the collected fees and fines referred to Perdue by City imposed on all adjudicated offenses committed on or before June 18, 2003; and (3) thirty percent (30%) of the collected fees and fines referred to Perdue by City imposed on all offenses occurring after June 18, 2003. The 30% shall be added to the amount owed by a defendant that is more than 60 days past due pursuant to Article 103.0031, Texas Code of Criminal Procedure. Pursuant to law, Perdue cannot collect from a defendant the percentage referred to above if the defendant has been determined by the court of original jurisdiction to be indigent, or has insufficient resources or income, or is otherwise unable to pay all or part of the underlying fine or costs. All compensation shall become the property of Perdue at the time of payment. City shall pay over said funds on a monthly basis by check.

V

Perdue agrees to use its best efforts to collect the delinquent accounts turned over to it and to provide legal advice to City on the delinquent accounts as requested by City.

VI

This contract shall commence on _____, 2008, and end when both parties mutually agree; provided, however, that either party to this agreement shall have the right to terminate this agreement by giving the other party thirty (30) days written notice of their desire and intention to terminate this agreement; and further provided that Perdue shall have an additional six (6) months to complete work on all cases turned over to it prior to the notice of termination.

VII

For purposes of sending notice under the terms of this contract, all notices from City shall be sent to Perdue by certified United States mail, or delivered by hand or by courier, and addressed as follows:

Perdue, Brandon, Fielder, Collins & Mott, L.L.P.

Attn: Michael J. Darlow – Attorney

1235 North Loop West, Suite 600

Houston, Texas 77008

Telephone (713) 862-1429

VIII

This contract is made and is to be interpreted under the laws of the State of Texas. Venue for any disputes involving this contract shall be in the appropriate courts in Harris County, Texas.

In the event that any provision(s) of this contract shall for any reason be held invalid, illegal or unenforceable, the invalidity, illegality or unenforceability of that provision(s) shall not affect any other provision(s) of this contract, and it shall further be construed as if the invalid, illegal or unenforceable provision(s) had never been a part of this contract.

IX

In consideration of the terms and compensation herein stated, Perdue hereby accepts said employment and undertakes performance of said contract as set forth above.

X

Every provision of this Agreement is intended to be severable. If any term or provision hereof is hereafter deemed by a Court to be illegal, invalid, void or unenforceable, for any reason or to any extent whatsoever, such illegality, invalidity, or unenforceability shall not affect the validity of the remainder of this Agreement, it being intended that such remaining provisions shall be construed in a manner most closely approximating the intention of the Parties with respect to the illegal, invalid, void or unenforceable provision or part thereof.

This contract is executed on behalf of City by the presiding officer of its governing body who is authorized to execute this instrument by order heretofore passed and recorded in its minutes. This contract may be executed in any number of counterparts, and each counterpart shall be deemed an original for all purposes. Signed facsimiles shall be binding and enforceable.

XI

Perdue agrees to indemnify, defend and hold city and its successors and assigns, harmless from and against any and all claims arising out of or in any way connected with its performance under this contract.

WITNESS the signature of all parties hereto on this the _____ day of _____, 2008.

CITY OF TOMBALL, TEXAS

By: _____
MAYOR

PERDUE, BRANDON, FIELDER, COLLINS & MOTT L.L.P.

By: _____
For the Firm

**AN ORDINANCE PROVIDING FOR A FEE TO DEFRAY COSTS OF COLLECTING
DELINQUENT FINES, FEES, AND OTHER DEBTS PURSUANT TO ARTICLE
103.0031 OF THE TEXAS CODE OF CRIMINAL PROCEDURE**

STATE OF TEXAS	§
	§
COUNTY OF HARRIS	§

WHEREAS, Article 103.0031 of the Texas Code of Criminal Procedure authorizes the City of Tomball Council to contract with a private firm for the collection of the fees listed above and to impose an additional collection fee in the amount of thirty percent on each debt or account receivable that is more than sixty days past due and which has been referred to the private firm for collection; and

WHEREAS, the Tomball City Council has determined that it is in the public interest to ensure the prompt payment of delinquent court-imposed fines and fees as provided by said statute; and

WHEREAS, the City of Tomball has entered into a contract with a private firm to provide services for the collection of debts and accounts receivable, i.e.: fines, fees, restitution, other debts, and costs ordered to be paid by a court serving the City;

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

In accordance with Article 103.0031 of the Texas Code of Criminal Procedure, there shall be imposed an additional fee of thirty percent on all debts and accounts receivable, i.e.: fines, fees, restitution, other debts, and costs that are more than sixty days past due and have been referred to a private firm for collection.

SIGNED on this the _____ day of _____, 2008.

MAYOR, CITY OF TOMBALL, TEXAS

ATTEST:

CITY SECRETARY

**AMENDMENT TO CONTRACT FOR COURT FEES AND FINES
COLLECTION SERVICES**

**STATE OF TEXAS
COUNTY OF HARRIS**

This document is intended to, and does, amend and modify the Contract for Court Fees and Fines Collection Services entered into by and between the City of Tomball ("City"), and Perdue, Brandon, Fielder, Collins and Mott, L.L.P. ("Perdue") dated August 5, 2008. The amendment herein shall only affect Section 2, 3 & 4 of the original contract, and shall not change or modify any other provision.

In consideration of the Firm representing the City in the collection of their outstanding court fees and fines, it is agreed that the Contract, as described above, is amended and modified as follows:

SECTION 2.

City agrees to refer delinquent accounts, unless specifically excluded by the City, by electronic or magnetic medium, in the specified format, to Perdue for collection on or about the first (1st) of each month. An account is considered delinquent when not paid within 90 days of the scheduled appearance date (if the defendant failed to appear), or any granted extension, or from the date of conviction or judgment, or other court specified due date. City will provide Perdue with copies of, or access to, the information and documentation necessary to collect the fees and fines that are subject to this contract.

SECTION 3.

Perdue is to refer all payments and correspondence directly to the court that has assessed or levied the fines and fees being collected pursuant to this contract.

SECTION 4.

City agrees to pay to Perdue (1) thirty percent (30%) on the collected fees and fines referred to Perdue by City imposed on all adjudicated offenses committed on or before June 18, 2003; and (2) thirty percent (30%) of the collected fees and fines referred to Perdue by City imposed on all offenses occurring after June 18, 2003. The 30% shall be added to the amount owed by a defendant that is more than 60 days past due pursuant to Article 103.0031, Texas Code of Criminal Procedure. The parties understand that pursuant to law, Perdue cannot collect from a defendant the percentage referred to above if the defendant has been determined by the court of original jurisdiction to be indigent, or is granted jail time credit by the court for the full amount of the balance owed, or has

insufficient resources or income, or is otherwise unable to pay all or part of the underlying fine or costs. All collection fees shall become the property of Perdue at the time of payment. City shall pay over said funds on a monthly basis by check out of the collected fees and fines which Perdue has collected for the City.

Signed this _____ day of _____ 2016.

Gretchen Fagan
Mayor, City of Tomball

Attested:

Doris Speer, City Secretary

Agreed to:

Michael J. Darlow, Partner
Perdue Brandon, Fielder, Collins & Mott, LLP

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Award Contract for City of Tomball Project Bid Number 2016-12, Zion Road Sidewalk Project to Site Work Contractors, LLC in the Amount of \$295,917.75

Background:

The project will be for repairs to sidewalks located along Zion Road.

The consultant's recommendation is attached and recommendation is for Site Work Contractors, LLC as the lowest responsible bidder, under the total bid price. The contract is being recommended for consideration for the total bid amount of \$295,917.75.

Origination:

Public Works Department

Recommendation:

Staff recommends award of the contract to Site Work Contractors, LLC in the amount of \$295,917.75.

Funding:

Yes

Account Number:100-154-6409

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

Meagan Mageo, Project Coordinator

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

ATTACHMENTS:

Bid Tabulation

Recommendation for Award

Agreement

BID TAB
City of Tomball Bid No. 2016-12
Zion Road Sidewalk Project E&P Project No.: 2014-10032 2016-10001

					Engineer's Opinion of Probable Costs		Bidder 1		Bidder 2		Bidder 3		Bidder 4		Bidder 5	
							Site Work Contractors, LLC		Precise Services, Inc.		ECB Development LP		Lexton Construction, LLC		Excel Paving	
B1. BASE UNIT PRICE TABLE - SITE PREPARATION AND EARTHWORK ITEMS:																
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	01502	MOBILIZATION	LS	1	\$ 13,150.00	\$ 13,150.00	\$ 5,000.00	\$ 5,000.00	\$ 15,000.00	\$ 15,000.00	\$ 16,000.00	\$ 16,000.00	\$ 20,000.00	\$ 20,000.00	\$ 12,000.00	\$ 12,000.00
2	01555	TRAFFIC CONTROL INCLUDING FLAGMEN	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 12,500.00	\$ 12,500.00	\$ 4,025.00	\$ 4,025.00	\$ 4,000.00	\$ 4,000.00	\$ 15,000.00	\$ 15,000.00
3	02922	SODDING	SY	3806	\$ 3.00	\$ 11,418.00	\$ 6.50	\$ 24,739.00	\$ 5.00	\$ 19,030.00	\$ 3.00	\$ 11,418.00	\$ 4.00	\$ 15,224.00	\$ 4.72	\$ 17,964.32
TOTAL BASE UNIT PRICES - SITE PREPARATION AND EARTHWORK ITEMS:						\$ 28,568.00		\$ 34,739.00		\$ 46,530.00		\$ 31,443.00		\$ 39,224.00		\$ 44,964.32
B2. BASE UNIT PRICE TABLE - SWPPP & SWQMP ITEMS																
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
4	01570 01410	STORM WATER POLLUTION PREVENTION (MAINTENANCE)	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 3,000.00	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00	\$ 2,750.00	\$ 2,750.00	\$ 3,000.00	\$ 3,000.00	\$ 3,500.00	\$ 3,500.00
5	01573	FILTER FABRIC FENCE	LF	2375	\$ 1.50	\$ 3,562.50	\$ 3.25	\$ 7,718.75	\$ 1.75	\$ 4,156.25	\$ 1.56	\$ 3,705.00	\$ 1.50	\$ 3,562.50	\$ 4.48	\$ 10,640.00
6	01577	INLET PROTECTION BARRIERS	EA	1	\$ 55.00	\$ 55.00	\$ 200.00	\$ 200.00	\$ 65.00	\$ 65.00	\$ 66.88	\$ 66.88	\$ 75.00	\$ 75.00	\$ 250.00	\$ 250.00
TOTAL BASE UNIT PRICES - SWPPP & SWQMP ITEMS						\$ 4,617.50		\$ 10,918.75		\$ 5,721.25		\$ 6,521.88		\$ 6,637.50		\$ 14,390.00
B3. BASE UNIT PRICE TABLE - PAVING ITEMS:																
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
7	02314-02317	EXCAVATION	CY	468	\$ 8.50	\$ 3,978.00	\$ 6.00	\$ 2,808.00	\$ 15.25	\$ 7,137.00	\$ 7.28	\$ 3,407.04	\$ 10.00	\$ 4,680.00	\$ 30.75	\$ 14,391.00
8	02319	BORROW (SELECT FILL)	CY	186	\$ 14.00	\$ 2,604.00	\$ 19.00	\$ 3,534.00	\$ 14.00	\$ 2,604.00	\$ 39.52	\$ 7,350.72	\$ 4.25	\$ 790.50	\$ 58.36	\$ 10,854.96
9	02221	SAWCUT (CURB, SIDEWALK, ASPHALT OR CONCRETE PAVING), INCLUDING DISPOSAL, COMPLETE IN PLACE	LF	1238	\$ 2.50	\$ 3,095.00	\$ 3.00	\$ 3,714.00	\$ 6.50	\$ 8,047.00	\$ 9.95	\$ 12,318.10	\$ 12.50	\$ 15,475.00	\$ 28.49	\$ 35,270.62
10	02221	ASPHALT & SUBGRADE REMOVAL, INCLUDING DISPOSAL, COMPLETE IN PLACE	SY	392	\$ 9.00	\$ 3,528.00	\$ 15.00	\$ 5,880.00	\$ 9.00	\$ 3,528.00	\$ 13.23	\$ 5,186.16	\$ 6.50	\$ 2,548.00	\$ 27.42	\$ 10,748.64
11	02221	CONCRETE & SUBGRADE REMOVAL, INCLUDING DISPOSAL, COMPLETE IN PLACE	SY	232	\$ 9.00	\$ 2,088.00	\$ 15.00	\$ 3,480.00	\$ 9.00	\$ 2,088.00	\$ 15.03	\$ 3,486.96	\$ 11.00	\$ 2,552.00	\$ 32.52	\$ 7,544.64
12	02741	ASPHALT DRIVEWAYS, INCLUDING 2" TYPE 'D' HMAC SURFACE AND 8" BLACK BASE, COMPLETE IN PLACE	SY	422	\$ 65.00	\$ 27,430.00	\$ 45.00	\$ 18,990.00	\$ 105.00	\$ 44,310.00	\$ 98.42	\$ 41,533.24	\$ 56.00	\$ 23,632.00	\$ 67.21	\$ 28,362.62
13	02754	7" CONCRETE DRIVEWAY, COMPLETE IN PLACE	SY	232	\$ 105.00	\$ 24,360.00	\$ 42.00	\$ 9,744.00	\$ 59.00	\$ 13,688.00	\$ 66.67	\$ 15,467.44	\$ 99.00	\$ 22,968.00	\$ 67.07	\$ 15,560.24
14	02775	5' WIDE SIDEWALK (4 1/2") W/ APPURTENANCES, COMPLETE IN PLACE	LF	2418	\$ 30.00	\$ 72,540.00	\$ 25.00	\$ 60,450.00	\$ 20.00	\$ 48,360.00	\$ 33.33	\$ 80,591.94	\$ 33.00	\$ 79,794.00	\$ 24.21	\$ 58,539.78
15	02775	5' WIDE SIDEWALK (4 1/2") W/ FOOTING, COMPLETE IN PLACE	LF	870	\$ 40.00	\$ 34,800.00	\$ 30.00	\$ 26,100.00	\$ 25.50	\$ 22,185.00	\$ 33.33	\$ 28,997.10	\$ 47.00	\$ 40,890.00	\$ 40.36	\$ 35,113.20
16	02775	2' x 4'-4" CONCRETE PAVER W/ TRUNCATED DOME SURFACE (SW-20)	EA	2	\$ 400.00	\$ 800.00	\$ 350.00	\$ 700.00	\$ 150.00	\$ 300.00	\$ 52.88	\$ 105.76	\$ 1,350.00	\$ 2,700.00	\$ 171.00	\$ 342.00
17	-	RELOCATE EXIST SIGN	EA	5	\$ 250.00	\$ 1,250.00	\$ 200.00	\$ 1,000.00	\$ 125.00	\$ 625.00	\$ 393.75	\$ 1,968.75	\$ 350.00	\$ 1,750.00	\$ 500.00	\$ 2,500.00
18	02775	24" PAVEMENT STRIPING	LF	136	\$ 4.00	\$ 544.00	\$ 10.00	\$ 1,360.00	\$ 11.00	\$ 1,496.00	\$ 10.00	\$ 1,360.00	\$ 8.00	\$ 1,088.00	\$ 11.02	\$ 1,498.72
TOTAL BASE UNIT PRICES - PAVING ITEMS						\$ 177,017.00		\$ 137,760.00		\$ 154,368.00		\$ 201,773.21		\$ 198,867.50		\$ 220,726.42
B4. BASE UNIT PRICE TABLE - STORM SEWER ITEMS																
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
19	2314	REALIGN DITCH	LF	564	\$ 15.00	\$ 8,460.00	\$ 5.00	\$ 2,820.00	\$ 11.50	\$ 6,486.00	\$ 2.43	\$ 1,370.52	\$ 7.00	\$ 3,948.00	\$ 14.18	\$ 7,997.52
20	02631, 02611	24" RCP STORM SEWER, OPEN CUT, ALL DEPTHS, COMPLETE IN PLACE	LF	429	\$ 55.00	\$ 23,595.00	\$ 55.00	\$ 23,595.00	\$ 94.00	\$ 40,326.00	\$ 90.25	\$ 38,717.25	\$ 100.00	\$ 42,900.00	\$ 114.19	\$ 48,987.51
21	02631, 02611	18" RCP STORM SEWER, OPEN CUT, ALL DEPTHS, COMPLETE IN PLACE	LF	18	\$ 45.00	\$ 810.00	\$ 55.00	\$ 990.00	\$ 119.00	\$ 2,142.00	\$ 72.71	\$ 1,308.78	\$ 115.00	\$ 2,070.00	\$ 369.44	\$ 6,649.92
22	2631	D-1 INLET, COMPLETE IN PLACE	EA	1	\$ 3,500.00	\$ 3,500.00	\$ 2,200.00	\$ 2,200.00	\$ 2,300.00	\$ 2,300.00	\$ 1,727.83	\$ 1,727.83	\$ 2,500.00	\$ 2,500.00	\$ 3,500.00	\$ 3,500.00
23	2631	FRENCH DRAIN, COMPLETE IN PLACE	LF	870	\$ 25.00	\$ 21,750.00	\$ 6.00	\$ 5,220.00	\$ 11.50	\$ 10,005.00	\$ 19.92	\$ 17,330.40	\$ 30.00	\$ 26,100.00	\$ 7.81	\$ 6,794.70
24	2631	4" SCH 40 PVC DRAIN, COMPLETE IN PLACE	LF	340	\$ 10.00	\$ 3,400.00	\$ 5.00	\$ 1,700.00	\$ 9.00	\$ 3,060.00	\$ 7.23	\$ 2,458.20	\$ 14.00	\$ 4,760.00	\$ 11.64	\$ 3,957.60
25	02634	24" RCP SET (TY II) (6: 1) (Parallel Drainage)	EA	19	\$ 1,750.00	\$ 33,250.00	\$ 1,350.00	\$ 25,650.00	\$ 1,050.00	\$ 19,950.00	\$ 2,037.56	\$ 38,713.64	\$ 2,000.00	\$ 38,000.00	\$ 500.00	\$ 9,500.00
26	2751	5" CONCRETE SLOPE PAVING	SY	80	\$ 90.00	\$ 7,200.00	\$ 50.00	\$ 4,000.00	\$ 75.00	\$ 6,000.00	\$ 77.72	\$ 6,217.60	\$ 75.00	\$ 6,000.00	\$ 50.00	\$ 4,000.00
TOTAL BASE UNIT PRICES - STORM SEWER ITEMS						\$ 101,965.00		\$ 66,175.00		\$ 90,269.00		\$ 107,844.22		\$ 126,278.00		\$ 91,387.25

BID TAB
City of Tomball Bid No. 2016-12
Zion Road Sidewalk Project E&P Project No.: 2014-10032 2016-10001

							Bidder 1		Bidder 2		Bidder 3		Bidder 4		Bidder 5	
							Engineer's Opinion of Probable Costs		Site Work Contractors, LLC		Precise Services, Inc.		ECB Development LP		Lexton Construction, LLC	
B5. BASE UNIT PRICE TABLE - MISCELLANEOUS ITEMS																
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
27	2086	WM BOX VERTICAL ADJUSTMENT STA 18+73	EA	1	\$ 75.00	\$ 75.00	\$ 250.00	\$ 250.00	\$ 150.00	\$ 150.00	\$ 300.00	\$ 300.00	\$ 200.00	\$ 200.00	\$ 500.00	\$ 500.00
28	2221	SANITARY SEWER MH VERTICAL ADJUSTMENT STA 21+56	EA	2	\$ 1,250.00	\$ 2,500.00	\$ 500.00	\$ 1,000.00	\$ 250.00	\$ 500.00	\$ 300.00	\$ 600.00	\$ 500.00	\$ 1,000.00	\$ 1,500.00	\$ 3,000.00
29	0	HANDRAIL, COMPLETE IN PLACE	LF	40	\$ 50.00	\$ 2,000.00	\$ 100.00	\$ 4,000.00	\$ 110.00	\$ 4,400.00	\$ 55.63	\$ 2,225.20	\$ 90.00	\$ 3,600.00	\$ 87.50	\$ 3,500.00
30	2221	REMOVE 24" RCP	LF	86	\$ 25.00	\$ 2,150.00	\$ 25.00	\$ 2,150.00	\$ 25.00	\$ 2,150.00	\$ 10.83	\$ 931.38	\$ 23.00	\$ 1,978.00	\$ 52.32	\$ 4,499.52
31	-	REMOVE 24" SET	EA	4	\$ 900.00	\$ 3,600.00	\$ 50.00	\$ 200.00	\$ 250.00	\$ 1,000.00	\$ 145.89	\$ 583.56	\$ 350.00	\$ 1,400.00	\$ 200.00	\$ 800.00
TOTAL BASE UNIT PRICES - MISCELLANEOUS ITEMS						\$ 10,325.00		\$ 7,600.00		\$ 8,200.00		\$ 4,640.14		\$ 8,178.00		\$ 12,299.52
TOTAL BASE UNIT PRICES						\$ 322,492.50		\$ 257,192.75		\$ 305,088.25		\$ 352,222.45		\$ 379,185.00		\$ 383,767.51
C. EXTRA UNIT PRICES FOR:																
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
32	02221	EXTRA REMOVAL OF EXIST PVMT (INCLUDING SAWCUTS)	CY	125	\$ 10.00	\$ 1,250.00	\$ 10.00	\$ 1,250.00	\$ 10.00	\$ 1,250.00	\$ 29.75	\$ 3,718.75	\$ 10.00	\$ 1,250.00	\$ 10.00	\$ 1,250.00
33	02318	EXTRA HAND EXCAVATION	CY	125	\$ 25.00	\$ 3,125.00	\$ 25.00	\$ 3,125.00	\$ 25.00	\$ 3,125.00	\$ 25.00	\$ 3,125.00	\$ 25.00	\$ 3,125.00	\$ 25.00	\$ 3,125.00
34	02318	EXTRA MACHINE EXCAVATION	CY	125	\$ 30.00	\$ 3,750.00	\$ 30.00	\$ 3,750.00	\$ 30.00	\$ 3,750.00	\$ 11.04	\$ 1,380.00	\$ 30.00	\$ 3,750.00	\$ 30.00	\$ 3,750.00
35	02318	EXTRA BANK SAND BACKFILL	CY	125	\$ 18.00	\$ 2,250.00	\$ 18.00	\$ 2,250.00	\$ 18.00	\$ 2,250.00	\$ 37.56	\$ 4,695.00	\$ 18.00	\$ 2,250.00	\$ 18.00	\$ 2,250.00
36	02321	EXTRA CEMENT STABILIZED SAND	CY	125	\$ 22.00	\$ 2,750.00	\$ 22.00	\$ 2,750.00	\$ 30.00	\$ 3,750.00	\$ 58.63	\$ 7,328.75	\$ 22.00	\$ 2,750.00	\$ 22.00	\$ 2,750.00
37	02711	EXTRA HMAC ASPHALT FOR PAVEMENT	TON	125	\$ 75.00	\$ 9,375.00	\$ 75.00	\$ 9,375.00	\$ 75.00	\$ 9,375.00	\$ 158.95	\$ 19,868.75	\$ 75.00	\$ 9,375.00	\$ 75.00	\$ 9,375.00
38	02771	EXTRA 6" CONCRETE CURB	LF	75	\$ 3.00	\$ 225.00	\$ 7.00	\$ 525.00	\$ 3.00	\$ 225.00	\$ 5.75	\$ 431.25	\$ 3.00	\$ 225.00	\$ 3.00	\$ 225.00
39	02922	EXTRA SODDING	SY	350	\$ 3.00	\$ 1,050.00	\$ 4.00	\$ 1,400.00	\$ 5.00	\$ 1,750.00	\$ 3.00	\$ 1,050.00	\$ 3.00	\$ 1,050.00	\$ 3.00	\$ 1,050.00
40	-	EXTRA CONCRETE COLLAR FOR 18" STORM	EA	1	\$ 15.00	\$ 15.00	\$ 50.00	\$ 50.00	\$ 300.00	\$ 300.00	\$ 197.87	\$ 197.87	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00
41	-	EXTRA CONCRETE COLLAR FOR 24" STORM	EA	1	\$ 22.00	\$ 22.00	\$ 50.00	\$ 50.00	\$ 350.00	\$ 350.00	\$ 263.92	\$ 263.92	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00
42	-	EXTRA CONCRETE COLLAR FOR 36" STORM	EA	1	\$ 100.00	\$ 100.00	\$ 200.00	\$ 200.00	\$ 450.00	\$ 450.00	\$ 407.13	\$ 407.13	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
TOTAL EXTRA UNIT PRICES						\$ 23,912.00		\$ 24,725.00		\$ 26,575.00		\$ 42,466.42		\$ 23,912.00		\$ 23,912.00
SUMMARY B1-B5 AND C																
B1. SITE PREPARATION AND EARTHWORK ITEMS:						\$ 28,568.00		\$ 34,739.00		\$ 46,530.00		\$ 31,443.00		\$ 39,224.00		\$ 44,964.32
B2. SWPPP AND SQMP ITEMS						\$ 4,617.50		\$ 10,918.75		\$ 5,721.25		\$ 6,521.88		\$ 6,637.50		\$ 14,390.00
B3. PAVING ITEMS						\$ 177,017.00		\$ 137,760.00		\$ 154,368.00		\$ 201,773.21		\$ 198,867.50		\$ 220,726.42
B4. STORM SEWER ITEMS						\$ 101,965.00		\$ 66,175.00		\$ 90,269.00		\$ 107,844.22		\$ 126,278.00		\$ 91,387.25
B5. MISCELLANEOUS ITEMS						\$ 10,325.00		\$ 7,600.00		\$ 8,200.00		\$ 4,640.14		\$ 8,178.00		\$ 12,299.52
C. EXTRA UNIT PRICES FOR:						\$ 23,912.00		\$ 24,725.00		\$ 26,575.00		\$ 42,466.42		\$ 23,912.00		\$ 23,912.00
TOTAL B1-B5 and C						\$ 346,404.50		\$ 281,917.75		\$ 331,663.25		\$ 394,688.87		\$ 403,097.00		\$ 407,679.51
D. CASH ALLOWANCE TABLE:																
Cash Allowance No.	Cash Allowance Short Title					Cash Allowance		Cash Allowance		Cash Allowance		Cash Allowance		Cash Allowance		Cash Allowance
1	Harris County Surety Bond & Permit					\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00
TOTAL CASH ALLOWANCES						\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00
E. ALTERNATES TABLE:																
Alternates No.	Alternate Short Title					Total Price for Alternate		Total Price for Alternate		Total Price for Alternate		Total Price for Alternate		Total Price for Alternate		Total Price for Alternate
	NA					NA		NA		NA		NA		NA		NA
TOTAL ALTERNATES						NA		NA		NA		NA		NA		NA
F. TOTAL BID PRICE								\$ 360,404.50		\$ 295,917.75		\$ 345,663.25		\$ 408,688.87		\$ 421,679.51
(Add Totals for Items A, B, C, D, and E above)																
NOTE: Values shown in red indicate corrected math error on bid form submitted.																

BID TAB
City of Tomball Bid No. 2016-12
Zion Road Sidewalk Project E&P Project No.: 2014-10032 2016-10001

							Bidder 6		Bidder 7		Bidder 8		Bidder 9		
							Engineer's Opinion of Probable Costs	A-1 Construction Services		Team work Construction Services, Inc.		LMC Corporation		Level Infrastructure LLC	
B1. BASE UNIT PRICE TABLE - SITE PREPARATION AND EARTHWORK ITEMS:															
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
1	01502	MOBILIZATION	LS	1	\$ 13,150.00	\$ 13,150.00	\$ 10,000.00	\$ 10,000.00	\$ 36,385.00	\$ 36,385.00	\$ 11,251.00	\$ 11,251.00	\$ 15,000.00	\$ 15,000.00	
2	01555	TRAFFIC CONTROL INCLUDING FLAGMEN	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 3,500.00	\$ 3,500.00	\$ 8,200.00	\$ 8,200.00	\$ 14,847.00	\$ 14,847.00	\$ 6,000.00	\$ 6,000.00	
3	02922	SODDING	SY	3806	\$ 3.00	\$ 11,418.00	\$ 5.90	\$ 22,455.40	\$ 5.70	\$ 21,694.20	\$ 7.25	\$ 27,593.50	\$ 13.50	\$ 51,381.00	
TOTAL BASE UNIT PRICES - SITE PREPARATION AND EARTHWORK ITEMS:						\$ 28,568.00		\$ 35,955.40		\$ 66,279.20		\$ 53,691.50		\$ 72,381.00	
B2. BASE UNIT PRICE TABLE - SWPPP & SWQMP ITEMS															
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
4	01570 01410	STORM WATER POLLUTION PREVENTION (MAINTENANCE)	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 1,200.00	\$ 1,200.00	\$ 3,200.00	\$ 3,200.00	\$ 3,322.00	\$ 3,322.00	\$ 3,000.00	\$ 3,000.00	
5	01573	FILTER FABRIC FENCE	LF	2375	\$ 1.50	\$ 3,562.50	\$ 1.75	\$ 4,156.25	\$ 1.05	\$ 2,493.75	\$ 2.75	\$ 6,531.25	\$ 3.00	\$ 7,125.00	
6	01577	INLET PROTECTION BARRIERS	EA	1	\$ 55.00	\$ 55.00	\$ 65.00	\$ 65.00	\$ 285.00	\$ 285.00	\$ 1,300.00	\$ 1,300.00	\$ 400.00	\$ 400.00	
TOTAL BASE UNIT PRICES - SWPPP & SWQMP ITEMS						\$ 4,617.50		\$ 5,421.25		\$ 5,978.75		\$ 11,153.25		\$ 10,525.00	
B3. BASE UNIT PRICE TABLE - PAVING ITEMS:															
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
7	02314-02317	EXCAVATION	CY	468	\$ 8.50	\$ 3,978.00	\$ 7.00	\$ 3,276.00	\$ 26.50	\$ 12,402.00	\$ 31.00	\$ 14,508.00	\$ 20.00	\$ 9,360.00	
8	02319	BORROW (SELECT FILL)	CY	186	\$ 14.00	\$ 2,604.00	\$ 5.00	\$ 930.00	\$ 34.00	\$ 6,324.00	\$ 33.00	\$ 6,138.00	\$ 33.00	\$ 6,138.00	
9	02221	SAWCUT (CURB, SIDEWALK, ASPHALT OR CONCRETE PAVING), INCLUDING DISPOSAL, COMPLETE IN PLACE	LF	1238	\$ 2.50	\$ 3,095.00	\$ 25.00	\$ 30,950.00	\$ 6.75	\$ 8,356.50	\$ 13.50	\$ 16,713.00	\$ 6.00	\$ 7,428.00	
10	02221	ASPHALT & SUBGRADE REMOVAL, INCLUDING DISPOSAL, COMPLETE IN PLACE	SY	392	\$ 9.00	\$ 3,528.00	\$ 45.00	\$ 17,640.00	\$ 39.50	\$ 15,484.00	\$ 20.25	\$ 7,938.00	\$ 7.00	\$ 2,744.00	
11	02221	CONCRETE & SUBGRADE REMOVAL, INCLUDING DISPOSAL, COMPLETE IN PLACE	SY	232	\$ 9.00	\$ 2,088.00	\$ 35.00	\$ 8,120.00	\$ 39.50	\$ 9,164.00	\$ 23.60	\$ 5,475.20	\$ 7.00	\$ 1,624.00	
12	02741	ASPHALT DRIVEWAYS, INCLUDING 2" TYPE 'D' HMAC SURFACE AND 8" BLACK BASE, COMPLETE IN PLACE	SY	422	\$ 65.00	\$ 27,430.00	\$ 15.00	\$ 6,330.00	\$ 69.00	\$ 29,118.00	\$ 62.45	\$ 26,353.90	\$ 35.00	\$ 14,770.00	
13	02754	7" CONCRETE DRIVEWAY, COMPLETE IN PLACE	SY	232	\$ 105.00	\$ 24,360.00	\$ 25.00	\$ 5,800.00	\$ 74.00	\$ 17,168.00	\$ 121.00	\$ 28,072.00	\$ 100.00	\$ 23,200.00	
14	02775	5' WIDE SIDEWALK (4 1/2") W/ APPURTENANCES, COMPLETE IN PLACE	LF	2418	\$ 30.00	\$ 72,540.00	\$ 44.00	\$ 106,392.00	\$ 31.50	\$ 76,167.00	\$ 30.00	\$ 72,540.00	\$ 30.00	\$ 72,540.00	
15	02775	5' WIDE SIDEWALK (4 1/2") W/ FOOTING, COMPLETE IN PLACE	LF	870	\$ 40.00	\$ 34,800.00	\$ 51.00	\$ 44,370.00	\$ 46.00	\$ 40,020.00	\$ 38.75	\$ 33,712.50	\$ 52.00	\$ 45,240.00	
16	02775	2' x 4'-4" CONCRETE PAVER W/ TRUNCATED DOME SURFACE (SW-20)	EA	2	\$ 400.00	\$ 800.00	\$ 350.00	\$ 700.00	\$ 425.00	\$ 850.00	\$ 1,126.00	\$ 2,252.00	\$ 2,000.00	\$ 4,000.00	
17	-	RELOCATE EXIST SIGN	EA	5	\$ 250.00	\$ 1,250.00	\$ 100.00	\$ 500.00	\$ 350.00	\$ 1,750.00	\$ 710.00	\$ 3,550.00	\$ 600.00	\$ 3,000.00	
18	02775	24" PAVEMENT STRIPING	LF	136	\$ 4.00	\$ 544.00	\$ 25.00	\$ 3,400.00	\$ 14.50	\$ 1,972.00	\$ 25.45	\$ 3,461.20	\$ 25.00	\$ 3,400.00	
TOTAL BASE UNIT PRICES - PAVING ITEMS						\$ 177,017.00		\$ 228,408.00		\$ 218,775.50		\$ 220,713.80		\$ 193,444.00	
B4. BASE UNIT PRICE TABLE - STORM SEWER ITEMS															
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
19	2314	REALIGN DITCH	LF	564	\$ 15.00	\$ 8,460.00	\$ 23.00	\$ 12,972.00	\$ 16.00	\$ 9,024.00	\$ 9.10	\$ 5,132.40	\$ 12.00	\$ 6,768.00	
20	02631, 02611	24" RCP STORM SEWER, OPEN CUT, ALL DEPTHS, COMPLETE IN PLACE	LF	429	\$ 55.00	\$ 23,595.00	\$ 75.00	\$ 32,175.00	\$ 62.50	\$ 26,812.50	\$ 90.00	\$ 38,610.00	\$ 150.00	\$ 64,350.00	
21	02631, 02611	18" RCP STORM SEWER, OPEN CUT, ALL DEPTHS, COMPLETE IN PLACE	LF	18	\$ 45.00	\$ 810.00	\$ 110.00	\$ 1,980.00	\$ 51.25	\$ 922.50	\$ 70.00	\$ 1,260.00	\$ 150.00	\$ 2,700.00	
22	2631	D-1 INLET, COMPLETE IN PLACE	EA	1	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 1,200.00	\$ 1,200.00	\$ 8,200.00	\$ 8,200.00	\$ 2,500.00	\$ 2,500.00	
23	2631	FRENCH DRAIN, COMPLETE IN PLACE	LF	870	\$ 25.00	\$ 21,750.00	\$ 20.00	\$ 17,400.00	\$ 17.75	\$ 15,442.50	\$ 18.00	\$ 15,660.00	\$ 50.00	\$ 43,500.00	
24	2631	4" SCH 40 PVC DRAIN, COMPLETE IN PLACE	LF	340	\$ 10.00	\$ 3,400.00	\$ 25.00	\$ 8,500.00	\$ 21.00	\$ 7,140.00	\$ 16.45	\$ 5,593.00	\$ 21.00	\$ 7,140.00	
25	02634	24" RCP SET (TY II) (6: 1) (Parallel Drainage)	EA	19	\$ 1,750.00	\$ 33,250.00	\$ 1,850.00	\$ 35,150.00	\$ 2,475.00	\$ 47,025.00	\$ 999.00	\$ 18,981.00	\$ 3,000.00	\$ 57,000.00	
26	2751	5" CONCRETE SLOPE PAVING	SY	80	\$ 90.00	\$ 7,200.00	\$ 75.00	\$ 6,000.00	\$ 79.00	\$ 6,320.00	\$ 123.00	\$ 9,840.00	\$ 85.00	\$ 6,800.00	
TOTAL BASE UNIT PRICES - STORM SEWER ITEMS						\$ 101,965.00		\$ 117,677.00		\$ 113,886.50		\$ 103,276.40		\$ 190,758.00	

BID TAB
City of Tomball Bid No. 2016-12
Zion Road Sidewalk Project E&P Project No.: 2014-10032 2016-10001

							Bidder 6		Bidder 7		Bidder 8		Bidder 9			
							Engineer's Opinion of Probable Costs		A-1 Construction Services		Team work Construction Services, Inc.		LMC Corporation		Level Infrastructure LLC	
B5. BASE UNIT PRICE TABLE - MISCELLANEOUS ITEMS																
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
27	2086	WM BOX VERTICAL ADJUSTMENT STA 18+73	EA	1	\$ 75.00	\$ 75.00	\$ 100.00	\$ 100.00	\$ 250.00	\$ 250.00	\$ 2,200.00	\$ 2,200.00	\$ 2,500.00	\$ 2,500.00		
28	2221	SANITARY SEWER MH VERTICAL ADJUSTMENT STA 21+56	EA	2	\$ 1,250.00	\$ 2,500.00	\$ 150.00	\$ 300.00	\$ 325.00	\$ 650.00	\$ 1,300.00	\$ 2,600.00	\$ 2,500.00	\$ 5,000.00		
29	0	HANDRAIL, COMPLETE IN PLACE	LF	40	\$ 50.00	\$ 2,000.00	\$ 55.00	\$ 2,200.00	\$ 95.00	\$ 3,800.00	\$ 101.00	\$ 4,040.00	\$ 60.00	\$ 2,400.00		
30	2221	REMOVE 24" RCP	LF	86	\$ 25.00	\$ 2,150.00	\$ 12.00	\$ 1,032.00	\$ 74.00	\$ 6,364.00	\$ 54.00	\$ 4,644.00	\$ 100.00	\$ 8,600.00		
31	-	REMOVE 24" SET	EA	4	\$ 900.00	\$ 3,600.00	\$ 250.00	\$ 1,000.00	\$ 725.00	\$ 2,900.00	\$ 1,200.00	\$ 4,800.00	\$ 500.00	\$ 2,000.00		
TOTAL BASE UNIT PRICES - MISCELLANEOUS ITEMS						\$ 10,325.00		\$ 4,632.00		\$ 13,964.00		\$ 18,284.00		\$ 20,500.00		
TOTAL BASE UNIT PRICES						\$ 322,492.50		\$ 392,093.65		\$ 418,883.95		\$ 407,118.95		\$ 487,608.00		
C. EXTRA UNIT PRICES FOR:																
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
32	02221	EXTRA REMOVAL OF EXIST PVMT (INCLUDING SAWCUTS)	CY	125	\$ 10.00	\$ 1,250.00	\$ 10.00	\$ 1,250.00	\$ 39.50	\$ 4,937.50	\$ 13.50	\$ 1,687.50	\$ 20.00	\$ 2,500.00		
33	02318	EXTRA HAND EXCAVATION	CY	125	\$ 25.00	\$ 3,125.00	\$ 25.00	\$ 3,125.00	\$ 25.00	\$ 3,125.00	\$ 26.00	\$ 3,250.00	\$ 40.00	\$ 5,000.00		
34	02318	EXTRA MACHINE EXCAVATION	CY	125	\$ 30.00	\$ 3,750.00	\$ 30.00	\$ 3,750.00	\$ 30.00	\$ 3,750.00	\$ 31.00	\$ 3,875.00	\$ 45.00	\$ 5,625.00		
35	02318	EXTRA BANK SAND BACKFILL	CY	125	\$ 18.00	\$ 2,250.00	\$ 18.00	\$ 2,250.00	\$ 18.00	\$ 2,250.00	\$ 21.00	\$ 2,625.00	\$ 28.00	\$ 3,500.00		
36	02321	EXTRA CEMENT STABILIZED SAND	CY	125	\$ 22.00	\$ 2,750.00	\$ 22.00	\$ 2,750.00	\$ 22.00	\$ 2,750.00	\$ 25.00	\$ 3,125.00	\$ 35.00	\$ 4,375.00		
37	02711	EXTRA HMAC ASPHALT FOR PAVEMENT	TON	125	\$ 75.00	\$ 9,375.00	\$ 75.00	\$ 9,375.00	\$ 75.00	\$ 9,375.00	\$ 75.00	\$ 9,375.00	\$ 100.00	\$ 12,500.00		
38	02771	EXTRA 6" CONCRETE CURB	LF	75	\$ 3.00	\$ 225.00	\$ 3.00	\$ 225.00	\$ 16.00	\$ 1,200.00	\$ 5.00	\$ 375.00	\$ 7.00	\$ 525.00		
39	02922	EXTRA SODDING	SY	350	\$ 3.00	\$ 1,050.00	\$ 3.00	\$ 1,050.00	\$ 5.70	\$ 1,995.00	\$ 7.25	\$ 2,537.50	\$ 9.00	\$ 3,150.00		
40	-	EXTRA CONCRETE COLLAR FOR 18" STORM	EA	1	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 500.00	\$ 500.00	\$ 25.00	\$ 25.00	\$ 40.00	\$ 40.00		
41	-	EXTRA CONCRETE COLLAR FOR 24" STORM	EA	1	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 750.00	\$ 750.00	\$ 32.00	\$ 32.00	\$ 65.00	\$ 65.00		
42	-	EXTRA CONCRETE COLLAR FOR 36" STORM	EA	1	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 1,000.00	\$ 1,000.00	\$ 111.00	\$ 111.00	\$ 150.00	\$ 150.00		
TOTAL EXTRA UNIT PRICES						\$ 23,912.00		\$ 23,912.00		\$ 31,632.50		\$ 27,018.00		\$ 37,430.00		
SUMMARY B1-B5 AND C																
B1. SITE PREPARATION AND EARTHWORK ITEMS:						\$ 28,568.00		\$ 35,955.40		\$ 66,279.20		\$ 53,691.50		\$ 72,381.00		
B2. SWPPP AND SQMP ITEMS						\$ 4,617.50		\$ 5,421.25		\$ 5,978.75		\$ 11,153.25		\$ 10,525.00		
B3. PAVING ITEMS						\$ 177,017.00		\$ 228,408.00		\$ 218,775.50		\$ 220,713.80		\$ 193,444.00		
B4. STORM SEWER ITEMS						\$ 101,965.00		\$ 117,677.00		\$ 113,886.50		\$ 103,276.40		\$ 190,758.00		
B5. MISCELLANEOUS ITEMS						\$ 10,325.00		\$ 4,632.00		\$ 13,964.00		\$ 18,284.00		\$ 20,500.00		
C. EXTRA UNIT PRICES FOR:						\$ 23,912.00		\$ 23,912.00		\$ 31,632.50		\$ 27,018.00		\$ 37,430.00		
TOTAL B1-B5 and C						\$ 346,404.50		\$ 416,005.65		\$ 450,516.45		\$ 434,136.95		\$ 525,038.00		
D. CASH ALLOWANCE TABLE:																
Cash Allowance No.		Cash Allowance Short Title				Cash Allowance		Cash Allowance		Cash Allowance		Cash Allowance		Cash Allowance		Cash Allowance
1		Harris County Surety Bond & Permit				\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00
TOTAL CASH ALLOWANCES						\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00
E. ALTERNATES TABLE:																
Alternates No.		Alternate Short Title				Total Price for Alternate		Total Price for Alternate		Total Price for Alternate		Total Price for Alternate		Total Price for Alternate		Total Price for Alternate
		NA				NA		NA		NA		NA		NA		NA
TOTAL ALTERNATES						NA		NA		NA		NA		NA		NA
F. TOTAL BID PRICE						\$ 360,404.50	\$ 430,005.65		\$ 464,516.45		\$ 448,136.95		\$ 539,038.00			
(Add Totals for Items A, B, C, D, and E above)																

BID TAB
City of Tomball Bid No. 2016-12
Zion Road Sidewalk Project E&P Project No.: 2014-10032 2016-10001

					Engineer's Opinion of Probable Costs		Bidder Comparisons					
							Bidder Averages		Bidder Low		Bidder High	
B1. BASE UNIT PRICE TABLE - SITE PREPARATION AND EARTHWORK ITEMS:												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	01502	MOBILIZATION	LS	1	\$ 13,150.00	\$ 13,150.00	\$ 15,626.22	\$ 15,626.22	\$ 5,000.00	\$ 5,000.00	\$ 36,385.00	\$ 36,385.00
2	01555	TRAFFIC CONTROL INCLUDING FLAGMEN	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 8,119.11	\$ 8,119.11	\$ 3,500.00	\$ 3,500.00	\$ 15,000.00	\$ 15,000.00
3	02922	SODDING	SY	3806	\$ 3.00	\$ 11,418.00	\$ 6.17	\$ 23,499.94	\$ 3.00	\$ 11,418.00	\$ 13.50	\$ 51,381.00
TOTAL BASE UNIT PRICES - SITE PREPARATION AND EARTHWORK ITEMS:						\$ 28,568.00		\$ 47,245.27		\$ 19,918.00	\$ -	\$ 102,766.00
B2. BASE UNIT PRICE TABLE - SWPPP & SWQMP ITEMS												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
4	01570 01410	STORM WATER POLLUTION PREVENTION (MAINTENANCE)	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 2,719.11	\$ 2,719.11	\$ 1,200.00	\$ 1,200.00	\$ 3,500.00	\$ 3,500.00
5	01573	FILTER FABRIC FENCE	LF	2375	\$ 1.50	\$ 3,562.50	\$ 2.34	\$ 5,565.42	\$ 1.05	\$ 2,493.75	\$ 4.48	\$ 10,640.00
6	01577	INLET PROTECTION BARRIERS	EA	1	\$ 55.00	\$ 55.00	\$ 300.76	\$ 300.76	\$ 65.00	\$ 65.00	\$ 1,300.00	\$ 1,300.00
TOTAL BASE UNIT PRICES - SWPPP & SWQMP ITEMS						\$ 4,617.50		\$ 8,585.29		\$ 3,758.75	\$ -	\$ 15,440.00
B3. BASE UNIT PRICE TABLE - PAVING ITEMS:												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
7	02314-02317	EXCAVATION	CY	468	\$ 8.50	\$ 3,978.00	\$ 17.09	\$ 7,996.56	\$ 6.00	\$ 2,808.00	\$ 31.00	\$ 14,508.00
8	02319	BORROW (SELECT FILL)	CY	186	\$ 14.00	\$ 2,604.00	\$ 26.68	\$ 4,962.69	\$ 4.25	\$ 790.50	\$ 58.36	\$ 10,854.96
9	02221	SAWCUT (CURB, SIDEWALK, ASPHALT OR CONCRETE PAVING), INCLUDING DISPOSAL, COMPLETE IN PLACE	LF	1238	\$ 2.50	\$ 3,095.00	\$ 12.41	\$ 15,363.58	\$ 3.00	\$ 3,714.00	\$ 28.49	\$ 35,270.62
10	02221	ASPHALT & SUBGRADE REMOVAL, INCLUDING DISPOSAL, COMPLETE IN PLACE	SY	392	\$ 9.00	\$ 3,528.00	\$ 20.32	\$ 7,966.31	\$ 6.50	\$ 2,548.00	\$ 45.00	\$ 17,640.00
11	02221	CONCRETE & SUBGRADE REMOVAL, INCLUDING DISPOSAL, COMPLETE IN PLACE	SY	232	\$ 9.00	\$ 2,088.00	\$ 20.85	\$ 4,837.20	\$ 7.00	\$ 1,624.00	\$ 39.50	\$ 9,164.00
12	02741	ASPHALT DRIVEWAYS, INCLUDING 2" TYPE 'D' HMAC SURFACE AND 8" BLACK BASE, COMPLETE IN PLACE	SY	422	\$ 65.00	\$ 27,430.00	\$ 61.45	\$ 25,933.31	\$ 15.00	\$ 6,330.00	\$ 105.00	\$ 44,310.00
13	02754	7" CONCRETE DRIVEWAY, COMPLETE IN PLACE	SY	232	\$ 105.00	\$ 24,360.00	\$ 72.64	\$ 16,851.96	\$ 25.00	\$ 5,800.00	\$ 121.00	\$ 28,072.00
14	02775	5' WIDE SIDEWALK (4 1/2") W/ APPURTENANCES, COMPLETE IN PLACE	LF	2418	\$ 30.00	\$ 72,540.00	\$ 30.12	\$ 72,819.41	\$ 20.00	\$ 48,360.00	\$ 44.00	\$ 106,392.00
15	02775	5' WIDE SIDEWALK (4 1/2") W/ FOOTING, COMPLETE IN PLACE	LF	870	\$ 40.00	\$ 34,800.00	\$ 40.44	\$ 35,180.87	\$ 25.50	\$ 22,185.00	\$ 52.00	\$ 45,240.00
16	02775	2' x 4'-4" CONCRETE PAVER W/ TRUNCATED DOME SURFACE (SW-20)	EA	2	\$ 400.00	\$ 800.00	\$ 663.88	\$ 1,327.75	\$ 52.88	\$ 105.76	\$ 2,000.00	\$ 4,000.00
17	-	RELOCATE EXIST SIGN	EA	5	\$ 250.00	\$ 1,250.00	\$ 369.86	\$ 1,849.31	\$ 100.00	\$ 500.00	\$ 710.00	\$ 3,550.00
18	02775	24" PAVEMENT STRIPING	LF	136	\$ 4.00	\$ 544.00	\$ 15.55	\$ 2,115.10	\$ 8.00	\$ 1,088.00	\$ 25.45	\$ 3,461.20
TOTAL BASE UNIT PRICES - PAVING ITEMS						\$ 177,017.00		\$ 197,204.05		\$ 95,853.26		\$ 322,462.78
B4. BASE UNIT PRICE TABLE - STORM SEWER ITEMS												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
19	2314	REALIGN DITCH	LF	564	\$ 15.00	\$ 8,460.00	\$ 11.13	\$ 6,279.83	\$ 2.43	\$ 1,370.52	\$ 23.00	\$ 12,972.00
20	02631, 02611	24" RCP STORM SEWER, OPEN CUT, ALL DEPTHS, COMPLETE IN PLACE	LF	429	\$ 55.00	\$ 23,595.00	\$ 92.33	\$ 39,608.14	\$ 55.00	\$ 23,595.00	\$ 150.00	\$ 64,350.00
21	02631, 02611	18" RCP STORM SEWER, OPEN CUT, ALL DEPTHS, COMPLETE IN PLACE	LF	18	\$ 45.00	\$ 810.00	\$ 123.60	\$ 2,224.80	\$ 51.25	\$ 922.50	\$ 369.44	\$ 6,649.92
22	2631	D-1 INLET, COMPLETE IN PLACE	EA	1	\$ 3,500.00	\$ 3,500.00	\$ 3,069.76	\$ 3,069.76	\$ 1,200.00	\$ 1,200.00	\$ 8,200.00	\$ 8,200.00
23	2631	FRENCH DRAIN, COMPLETE IN PLACE	LF	870	\$ 25.00	\$ 21,750.00	\$ 20.11	\$ 17,494.73	\$ 6.00	\$ 5,220.00	\$ 50.00	\$ 43,500.00
24	2631	4" SCH 40 PVC DRAIN, COMPLETE IN PLACE	LF	340	\$ 10.00	\$ 3,400.00	\$ 14.48	\$ 4,923.20	\$ 5.00	\$ 1,700.00	\$ 25.00	\$ 8,500.00
25	02634	24" RCP SET (TY II) (6: 1) (Parallel Drainage)	EA	19	\$ 1,750.00	\$ 33,250.00	\$ 1,695.73	\$ 32,218.85	\$ 500.00	\$ 9,500.00	\$ 3,000.00	\$ 57,000.00
26	2751	5" CONCRETE SLOPE PAVING	SY	80	\$ 90.00	\$ 7,200.00	\$ 76.64	\$ 6,130.84	\$ 50.00	\$ 4,000.00	\$ 123.00	\$ 9,840.00
TOTAL BASE UNIT PRICES - STORM SEWER ITEMS						\$ 101,965.00		\$ 111,950.15		\$ 47,508.02		\$ 211,011.92

BID TAB
City of Tomball Bid No. 2016-12
Zion Road Sidewalk Project E&P Project No.: 2014-10032 2016-10001

					Engineer's Opinion of Probable Costs		Bidder Comparisons					
							Bidder Averages		Bidder Low		Bidder High	
B5. BASE UNIT PRICE TABLE - MISCELLANEOUS ITEMS												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
27	2086	WM BOX VERTICAL ADJUSTMENT STA 18+73	EA	1	\$ 75.00	\$ 75.00	\$ 716.67	\$ 716.67	\$ 100.00	\$ 100.00	\$ 2,500.00	\$ 2,500.00
28	2221	SANITARY SEWER MH VERTICAL ADJUSTMENT STA 21+56	EA	2	\$ 1,250.00	\$ 2,500.00	\$ 813.89	\$ 1,627.78	\$ 150.00	\$ 300.00	\$ 2,500.00	\$ 5,000.00
29	0	HANDRAIL, COMPLETE IN PLACE	LF	40	\$ 50.00	\$ 2,000.00	\$ 83.79	\$ 3,351.69	\$ 55.00	\$ 2,200.00	\$ 110.00	\$ 4,400.00
30	2221	REMOVE 24" RCP	LF	86	\$ 25.00	\$ 2,150.00	\$ 41.79	\$ 3,594.32	\$ 10.83	\$ 931.38	\$ 100.00	\$ 8,600.00
31	-	REMOVE 24" SET	EA	4	\$ 900.00	\$ 3,600.00	\$ 407.88	\$ 1,631.51	\$ 50.00	\$ 200.00	\$ 1,200.00	\$ 4,800.00
TOTAL BASE UNIT PRICES - MISCELLANEOUS ITEMS						\$ 10,325.00		\$ 10,921.96		\$ 3,731.38		\$ 25,300.00
TOTAL BASE UNIT PRICES						\$ 322,492.50		\$ 375,906.72		\$ 170,769.41		\$ 676,980.70
C. EXTRA UNIT PRICES FOR:												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
32	02221	EXTRA REMOVAL OF EXIST PVMT (INCLUDING SAWCUTS)	CY	125	\$ 10.00	\$ 1,250.00	\$ 16.97	\$ 2,121.53	\$ 10.00	\$ 1,250.00	\$ 39.50	\$ 4,937.50
33	02318	EXTRA HAND EXCAVATION	CY	125	\$ 25.00	\$ 3,125.00	\$ 26.78	\$ 3,347.22	\$ 25.00	\$ 3,125.00	\$ 40.00	\$ 5,000.00
34	02318	EXTRA MACHINE EXCAVATION	CY	125	\$ 30.00	\$ 3,750.00	\$ 29.67	\$ 3,708.89	\$ 11.04	\$ 1,380.00	\$ 45.00	\$ 5,625.00
35	02318	EXTRA BANK SAND BACKFILL	CY	125	\$ 18.00	\$ 2,250.00	\$ 21.62	\$ 2,702.22	\$ 18.00	\$ 2,250.00	\$ 37.56	\$ 4,695.00
36	02321	EXTRA CEMENT STABILIZED SAND	CY	125	\$ 22.00	\$ 2,750.00	\$ 28.74	\$ 3,592.08	\$ 22.00	\$ 2,750.00	\$ 58.63	\$ 7,328.75
37	02711	EXTRA HMAC ASPHALT FOR PAVEMENT	TON	125	\$ 75.00	\$ 9,375.00	\$ 87.11	\$ 10,888.19	\$ 75.00	\$ 9,375.00	\$ 158.95	\$ 19,868.75
38	02771	EXTRA 6" CONCRETE CURB	LF	75	\$ 3.00	\$ 225.00	\$ 5.86	\$ 439.58	\$ 3.00	\$ 225.00	\$ 16.00	\$ 1,200.00
39	02922	EXTRA SODDING	SY	350	\$ 3.00	\$ 1,050.00	\$ 4.77	\$ 1,670.28	\$ 3.00	\$ 1,050.00	\$ 9.00	\$ 3,150.00
40	-	EXTRA CONCRETE COLLAR FOR 18" STORM	EA	1	\$ 15.00	\$ 15.00	\$ 128.65	\$ 128.65	\$ 15.00	\$ 15.00	\$ 500.00	\$ 500.00
41	-	EXTRA CONCRETE COLLAR FOR 24" STORM	EA	1	\$ 22.00	\$ 22.00	\$ 175.21	\$ 175.21	\$ 22.00	\$ 22.00	\$ 750.00	\$ 750.00
42	-	EXTRA CONCRETE COLLAR FOR 36" STORM	EA	1	\$ 100.00	\$ 100.00	\$ 290.90	\$ 290.90	\$ 100.00	\$ 100.00	\$ 1,000.00	\$ 1,000.00
TOTAL EXTRA UNIT PRICES						\$ 23,912.00		\$ 29,064.77		\$ 21,542.00		\$ 54,055.00
SUMMARY B1-B5 AND C												
B1. SITE PREPARATION AND EARTHWORK ITEMS:						\$ 28,568.00		\$ 47,245.27		\$ 19,918.00		\$ 102,766.00
B2. SWPPP AND SQMP ITEMS						\$ 4,617.50		\$ 8,585.29		\$ 3,758.75		\$ 15,440.00
B3. PAVING ITEMS						\$ 177,017.00		\$ 197,204.05		\$ 95,853.26		\$ 322,462.78
B4. STORM SEWER ITEMS						\$ 101,965.00		\$ 111,950.15		\$ 47,508.02		\$ 211,011.92
B5. MISCELLANEOUS ITEMS						\$ 10,325.00		\$ 10,921.96		\$ 3,731.38		\$ 25,300.00
C. EXTRA UNIT PRICES FOR:						\$ 23,912.00		\$ 29,064.77		\$ 21,542.00		\$ 54,055.00
TOTAL B1-B5 and C						\$ 346,404.50		\$ 404,971.49		\$ 192,311.41		\$ 731,035.70
D. CASH ALLOWANCE TABLE:												
Cash Allowance No.		Cash Allowance Short Title				Cash Allowance		Cash Allowance		Cash Allowance		Cash Allowance
1		Harris County Surety Bond & Permit				\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00
TOTAL CASH ALLOWANCES						\$ 14,000.00		\$ 14,000.00		\$ 14,000.00		\$ 14,000.00
E. ALTERNATES TABLE:												
Alternates No.		Alternate Short Title				Total Price for Alternate		Total Price for Alternate		Total Price for Alternate		Total Price for Alternate
		NA				NA		NA		NA		NA
TOTAL ALTERNATES						NA		NA		NA		NA
F. TOTAL BID PRICE						\$ 360,404.50		\$ 418,971.49		\$ 206,311.41		\$ 745,035.70
(Add Totals for Items A, B, C, D, and E above)												



GUNDA CORPORATION

Engineers, Planners & Managers

May 10, 2016

City of Tomball
Public Works Building
501 James Street
Tomball, TX 77375

Attn: David Esquivel, P.E., Director of Public Works

Re: Recommendation of Award for
ZION ROAD SIDEWALK PROJECT
Project Bid No. 2016-12, E&P Project No. 2014-10032 & 2016-10001

Dear Mr. Esquivel:

We have reviewed the bid tabulation for bids received on the above referenced project. Our analysis shows that Site Work Contractors, LLC is the responsive low bidder. The bid submitted by Site Work Contractors, LLC shows no signs of imbalance or significant cause for concern and their Bid Bond, Statement of Residency, and Affidavit of Ownership or Control appear to be in conformance with the bidding requirement. Therefore, **we pose no objection to the recommendation of awarding the construction contract for ZION ROAD SIDEWALK PROJECT Project Bid No. 2016-12, E&P Project No. 2014-10032 & 2016-10001 to Site Work Contractors, LLC as the low bidder.**

Below is a summary of our full review of the bids received for the project.

On May 4, 2016, a total of 9 bids were received and opened for the proposed project in accordance with the Notice to Bidders, as revised. Total Bid was utilized to establish the order of the bids and identification of apparent low bidder.

The nine bidders and their Total Bids were:

Contractor	Bid Submitted
1) Site Work Contractors, LLC	\$ 295,917.75
2) Precise Services, Inc.	\$ 345,663.25
3) ECB Development LP	\$ 408,688.87
4) Lexton Construction, LLC	\$ 417,097.00
5) Excel Paving	\$ 421,679.51
6) A-1 Construction Services	\$ 430,005.65
7) Team work Construction Services, Inc.	\$ 464,516.45
8) LMC Corporation	\$ 448,136.95
9) Level Infrastructure LLC	\$ 539,038.00

If you have any questions please do not hesitate to call.

Sincerely,

Kyle A. Bertrand, PE
Senior Project Manager

Enclosure: Project Bid Tabulation

6161 Savoy, Suite 550 • Houston, Texas 77036
(P) 713.541.3530 • www.gundacorp.com

Document 00520

AGREEMENT

Project: Zion Road Sidewalk Project

Project Location: Zion Road, Tomball, TX (Key Map No. 288-H)

Project Bid No: 2016-12

E&P Project No: 2014-10032

The City: The City of Tomball, County of Harris, Texas (the "City")

and

Contractor: Site Work Contractors, LLC

(Address for Written Notice) 1 Water Way Avenue, Suite 1419, The Woodlands, Texas 77380

Fax Number: _____

Director of Public Works is: David Esquivel, PE

(Address for Written Notice) 501 James Street, Tomball, Texas 77375

Fax Number: (281) 351-4735

THE CITY AND CONTRACTOR AGREE AS FOLLOWS:

ARTICLE 1

THE WORK OF THE CONTRACT

1.1 Contractor shall perform the Work in accordance with the Contract.

ARTICLE 2

CONTRACT TIME

2.1 Contractor shall achieve Date of Substantial Completion within 60 days after Date of Commencement of the Work, subject to adjustments of Contract Time as provided in the Contract.

2.2 The Parties recognize that time is of the essence for this Agreement and that the City will suffer financial loss if the Work is not completed within the Contract Time. Parties also recognize delays, expense, and difficulties involved in proving in a legal or arbitration proceeding actual loss suffered by the City if the Work is not completed on time. Accordingly, instead of requiring any such proof, the Parties

00520-1
06-16-2011

agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay the City the amount stipulated in Document 00800 – Supplementary Conditions, for each day beyond Contract Time.

ARTICLE 3 CONTRACT PRICE

3.1 Subject to terms of the Contract, the City will pay Contractor in current funds for Contractor's performance of the Contract, Contract Price of **\$295,917.75**, which includes Alternates, if any, accepted below.

3.2 The City accepts Alternates as follows:

Alternate No. 1 N/A

ARTICLE 4 PAYMENTS

4.1 The City will make progress payments to Contractor as provided below and in the General Conditions.

4.2 The Period covered by each progress payment is one calendar month ending on the [] 10th, [] 20th, or [X] last day of the month.

4.3 The Schedule of Values established as provided in paragraph 2.07.A of the General Conditions will serve as the basis for progress payments and will be incorporated into a form of Application for Payment acceptable to Engineer. Progress payments on account of Unit Price Work will be based on the number of units completed. The City will make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment as provided below in paragraphs 4.3.1 and 4.3.2.

4.3.1 Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Engineer may determine or City may withhold, in accordance with paragraph 14.02 of the General Conditions:

a. For contracts under \$400,000.00, 90% of Work completed (with the balance being retainage).

For contracts over \$400,000.00, 95% of Work completed (with the balance being retainage.)

b. For contracts under \$400,000.00, 90% (with the balance being retainage) and for contracts over \$400,000.00, 95% (with the balance being retainage) of materials and equipment not incorporated in the Work (but delivered, suitably stored and accompanied by documentation satisfactory to the City as provided in paragraph 14.02 of the General Conditions).

4.3.2 Upon Substantial Completion, the City shall pay an amount sufficient to increase total payments to Contractor to 95% of the Work completed, less such amounts as Engineer shall determine in accordance with paragraph 14.02.B.5 of the General Conditions and less 100% of Engineer's estimate of the value of Work to be completed or corrected as shown on the tentative list of items to be completed or corrected attached to the Certificate of Substantial Completion.

00520-2
06-16-2011

4.4 Final payment, constituting entire unpaid balance of Contract Price, will be made by the City to Contractor as provided in the General Conditions.

ARTICLE 5
CONTRACTOR REPRESENTATIONS

5.1 Contractor represents:

5.1.1 Contractor has examined and carefully studied Contract documents and other related data identified in Bid Documents.

5.1.2 Contractor has visited the site and become familiar with and is satisfied as to general, local, and site conditions that may affect cost, progress, and performance of the Work.

5.1.3 Contractor is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect cost, progress, and performance of the Work.

5.1.4 Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the site (except Underground Facilities) which have been identified in Contract documents and (2) reports and drawings of a hazardous environmental condition, if any, at the site which has been identified in Contract documents.

5.1.5 Contractor has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including applying specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract to be employed by Contractor, and safety precautions and programs incident thereto

5.1.6 Contractor does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for performance of the Work at Contract Price, within Contract Time, and in accordance with the Contract.

5.1.7 Contractor is aware of general nature of work to be performed by the City and others at the site that relates to the Work as indicated in Contract documents.

5.1.8 Contractor has correlated information known to Contractor, information and observations obtained from visits to the site, reports and drawings identified in the Contract, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract.

00520-3
06-16-2011

5.1.9 Contractor has given City Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract, and written resolution thereof by City Engineer is acceptable to Contractor.

5.1.10 Contract documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 6

MISCELLANEOUS PROVISIONS

6.1 The Contract may be terminated by either Party as provided in Conditions of the Contract.

6.2 The Work may be suspended by the City as provided in Conditions of the Contract.

ARTICLE 7

ENUMERATION OF CONTRACT DOCUMENTS

7.1 The following documents are incorporated into this Agreement:

7.1.1 Document 00700 - General Conditions

7.1.2 Document 00800 - Supplementary Conditions

7.1.3 General Requirements.

7.1.4 Divisions 02 through 16 of Specifications attached hereto or incorporated by reference in Document 00010 - Table of Contents.

7.1.5 Drawings listed in Document 00015 - List of Drawings and bound separately.

7.1.6 Addenda which apply to the Contract, are as follows:

Addendum No. 1, dated [N/A _____]

Addendum No. 2, dated [N/A _____]

Addendum No. 3, dated [N/A _____]

7.1.7 Other documents:

<u>Document No.</u>	<u>Title</u>
[X] 00410B	Bid Form – Part B
[X] 00500	Form of Business
[X] 00501	Resolution of Corporation (if a corporation)
[X] 00610	Performance Bond
[X] 00611	Statutory Payment Bond
[X] 00612	One-year Maintenance Bond
[X] 00620	Affidavit of Insurance (with the Certificate of Insurance attached)

00520-4
06-16-2011

- ☐ 00800 Exhibit A, Wage Rates
- ☐ 00821 Wage Rate for Building Construction
- ☐ 00830 Trench Safety Geotechnical Information

ARTICLE 8
SIGNATURES

8.1 This Agreement is executed in two originals and is effective on _____.

CONTRACTOR:

(If Joint Venture)

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Tax Identification Number: _____

Tax Identification Number: _____

ATTEST/SEAL:

[SEAL]

Attest: _____

Date: _____

CITY OF TOMBALL, TEXAS:

By: _____

City Manager

Date: _____

ATTEST/SEAL:

[SEAL]

00520-5
06-16-2011

Attest: _____
City Secretary

Date: _____

END OF DOCUMENT

Regular City Council

Agenda Item

Data Sheet

Meeting Date: May 16, 2016

Topic:

Consideration to Approve **Zoning Case P16-0048**: Request by Brannon King, on behalf of DPIS Engineering, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 9.6 acres of land, legally described as Tract 24, Abstract 50 J Miller Survey, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **ZONING CASE P16-0048**
- Adopt, on First Reading, Ordinance No. 2016-06, 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 9.6 Acres Of Land, Legally Described As Tract 24, Abstract 50 J Miller Survey, Within The City Of Tomball, Harris County, Texas, From the Agricultural District To The Commercial District; Said Property Being Generally Located At The Northeast Corner Of Hufsmith Road And Zion Road At 1600 E. Hufsmith 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.

Background:

On Monday, May 9, 2016, after conducting a public hearing, the Planning and Zoning Commission voted 2-2 recommending denial of the requested zone change (Commercial). Further discussion resulted in a second motion to approve the rezoning to a less intense zone. After evaluating both the General Retail District and Office District, a motion was made to approve a rezoning to the Office District which passed unanimously.

Origination:

Recommendation:

Approval

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

Community Development Department

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

ATTACHMENTS:

Ordinance No. 2016-06
P16-0048 Staff Report
Notice of Public Hearing

ORDINANCE NO. 2016-06

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 9.6 ACRES OF LAND, LEGALLY DESCRIBED AS TRACT 24, ABSTRACT 50 J MILLER SURVEY, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE AGRICULTURAL DISTRICT TO THE COMMERCIAL DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED AT THE NORTHEAST CORNER OF HUFSMITH ROAD AND ZION ROAD AT 1600 E. HUFSMITH 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.

* * * * *

Whereas, Brannon King, applicant, has requested that approximately 9.6 acres of land, legally described as Tract 24, Abstract 50 J Miller Survey, generally located at the northeast corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith Road 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 deny the requested rezoning and approve the less intense Zoning District 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 Agricultural District to the Commercial District subject to the regulations, restrictions, and conditions hereafter set forth.

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

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

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other 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 16th DAY OF MAY 2016.

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

SECOND READING:

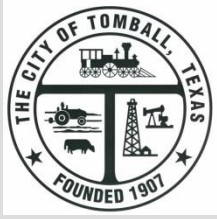
READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE
CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 6TH DAY OF JUNE 2016.

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: May 9, 2016
City Council Public Hearing Date: May 16, 2016

Rezoning Case: P16 -0048
Property Owner(s): Dale Phillips
Applicant(s): Brannon King
Legal Description: Tract 24, Abstract 50 J Miller Survey
Location: Northeast corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith Road (Exhibit "A")
Area: 9.6 acres
Comp Plan Designation: Medium Density Residential (Exhibit "B")
Present Zoning and Use: Agricultural (Exhibit "C") / Engineering Office (Exhibit "D")
Request: Rezone from Agricultural to Commercial
Adjacent Zoning & Land Uses:
North: ETJ / Petroleum terminal and storage
South: Agricultural / Broussard Community Park
West: ETJ / Auto repair shop and vacant land
East: ETJ / Auto marine repair shop and County Park

BACKGROUND

City staff met with the property owner and other representatives from DPIS Engineering in February 2016 to discuss the possibility of rezoning their property from the Agricultural District to the Commercial District in order to match the zoning with the property's current use. In March, City Staff received a rezoning application for the property.

ANALYSIS

According to Section 50-77 (a), the Commercial District *"is intended to provide a location for commercial and service-related establishments, such as wholesale product sales, welding/contractors shops, automotive repair shows, and other similar commercial uses"*.

There are several nonresidential land uses in the vicinity of the subject site. Properties located to the north, east and west are not within the City Limits. The uses on these properties include a petroleum terminal and storage yard to the north, an auto repair shop and vacant land to the west, and an auto marine repair shop and Samuel Matthews Park to the east. In December 2014, Broussard Community Park was established on the property to the south.

The Comprehensive Plan designates the property as Medium Density Residential. Surrounding properties are designated Medium Density Residential to the north, south and west, and Mixed Use to the east.

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.

There are commercial uses in the immediate area including an auto repair shop, an auto marine repair shop, a petroleum terminal and storage facility, and two public parks. It appears rezoning to Commercial would be an appropriate fit for the area. Approval of this zone change will bring the site into legal compliance.

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.

The proposed rezoning is not anticipated to negatively impact any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.

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.

There are vacant properties in the vicinity and elsewhere in the City zoned Commercial District, however, the property in question has had a commercial use on it before zoning was adopted. DPIS Engineering building has been on this site since before zoning was adopted in 2008.

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.

There has been steady development City-wide in the Commercial District.

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

If the proposed rezoning is approved, few, if any effects on other areas designated for similar developments are anticipated. As previously discussed, the site has been in operation for over 10 years with no known complaints.

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

The proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare. As previously mentioned, the proposed development will blend well with other existing developments in the immediate area. The comprehensive plan is not meant to be a parcel specific, but rather a general guide for development, particularly when extenuating circumstances exist. In this case, the extenuating circumstances are that the site is currently in operation and the zone change will bring it into zoning compliance with no known adverse impacts on adjacent or surrounding properties.

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

The Future Land Use plan designates the property Medium Density Residential; however, the nearby properties include two auto repair shops, a city park and a county park. The Comprehensive Plan also designates adjacent properties as Mixed Use.

PUBLIC COMMENT

Notice of Public Hearing was published in the paper and a sign was placed on the property on April 25, 2016. Property owners that are within the city limits and within 200 feet of the project site were mailed notification of this proposal on April 27, 2016. As of May 5, 2016, no public comment forms have been received.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P16-0048.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Application
- F. Vested Rights Letter

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

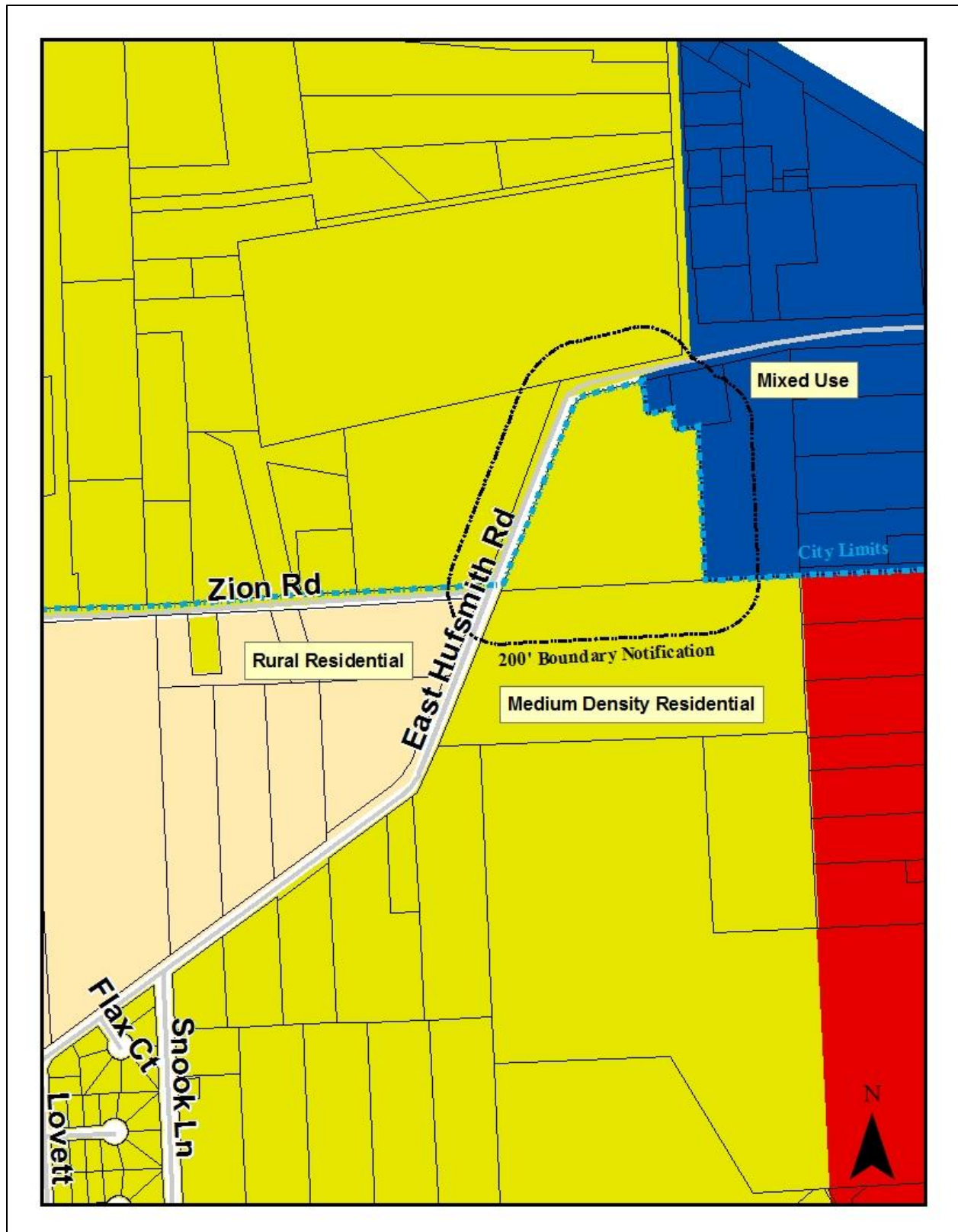
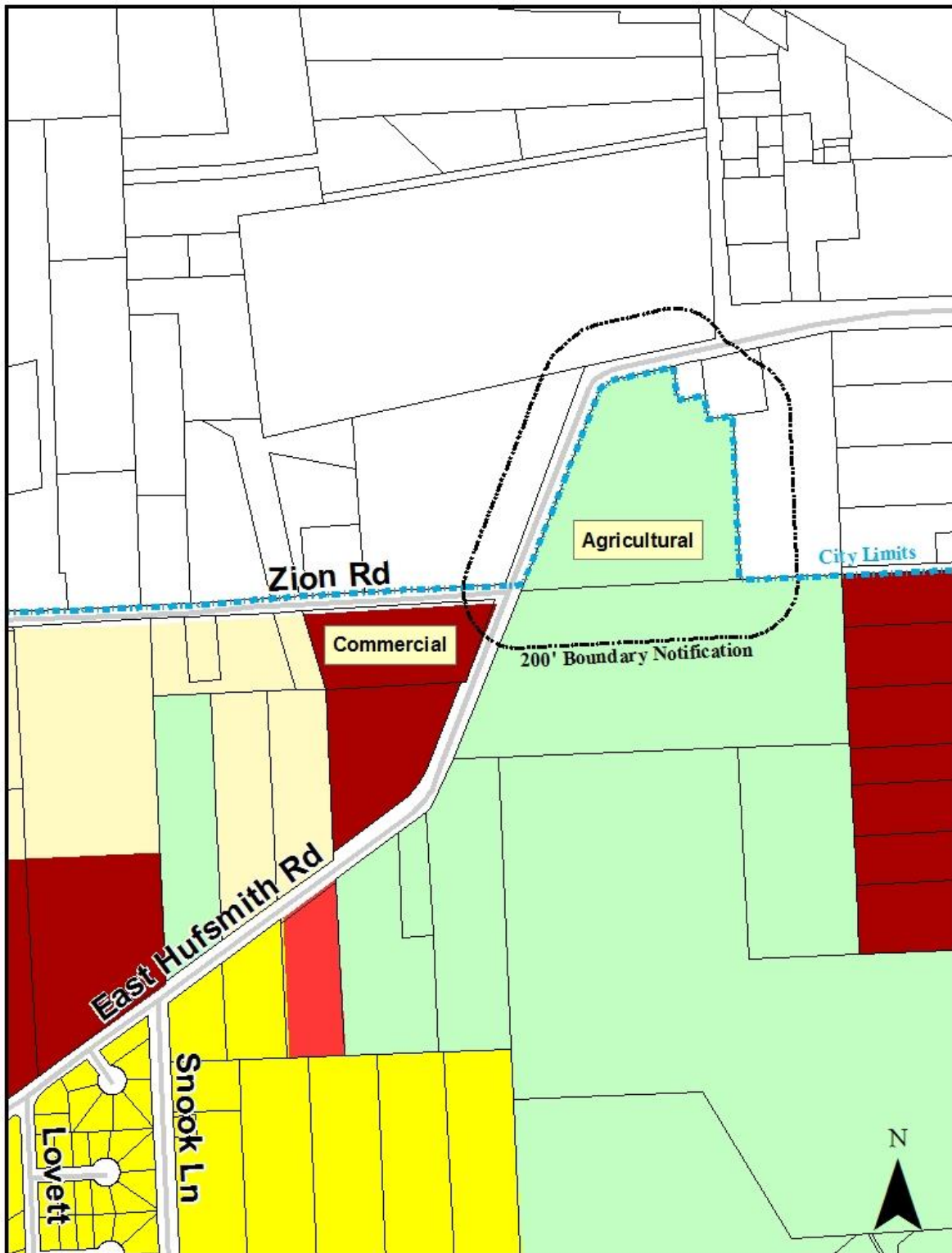


Exhibit "C"
Zoning Map

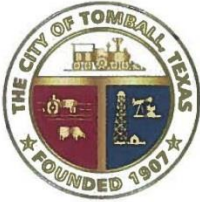


**Exhibit “D”
Site Photo**



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: BRANNON KING Title: TREASURER
Mailing Address: 1600 E. HUFSMITH City: TOMBALL State: TX
Zip: 77375
Phone: (281) 378-5045 Fax: (281) 351-0145 Email: BRANNON.KING@DPIS.COM

Owner

Name: DALE PHILLIPS Title: PRESIDENT
Mailing Address: 1600 E. HUFSMITH City: TOMBALL State: TX
Zip: 77375
Phone: (281) 351-0048 Fax: (281) 351-0148 Email: DALE@DPIS.COM

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: _____

Physical Location of Property: 1600 E. HUFSMITH TOMBALL TX 77375
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: _____
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: AGRICULTURAL

Current Use of Property: BUSINESS

Proposed Zoning District: BUSINESS

Proposed Use of Property: BUSINESS

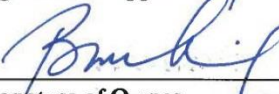
HCAD Identification Number: 041-006-003-0193 Acreage: 9.6

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  2-24-2016
Signature of Applicant Date

X  2-24-2016
Signature of Owner Date

CITY OF TOMBALL
281-351-5484

REC#: 00919423 3/31/2016 3:04 PM
OPER: CK TERM: 005
REF#: W 383

TRAN: 130.0000 PLANNING AND ZONING
1600 E HUFSMITH
100-5441
REZONING APPLICATIO 500.00CR

TENDERED: 500.00 CHECK
APPLIED: 500.00-

CHANGE: 0.00

City of Tomball

March 10, 2016

501 James Street

Tomball, TX 77375

Re: Restructure Zoning Classification – 1600 E. Hufsmith Tomball, TX 77375

The property located at 1600 E. Hufsmith, Tomball, Texas 77375 is requesting to be zoned to match the actual operation of the land. DPIS Engineering is a business located on this property and has been for over 10+ years. This property should be zoned as a Business class zoning.

Thank You,

A handwritten signature in black ink, appearing to read "Barry", is positioned above the typed name.

VP Sales

DPIS Engineering, LLC

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
MAY 9, 2016
&
CITY COUNCIL
MAY 16, 2016**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, May 9, 2016, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, May 16, 2016, 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 P16-0048: Request by Brannon King, on behalf of DPIS Engineering, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 9.6 acres of land, legally described as Tract 24, Abstract 50 J Miller Survey, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith Road, from the Agricultural District to the Commercial District.

Zoning Case P16-0054: Request by Christopher Wohrer, on behalf of Moffett Productions Inc., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Tract 14G Abstract 632 C N Pillot, within the City of Tomball, Harris County, Texas, generally located on the south side of Holderrieth Road west of the Tomball Business and Technology Park at 11835 Holderrieth Road, from the Agricultural 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.

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 **5th** day of **May 2016** 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: P16-0048

APPLICANT/OWNER: Brannon King, on behalf of DPIS Engineering

LOCATION: 1600 E. Hufsmith Road, located at the northeast corner of Hufsmith Road and Zion Road.

PROPOSAL: Request to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 9.6 acres of land, legally described as Tract 24, Abstract 50 J Miller Survey, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial 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:
Monday, May 9, 2016, 6:00 PM**

**City Council Public Hearing:
*Monday, May 16, 2016, 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: May 16, 2016

Topic:

Consideration to Approve **Zoning Case P16-0054**: Request by Christopher Wohrer, on behalf of Moffett Productions Inc., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Tract 14G Abstract 632 C N Pillot, within the City of Tomball, Harris County, Texas, generally located on the south side of Holderrieth Road west of the Tomball Business and Technology Park at 11835 Holderrieth Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **ZONING CASE P16-0054**
- Adopt, on First Reading, Ordinance No. 2016-07, 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 2 Acres Of Land, Legally Described As Tract 14g Abstract 632 C N Pillot, Within The City Of Tomball, Harris County, Texas, From The Agricultural District To The Commercial District; Said Property Being Generally Located On The South Side Of Holderrieth Road West Of The Tomball Business And Technology Park At 11835 Holderrieth 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.

Background:

On Monday, May 9, 2016, after conducting a public hearing, the Planning and Zoning Commission unanimously voted to recommend approval of Zoning Case P16-0054.

Origination:

Recommendation:

Approval

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

Community Development Department

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

ATTACHMENTS:

Ordinance No. 2016-07
P15-0054 Staff Report
Notice of Public Hearing
Property Owner Notification Letter

ORDINANCE NO. 2016-07

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 2 ACRES OF LAND, LEGALLY DESCRIBED AS TRACT 14G ABSTRACT 632 C N PILLOT, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE AGRICULTURAL DISTRICT TO THE COMMERCIAL DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTH SIDE OF HOLDERRIETH ROAD WEST OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK AT 11835 HOLDERRIETH 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.

* * * * *

Whereas, Christopher Wohrer, applicant, has requested that approximately 2 acres of land, legally described as Tract 14G Abstract 632 C N Pilot, generally located on the south side of Holderrieth Road west of the Tomball Business and Technology Park at 11835 Holderrieth Road 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; and

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

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

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

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

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

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

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

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other 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 16th DAY OF MAY 2016.

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

SECOND READING:

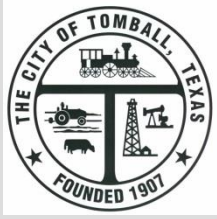
READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE
CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 6TH DAY OF JUNE 2016.

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: May 9, 2016
City Council Public Hearing Date: May 16, 2016

Rezoning Case: P16 - 0054
Property Owner(s): David Navarro
Applicant(s): Christopher Wohrer
Legal Description: Tract 14G Abstract 632 C N Pillot
Location: South side of Holderrieth Road, west of the Tomball Business and Technology Park (Exhibit "A")
Area: 2 acres
Comp Plan Designation: Business / Industrial (Exhibit "B")
Present Zoning and Use: Agricultural (Exhibit "C") / Residential House (Exhibit "D")
Request: Rezone from Agricultural to Commercial
Adjacent Zoning & Land Uses:
 North: Single-Family 20 Estate / Vacant land and single-family residence
 South: ETJ / Vacant Land
 West: ETJ / Vacant Land and Church
 East: ETJ / Vacant Land

BACKGROUND

In March, City staff met with the Christopher Wohrer and other representatives of Moffett Productions to discuss the possibility of relocating their company to Tomball. After learning about Moffett Productions, City Staff informed them of the following:

- their land use classification is "*Motion picture studios, commercial films*";
- the zoning districts that allow that use by right are the Commercial, Light Industrial, and Old Town & Mixed Use Districts and, with the approval of a Conditional Use Permit, the General Retail District.

Shortly after, the applicant submitted a rezoning application for a property they were interested in purchasing.

The property is currently developed with one single-family residential home. If the requested zone change is approved, the applicant has indicated that they will be either retrofitting the existing home to work with their business operations or constructing a new structure on the site for their operations.

In 2002, the property was annexed into the corporate limits of Tomball. At that time, zoning did not exist. When zoning was established, the property was designated as Agricultural likely because of the existing single-family home and large size of the lot.

ANALYSIS

According to Section 50-77 (a), the Commercial District “*is intended to provide a location for commercial and service-related establishments, such as wholesale product sales, welding/contractors shops, automotive repair shows, and other similar commercial uses*”.

In the surrounding area, there are a number of different uses. To the west, there is a church. To the east, there is vacant land up to the railroad tracks. To the east of the tracks, there is a manufacturing facility and a Tomball fire station and training facility. This site is also in close proximity to the Tomball Business and Technology Park at Holderrieth Road and Hufsmith-Kohrville Road.

The Comprehensive Plan designates the property as Business / Industrial. Surrounding properties are also designated as Business / Industrial.

This site is also located on Holderrieth which is a major arterial. According to Section 50-77 (Commercial District) “*convenient access to thoroughfares and collector streets is also a primary consideration*”. This site is in close proximity to Hufsmith-Kohrville, which is also a major arterial.

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.**

There are commercial uses in the immediate area including a church, a City of Tomball Fire Station and training facility, and a manufacturing company. It appears rezoning to Commercial would be an appropriate fit for the area.

- 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.**

The proposed rezoning is not anticipated to negatively impact any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.

- 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.**

There are vacant properties elsewhere in the City zoned Commercial District.

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.

There has been steady development City-wide in the Commercial District.

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

If the proposed rezoning is approved, few, if any effects on other areas designated for similar developments are anticipated.

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

The proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare. As previously mentioned, the proposed development will blend well with other existing developments in the immediate area.

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

The Future Land Use plan designates the property Business / Industrial. The proposed rezoning is consistent with the Comp Plan.

PUBLIC COMMENT

Notice of Public Hearing was published in the paper and a sign was placed on the property on April 25, 2016. Property owners that are within the city limits and within 200 feet of the project site were mailed notification of this proposal on April 27, 2016. As of May 5, 2016, no public comment forms have been received.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P16-0054.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

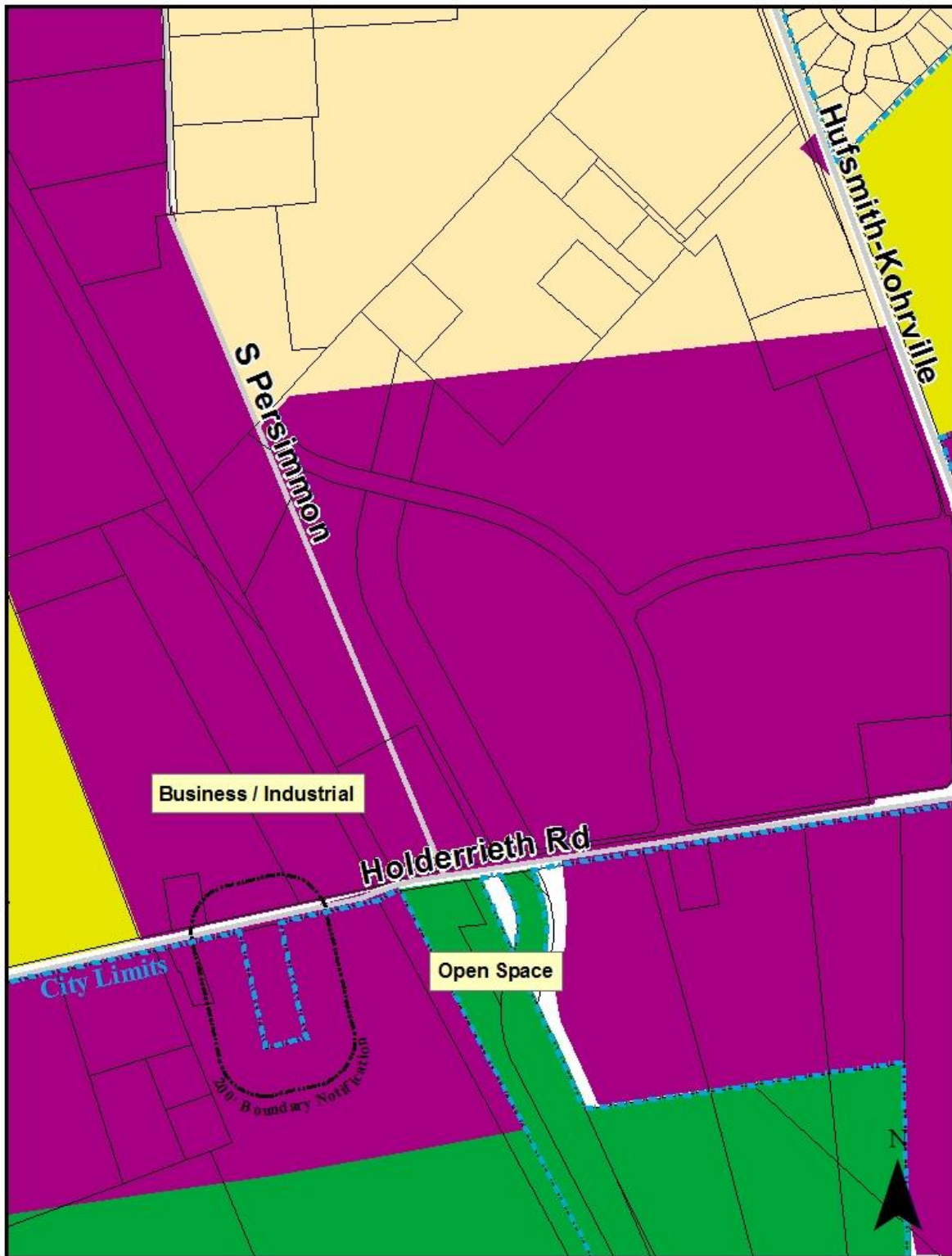


Exhibit "C"
Zoning Map

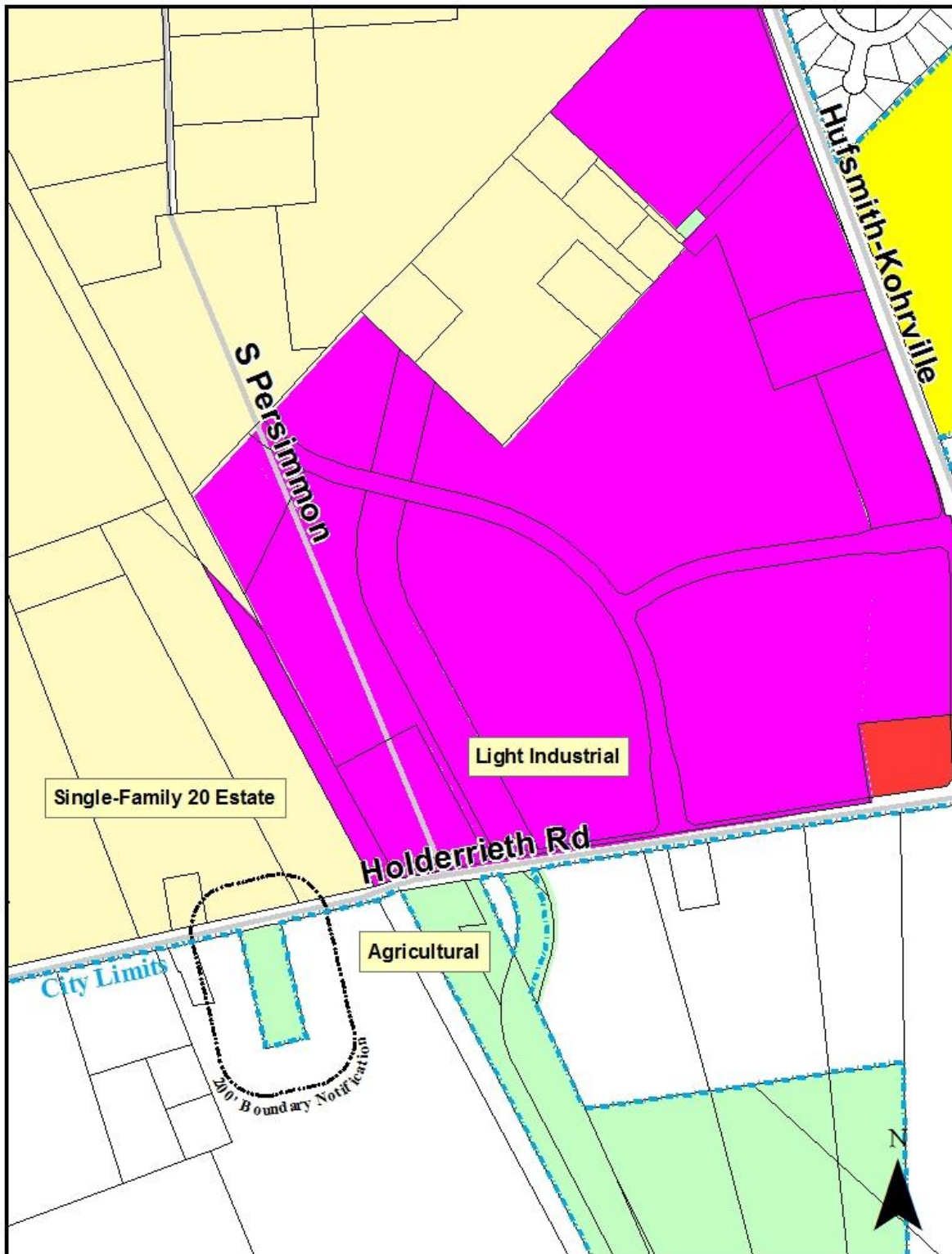


Exhibit "D"
Site Photos



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: Christopher Wahner Title: President
Mailing Address: 3411 Blue Cypress City: Spring State: TX
Zip: 77388
Phone: (281) 350-3411 Fax: () Email: chrisw@moffett.com

Owner

Name: David Navarro Title:
Mailing Address: 11835 Holderrieth Road City: Tomball State: TX
Zip: 77375
Phone: () Fax: () Email:

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: Moffett Productions, Inc. Tomball Relocation

Physical Location of Property: 11835 Holderrieth Road Tomball Texas 77375 [1/2 mile east of Huffsmith-Korville]
[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: TR 14G ABST 632 C N PILLOT
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: Agricultural

Current Use of Property: Residential

Proposed Zoning District: Commercial

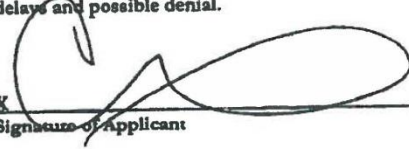
Proposed Use of Property: Motion Picture Studio

HCAD Identification Number: 0440580000091 Acreage: 2

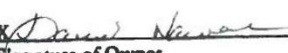
City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

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 
Signature of Applicant

3-30-2016
Date

X 
Signature of Owner

4-2-16
Date



Amelia

CITY OF TOMBALL
281-351-5484

REC#: 00920066 4/06/2016 10:02 AM
OPER: CK TERM: 005
REF#: P VISA 636

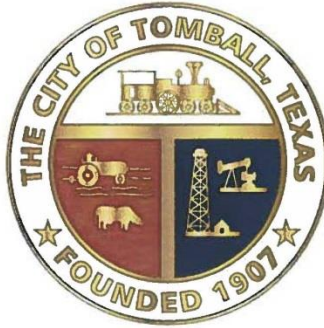
ACCT #: XXXX-XXXX-XXXX-6798
AUTH #: 403141
TRAN #: 008138934542

TRAN: 130.0000 PLANNING AND ZONING
11835 HOLDEREITH
100-5441
REZONING APPLICATIO 420.00CR

City of Tomball, Texas

TENDERED: 420.00 CREDIT CARD
APPLIED: 420.00-
CHANGE: 0.00

www.tomballtx.gov



Application for Rezoning
11835 Holderreith Rd. Tomball, TX 77375

moffett
PRODUCTIONS

Moffett Productions Inc.
www.moffett.com
16140 Kuykendahl Road, Suite 126
Houston, TX 77068
Phone: 281.440.0044
Toll Free: 1.800.HOTT.ADS
myproduction@moffett.com

Dear City of Tomball,

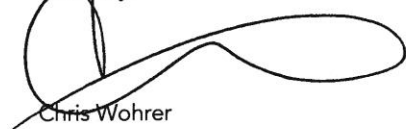
We are applying for a zoning change for 11835 Holderreth Road Tomball, TX 77375. The reason for our request is because we would like to acquire the property from the current owners and use it to operate our business, Moffett Productions.

Our Business will be relocating this summer. We have identified Tomball as a favorable destination for our operations for several reasons. For starters, we believe it to be a city and community representative of our company and personal values. We also believe it to be a rapidly developing and progressing community that could benefit our business interest. In return, our company could benefit the city through taxes, local client spending, community involvement, and internship programs with local schools. Furthermore, as members of the Spring community for the last 30 years, Tomball has been a wonderful city that we have had the pleasure of visiting most of our lives. We would love the opportunity to help beautify, and contribute to this community's success.

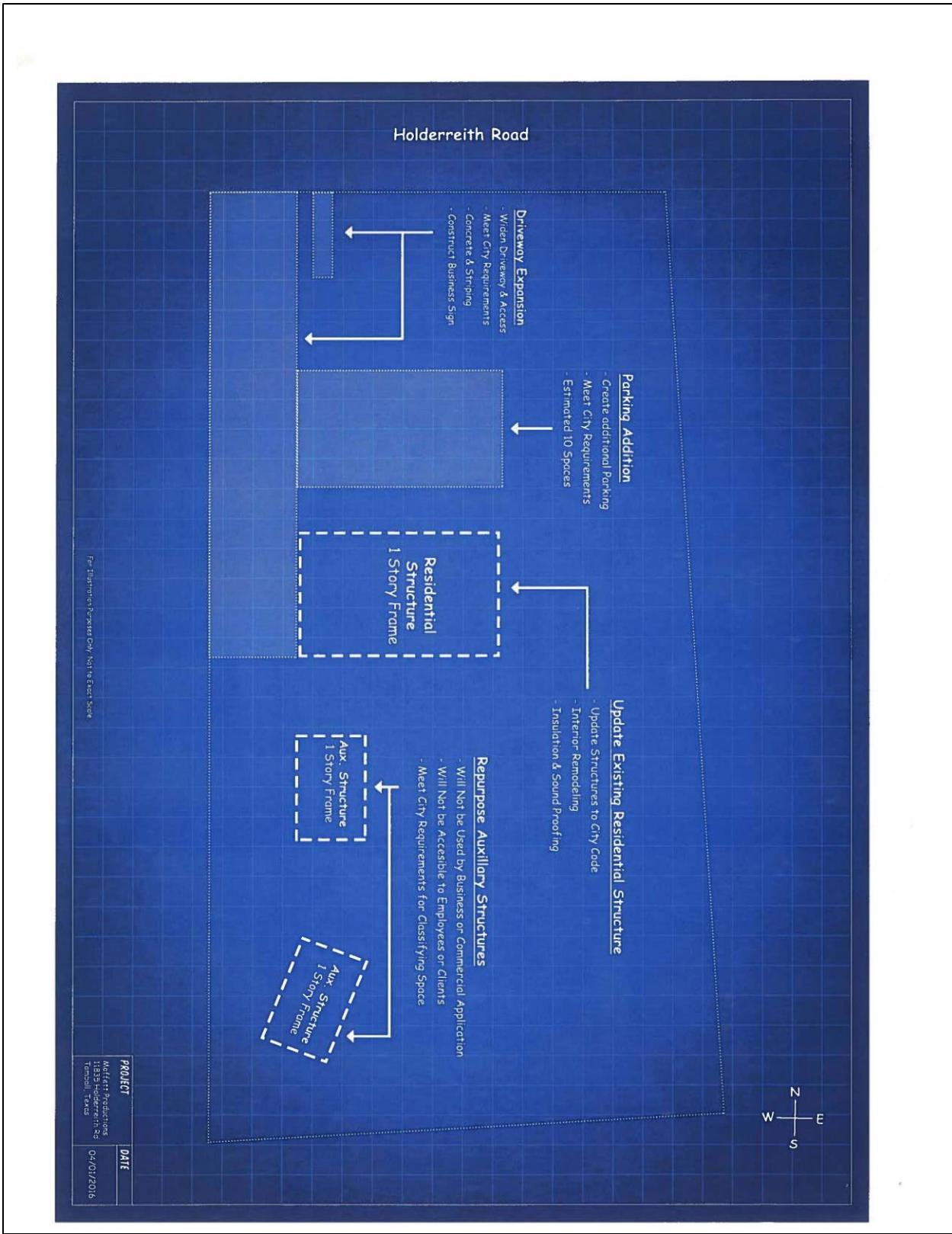
We feel the property at 11835 Holderreth Road would fit our company needs. With minimal modification we could begin operating our business on the site. The site is currently zoned Agricultural and as per the city zoning requirements we would need to obtain a zone change before this could happen. We feel strongly that our business would have very little, if any, negative impact on the surrounding property owners and transportation routes. It is our goal and opinion the we could have a positive impact. We also feel we match well with current developments and future development plans near the site.

We sincerely appreciate the resources and time the city is allocating to hear and review our request. Thank you in advance for your consideration.

Sincerely,



Chris Wohrer
President





11835 Holderreith Road Development



Project Goals

- Enter contractual agreement with sellers of 11835 Holderreith Road Tomball Texas, 77375 with 90 day feasibility study (Completed 04/01/2016).
- Apply for rezoning and receive approval from city of Tomball to convert property site from agricultural to commercial use
- Close on contract and obtain property
- Modify existing structures to meet city code for commercial use
- Build additional parking to comply with city requirements for commercial use
- Expand driveway and property access in compliance with city code
- Build business sign in compliance with city code
- Receive approval for business operations from city of Tomball
- Open site for business use



Company Overview

- Audio and Video Production Company
- Located at 16140 Kuykendahl Suite 126 Houston, TX 77068
- Established 1988
- Family Owned and Operated
- 6 Fulltime Employees
- Primary Business Interest
 - Radio & Television Commercials
 - Corporate Training Materials
 - Corporated Promotioan Material
 - Contracted Labor
 - Equipment & Facility Rental
- 15% Annaul growth since 2007
- Work frequently Visiting Teams & Producers on Local Projects Generating Income for Surrounding Township and Businesses

CHRIS WOHRER: President, Director

Chris War is one of the youngest professionals in the broadcast production industry to rise to the position of President by the age of 25. The nationally recognized producer, Bill Moffett, has mentored Mr. War since early childhood. Mr. War has literally grown up in the media industry. Through his early involvement Mr. War has become proficient at many skills in the production chain. Mr. War credits his extensive understating and progression within the industry through his hands on training of nearly every job in the production process.



Chris' love of storytelling and design led him towards video production. Mr. War's efforts have been the catalyst for Moffett Productions' transition in to a video based studio, and MPI's continued success within an increasingly competitive sector. Starting with editing, design and motion graphics, Mr. War propelled his way from on-screen talent to behind the camera assisting, operating, and finally directing broadcast quality productions. His business minded approach allows him to think logically and offer high-level strategy to clients and as the president of a small business Mr. War is a friend to those who are budget conscious subscribing to the Latin proverb, Aut viam inveniam aut faciam – I will either find a way, or make one.

Mr. War has worked on countless commercial and corporate projects but his proudest achievement was directing national training and sales videos for Mitsubishi Motors and Ototronix, projects that he may have easily be referred to as a "one-man-band" due to the intensity of his participation as not only writer but also producer and director of these projects. His humility and strong sense of teamwork make him easy to work with and, even in projects such as those mentioned above, he stands firm on his belief that anything and everything that comes out of MPI is always "a company effort." Mr. War's undeniable passion for his craft has not only helped him develop his own skills but extract the most of those he works with. He tirelessly upholds the customer service standards of MPI and will do "whatever it takes" to ensure that every client is awe-struck with every project.

Mr. War is involved with the Houston advertising, media and production communities and regularly enters into contests such as 24-hour film races to keep his mind sharp and the creative juices flowing.

Education

Mr. War graduated Cum Laude with a Bachelor of Science in Geography with emphasis on Atmospheric Sciences and Geographic Information Systems as pertaining to business development and a Minor in Radio and Television Production from the Dan Rather School of Communications at Sam Houston State University. Mr. War served the community as the local weatherman of Huntsville's Cable Channel 7 for several years while attending Sam Houston. Mr. War continues his education through vendor accredited equipment and software training, industry workshops, conferences, as well as countless hours of online tutorials and classes.

JEFF WOHRER: Vice President, Television Operations

Every great team has a utility player they can count on "to get it done," and Jeff Wohrer's is MPI's man! Jeff edits, he grips, he shoots and he acts! Mr. Wohrer has even written lyrics for some of Moffett's most successful Jingle campaigns. Not only is he a true "doer" of production, Mr. Wohrer takes the initiative in becoming a master of every task and challenge he is presented. He dedicates the time and energy required to become a subject matter expert not only in theory but also in demonstrated technique.



Jeff grew up in the hallways of Moffett Productions along side his brother and best friend Chris. Being the youngest son of founder Bill Moffett, Mr. Wohrer has been surrounded by the working of the production industry since he was a young child. Before even finishing high school, Mr. Wohrer had already started learning the tricks of the trade by observing the family business and picking up shifts in order to get "close to the action." He and his friends would regularly hold production parties in the MPI studios and lay down voice tracks over beats they would put together from production music.

Since then, Mr. Wohrer has been extremely dedicated to the company and his professional development becoming a bit of a "Renaissance Man" at Moffett and is able to help with anything requiring an extra hand. Mr. Wohrer has extensive experience in photography, graphic design, DVD authoring, lighting, creative script writing and set design. Early in his career Mr. Wohrer realized the importance of understanding all elements essential to a successful production and has devoted himself to total immersion of his trade.

Mr. Wohrer's areas of specialty include post-production and photography. Mr. Wohrer has gained extensive knowledge in After Effects and Final Cut Pro and as a result is heavily involved in the editing process of Moffett's projects.

Mr. Wohrer has always had an eye for the aesthetics and his extreme passion for photography makes him invaluable to the MPI team. Mr. Wohrer's extensive photographic experience in studio photography, event photography, and lighting allows him to correctly assess a set and maximize its utility. Mr. Wohrer has a knack for creating and implementing the perfect design to make MPI's video production stand out from its competitors and ensure that every client is extremely satisfied.

In his free time Mr. Wohrer is involved with community service, working out, and playing with his dogs. He brings a youthful enthusiasm and creativity to Moffett Productions that is unmatched and contributes a unique perspective on all projects.

Education

Mr. Wohrer briefly studied at Houston Community College before fully dedicating his talents to MPI. Mr. Wohrer continues his education through industry workshops, conferences, as well as countless hours of online tutorials and classes.



JOE KRATH: Creative Director, Producer

Joe Krath has been working with Moffett Productions, for most of his professional career. Joe is an invaluable asset not only for his knowledge of the business, but also for his continued commitment to excellence and follow-through of that commitment.

Prior to joining MPI, Mr. Krath worked as the Music Director and Afternoon Drive Personality for KIKR – AM 880 and then began his production career with KPRC – AM 950 in Houston serving as a radio talk show producer. At KPRC Mr. Krath was also was the Head Producer at Master Control for the Houston Astros Radio Network. Mr. Krath joined the MPI team in 1992 and has been a shining star ever since. Mr. Krath's years of experience in script writing and production coordinating make the process of production as effortless as possible ensuring that everything is organized and conveys the desired message. Mr. Krath's experience includes producing and writing for the clients such as the NHRA, the Professional Bull Riders Association, "Rock Line" (a live radio show featuring Motley Crue), the original Coors Rodeo Showdown, and the Justin Boots Championship Finals.

There is not a project that comes through Moffett Productions, Inc. that Mr. Krath does not have a direct hand in. Mr. Krath not only has experience in the technical and creative ins and outs of the business but he has become a true master of both.

Mr. Krath's hobbies outside of the studio include gardening, cooking, and spending time with his wife and children. A passionate man at work and at play, Mr. Krath's creativity and ability are exceeded only by his desire to provide the customer with the best service and product possible.

Education

Mr. Krath graduated at the top of his class at Elkins Institute where he studied broadcasting. In the tenth grade, Mr. Krath entered a creative writing competition requiring the development of a script for the popular television series M*A*S*H. Mr. Krath's team came in first place and a storyline from their script was used in an actual episode of the series and he won an autographed copy of the script from the episode he contributed to. That project helped Mr. Krath to realize his love of scriptwriting. Mr. Krath continues his education through industry workshops, conferences, as well as countless hours of online tutorials and classes

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
MAY 9, 2016
&
CITY COUNCIL
MAY 16, 2016**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, May 9, 2016, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, May 16, 2016, 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 P16-0048: Request by Brannon King, on behalf of DPIS Engineering, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 9.6 acres of land, legally described as Tract 24, Abstract 50 J Miller Survey, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of Hufsmith Road and Zion Road at 1600 E. Hufsmith Road, from the Agricultural District to the Commercial District.

Zoning Case P16-0054: Request by Christopher Wohrer, on behalf of Moffett Productions Inc., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Tract 14G Abstract 632 C N Pillot, within the City of Tomball, Harris County, Texas, generally located on the south side of Holderrieth Road west of the Tomball Business and Technology Park at 11835 Holderrieth Road, from the Agricultural 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.

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 **5th** day of **May 2016** 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: P16-0054

APPLICANT/OWNER: Christopher Wohrer,
on Behalf of Moffett Productions, Inc.

LOCATION: 11835 Holderrieth Road, located on the south side of Holderrieth Road west of the Tomball Business and Technology Park at 11835 Holderrieth Road.

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land, legally described as Tract 14G Abstract 632 C N Pillot, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial 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:
Monday, May 9, 2016, 6:00 PM**

**City Council Public Hearing:
*Monday, May 16, 2016, 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: May 16, 2016

Topic:

Discussion and Possible Adoption of 2016-2021 City of Tomball Strategic Plan

Background:

On March 3, 2016, the Tomball City Council conducted a workshop with Consultant Ron Cox to develop a multi-year Strategic Plan. Attached is a copy of the results of that day. The Council also instructed the City staff to do periodic reports back to the Council. The following reporting protocols were established. These protocols serve the purpose of keeping the Council and staff on schedule with the implementation of strategies and providing regular reports to the City Council on the status of the implementation of the adopted strategies. This provides for long-term accountability toward the implementation of the Strategic Plan.

Reporting Protocols

Council

1. Receives periodic updates regarding various projects related to the strategic plan.
2. Receives formal status reports quarterly, including an annual report.

City staff

1. Department Directors receive regular updates from staff at regular staff meetings on progress of assignments.
2. Department Directors provide regarding report information to the City Manager, who in-turn provides formal updates on progress of assignments.

Individual departments have been given specific assignments in the Strategic Plan document. A meeting will be held soon to discuss implementation strategies.

Origination:

George Shackelford, City Manager

Recommendation:

N/A

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

Doris Speer, City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:



City of Tomball Strategic Plan 2016 - 2021

Definitions

Mission

Create a consensus plan that identifies the overall strategic direction and priorities for the City of Tomball. The Strategic Plan serves as a decision-making guide and budgeting tool translating the community's long range plans into action.

Overall Goals

- Easy to use and understandable by the Council, staff, and public.
- Focus on realistic, action-oriented strategies.
- Provide mechanisms to evaluate progress.
- Outline strategies for updating or making changes.
- The result of a Council and staff collaborative effort.

Focus Areas

Focus areas provide the framework for the Strategic Plan and strategic directives. Focus Areas contain a collection of projects and initiatives that will move the community toward its vision and goals.

Strategic Initiatives

Strategic initiatives are shorter term directives that relate to the Vision and Focus Areas.

Action Strategies

Refer to the specific activities that Tomball will undertake within a 5-year timeframe.

Performance Measures

Measures used to track how well Tomball progresses toward implementation of the Strategic Plan. They reveal whether the key community attributes are going up or down; forward or backward; getting better, worse or staying the same. Performance measures assist the community in measuring its success overtime. The City of Tomball will develop specific performance measures over time.

Strategic Plan-Focus Areas

- **Community Life (renamed)**
 - **Guiding Principle:** Expand and improve the City's quality infrastructure, facilities and public services to meet current and future needs.
- **Connecting Tomball**
 - **Guiding Principle:** Improvement of multimodal accessibility to the City and within Tomball.
- **Organizational Effectiveness**
 - **Guiding Principle:** Create a highly efficient, service-oriented culture within the City of Tomball

Strategic Plan-Focus Areas

- **Financial Sustainability**

- **Guiding Principle:** Ensure the City's revenue stream is sufficient to sustain the operation and future needs.

- **Building Our Economy**

- **Guiding Principle:** Implement economic development strategies to increase revenues to the City, diversify the tax base, create quality employment and housing opportunities, grow local businesses, and maximize the community's economic assets.

Community Life

Expand and improve the City's quality infrastructure, facilities and public services to meet current and future needs.

Community Life

- Way finding – Continue discussions on use of TxDOT ROW for directional way finding signage.
- Continue beautification improvements in targeted areas including
 - Four corners
 - Traffic Signal improvements throughout the city
 - Street sign improvements/upgrades
- Develop a long term plan for the development of the park and recreation programs.
 - Stovall Ball Park
 - Expansion of Community Center facilities
 - TISD programming partnerships for youth
 - Study, make recommendations on the creation of a Parks and Recreation Department.
 - Continue to explore grant opportunities for parks

Community Life

- Review and implement policy for code compliance for sidewalk improvements and repairs.
- Meet with all Boards and Commissions annually to convey the Strategic Plan and their role in its implementation.
- Update the Comprehensive Plan
- Review, revise as necessary and continue to implement the Livable Centers Plan.
 - Study potential use of downtown alleyways as pedestrian walkways
- Development of utilities (west FM 2978 from FM 2920)
(retained from current report)

Community Life

- Continue to enhance public safety as the community grows (retained from current report)
- Implement drainage infrastructure improvement (retained from current plan)
- Study short/long term initiatives
 - Review and prepare for surface water conversion requirements.
 - Improve the City's drainage ways including the prevention of storm water flow from the City's drainage system into private detention facilities.
 - Study need for an expanded Visitors' Center.

Connecting Tomball

Improvement of multimodal
accessibility to the City and within
Tomball.

Connecting Tomball

- Focus on improving the standards and connectedness of “Uptown” corridors including FM 2920 (outside the downtown corridor), Highway 249, and Business Highway 249.
- Prepare a Downtown Parking Plan that accommodates the increasing traffic in downtown and accommodates the loss of on-street parking on Main Street (FM 2920).
- Continue the development of East/West Corridors including sidewalks and trails.
- Continue to pursue H-GAC grant award for road improvements on 2920.
- Continue development of sidewalk networks (retained from current plan)

Connecting Tomball

- Update the Major Thoroughfare Plan.
- Continue to work with outside agencies regarding roadway improvements in/around Tomball
- Study short/long term initiatives
 - Develop priorities from City perspective for County roads including potential city costs for any associated work on those roads.
 - Meet with Harris County on conditions of County maintained roads in the immediate area.

Organizational Effectiveness

Create a highly efficient, service-oriented culture within the City of Tomball.

Organizational Effectiveness

- Establish Tomball Citizens Academy to provide an understanding of the city's operations
 - To encourage volunteer participation
 - To establish a venue for learning more about Tomball City government.
- Establish a “All Hands on Deck” night for Police Department and other departments to visit and connect with Tomball neighborhoods on selected evenings.
- Continue improvements on customer service issues and continuous process improvements (retained from current plan)

Financial Sustainability

Ensure the City's revenue stream is sufficient to sustain the operation and future needs.

Financial Sustainability

- Prepare a Five-Year Financial Management Plan to include
 - Projections on growth of revenues.
 - Projections on growth of services.
 - Include development of an annexation plan
 - Identify potential areas for annexation.
 - Projections on costs-benefit of annexation
- Prepare a comprehensive Utility Rate Study that takes into account needed capital improvements and any adjustments to rates to finance operations, projects and improvements.
- Develop an education program on the successes and stability of the financial management system of the City.

Financial Sustainability

- Focus on technology and other improvements that will stabilize and/or reduce overall costs of operations.
- Review and make recommendation on acquiring a professional grant writer.
- Continue to enhance financial transparency (retained from current plan)
- Continue to update administrative and financial policies (retained from current plan)
- Provide educational information and training to Council on TIRZ and Municipal Management Districts options for downtown development and improvements.

Building Our Economy

Implement economic development strategies to increase revenues to the City, diversify the tax base, create quality employment and housing opportunities, grow local businesses, and maximize the community's economic assets.

Building Our Economy

- Prepare an Annexation Plan. Continue to invest in infrastructure improvements to underserved areas of the City.
- Continue to invest in infrastructure improvements for the Business Park.
- Continue to partnership with hotel and tourism industry on joint marketing to promote growth (retained from current plan)
- Study short/long term initiatives
 - Review and determine remedies for removing or adjusting to oil & gas surface control rights.
 - Bring the Downtown Specific Plan to the Council for review and determination of whether to implement.

