NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

MONDAY, AUGUST 3, 2020

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, August 3, 2020 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

1.1 **IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR AUGUST 3, 2020, 6:00 P.M., AT 401 MARKET STREET, TOMBALL, TEXAS, 77375. IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED "SOCIAL DISTANCING") TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19), THERE WILL BE LIMITED PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE. THIS MEETING AGENDA AND THE AGENDA PACKET ARE POSTED ONLINE AT https://tomballtx.gov/Archive.aspx?AMID=38; A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.**

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): **+1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 976 5150 5794.** The

public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

2.0 Invocation

- Led by Pastor Scott Zyblot – Silver Spring Baptist Church

3.0 Pledges to U.S. and Texas Flags

4.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*

5.0 Reports and Announcements

- ***Tomball City Pool – 2020 Swim Season*** - Jerry Matheson Park Pool will operate with normal hours through August 16. The pool will be open on Saturday and Sunday only on the weekends of August 22-23 and August 29-30. The pool will be closed every Monday during swim season 2020, except Labor Day (September 7). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- ***GrooveFest 2020*** – *September 19, 2020 at the Depot*
- Reports by City staff and members of council about items of community interest on which no action will be taken:
  - Denise Fiore – Report on the success of ***Tomball Kids' Club***

6.0 Approve the Minutes of the July 20, 2020 Special Tomball City Council Meeting, the July 20, 2020 Regular Tomball City Council Meeting, and the July 21, 2020 Special Tomball City Council Meeting

7.0 Old Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

7.1 Adopt, on Second Reading, Ordinance No. 2020-17, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Whitmeyer's Distilling Co., LLC to Operate a "Soap, Detergents, Cleaning Preparations Manufacture" Facility; Said Property being Approximately 6.10 Acres of Land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, within the City of Tomball, Harris County, Texas, generally located at the End of Spell Circle at 21250 Spell Circle, and is Zoned Light Industrial District; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed $2,000 for Violations Hereof; and Providing for Severability

7.2 Adopt, on Second Reading, Ordinance No. 2020-19, 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 95.4 Acres of Land, Legally Described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, PT Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, PT Tract 21A (AG-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, within the City of Tomball, Harris County, Texas, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District; said Property being generally located on the South Side of Theiss Lane at Commercial Park Road and North Side of Holderrieth Road between SH 249 and South Cherry Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

7.3 Adopt, on Second Reading, Ordinance No. 2020-20, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 1.7958 Acres of Land Legally Described as Part of Tracts 6A 12A 18A 24A 30A & 36A (AG-Use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District, said Property being generally located on the North Side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

8.0 Old Business:

8.1 Adopt, on Second Reading, Ordinance No. 2020-09, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District, said property being generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed $2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

8.2 Adopt, on Second Reading, Ordinance No. 2020-18, 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 6 acres of land, legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, within the City of Tomball, Harris County, Texas, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District; said property being generally located on the south side of FM 2920 at South Live Oak Street; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed $2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters

9.0 New Business Consent Agenda: *[All matters listed under Consent Agenda are considered*

to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]

9.1 Reappoint three Associate/Alternate Judges to the Municipal Court for an additional one-year term.

9.2 Reappoint Associate/Alternate Prosecutor to the Municipal Court for an additional one-year term

9.3 Reappoint Presiding Municipal Court Judge, Brett Peabody, for an Additional Two-Year Term

9.4 Reappoint Grant Stevens as Chief Prosecutor for the Tomball Municipal Court, for an Additional Two-Year Term

9.5 Approve Resolution No. 2020-15, a Resolution of the City of Tomball, Texas, Stating the City of Tomball's Intent to Participate in Tax Abatement and Establishing the Guidelines and Criteria for Granting Tax Abatements in a Reinvestment Zone Created in the City of Tomball

9.6 Approve Resolution No. 2020-25, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 13th Annual Homecoming Parade and Community Rally, to be held at the Tomball Depot, Sponsored by the Tomball Independent School District and the Tomball High School Student Council, in October 2020

10.0 New Business:

10.1 Presentation of the Annual Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2019

10.2 Conduct First Public Hearing for the Purpose of Adopting the City of Tomball’s Budget for Fiscal Year 2020-2021

10.3 Approve Resolution 2020-20, A Resolution Of The City Council Of The City Of Tomball, Texas, Accepting The Preliminary Service And Assessment Plan For Authorized Improvements Within The Raburn Reserve Public Improvement District; Setting A Date For Public Hearing On The Proposed Levy Of Assessments; Authorizing The Publication And Mailing Of Notice; And Enacting Other Provisions Relating Thereto

10.4 Approve Resolution No. 2020-24, a Resolution of the City Council of the City of Tomball, Texas Authorizing the City of Tomball to participate in the Texas Enterprise Zone program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code; Defining Available Tax Incentives; Nominating North Houston - TRMC, LLC (HCA Houston Healthcare Tomball) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank for Designation as an Enterprise Project under The Act; and Designating a Liaison for overseeing Enterprise Projects and Communicating with Interested Parties.

10.5 Adopt, on First Reading, Ordinance No. 2020-11, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars ($200.00) for the Violation of this Ordinance

10.6 Adopt, on First and Only Reading, Ordinance No. 2020-22-E, an Ordinance of the City of Tomball, Texas Declaring and Continuing a Public Health Emergency and State of Disaster; Providing for a Penalty in an Amount Not to Exceed $2,000.00 for Every Violation Hereof; Providing for Severability; Making Findings Related Thereto and Providing an Effective Date

10.7 Approve an Agreement with Thirkettle Corporation for a Flexnet Pilot Program with Purchase of the Required Components for the Pilot Program and Authorize the City Manager to Execute the Agreement

10.8 Approve Proposed Amendment to Administrative Policy No. 9, Entitled *"Purchasing and Bidding Policy"*

10.9 Approve Proposed New Administrative Policy No. 27, Adopting Policies and Procedures Necessary to Receive State and Federal Grant Funding

10.10 Presentation of Proclamation – the Month of August is ***"Fair Housing Month"***

10.11 Approve Resolution No. 2020-16, a Resolution of the City Council of the City of Tomball, Texas, Designating Authorized Signatories for Contractual Documents and Documents for Requesting Funds Pertaining to the Community Development Block Grant – Disaster Recovery Program (CDBG-DR) Contract Number 19-076-029-B386

10.12 Approve Resolution No. 2020-21, a Resolution of the City Council of the City of Tomball, Texas, Adopting the Attached Policies in Connection with the City of Tomball, Texas Participation in Federally Funded Community Development Block Grant (CDBG) Projects and Adherence to the Regulations Described Therein

10.13 Approve Termination of Land Lease and Museum Development Agreement with the Texas Railroading Heritage Museum

11.0 Adjournment

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 30th day of

July 2020 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding 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: August 3, 2020

Topic:

- Led by Pastor Scott Zyblot – Silver Spring Baptist Church

Background:

Origination:

Recommendation:

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

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

- ***Tomball City Pool – 2020 Swim Season*** - Jerry Matheson Park Pool will operate with normal hours through August 16. The pool will be open on Saturday and Sunday only on the weekends of August 22-23 and August 29-30. The pool will be closed every Monday during swim season 2020, except Labor Day (September 7). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- ***GrooveFest 2020*** – *September 19, 2020 at the Depot*
- Reports by City staff and members of council about items of community interest on which no action will be taken:
    - Denise Fiore – Report on the success of ***Tomball Kids' Club***

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	☐ 1st ☐ 2nd	

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve the Minutes of the July 20, 2020 Special Tomball City Council Meeting, the July 20, 2020 Regular Tomball City Council Meeting, and the July 21, 2020 Special Tomball City Council Meeting

Background:

Origination:
City Secretary

Recommendation:
Approve

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

ACTION TAKEN

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

ATTACHMENTS:

Draft Minutes of the July 20, 2020 Special Tomball City Council Meeting
Draft Minutes of the July 20, 2020 Regular Tomball City Council Meeting
Draft Minutes of the July 21, 2020 Special Tomball City Council Meeting

MINUTES OF SPECIAL CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

MONDAY, JULY 20, 2020

4:00 P.M.

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for July 20, 2020, at 4:00 p.m., at 401 Market Street, Tomball, Texas, 77375, via video/telephone conference (Zoom).

1.0 Mayor Fagan called the meeting to order at 4:00 p.m., having established a quorum. Mayor Fagan read a statement regarding the process for the conduct of the meeting via Zoom and telephone. Members present (in person):

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Klein Quinn

Members present (via video):
Councilman Townsend

Others present:

City Manager – Robert Hauck (in person)
Assistant City Manager – David Esquivel (in person)
City Secretary – Doris Speer (in person)
City Attorney – Loren B. Smith (in person)
Legal Secretary-Olson & Olson – Layla Walker (via video)
Fire Chief – Randy Parr (in person)
Police Chief – Jeff Bert (in person)
Marketing Director – Mike Baxter (via video)
Finance Director – Glenn Windsor (in person)
Director of Public Works – Beth Jones (in person)
HR Director – Lisa Coe (in person)
IT Manager – Doug Tippey (in person)
Director of Community Development – Craig Meyers (via video)
CSO Administrative Assistant – Sasha Luna (in person)
IT Sr. Specialist – Ben Lato (in person)
Sr. Accountant – Christine Brookshire (in person)
Accountant – Kristin Kelley (in person)
TEDC-Executive Director – Kelly Violette (via video)
Police Officer-Investigations – Cleo Thomas (in person)

2.0 No Public Comments were received.

3.0 Workshop Session:

3.1 The Tomball City Council entered into a Workshop Session regarding the Proposed Fiscal Year 2020-2021 Budget and received a presentation from the City Manager.

4.0 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 3rd day of August 2020.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

MONDAY, JULY 20, 2020
6:00 P.M.

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for July 6, 2020, at 6:00 p.m., at 401 Market Street, Tomball, Texas, 77375, via video/telephone conference (Zoom).

1.0 Mayor Fagan called the meeting to order at 6:06 p.m., having established a quorum. Mayor Fagan read a statement regarding the process for the conduct of the meeting via Zoom and telephone. Members present (in person):

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Klein Quinn

Members present (via video):

Councilman Townsend

Others present:

City Manager – Robert Hauck (in person)
Assistant City Manager – David Esquivel (in person)
City Secretary – Doris Speer (in person)
City Attorney – Loren B. Smith (in person)
Legal Secretary-Olson & Olson – Layla Walker (via video)
Fire Chief – Randy Parr (in person)
Police Chief – Jeff Bert (in person)
Marketing Director – Mike Baxter (via video)
Finance Director – Glenn Windsor (in person)
Director of Public Works – Beth Jones (in person)
Director of Community Development – Craig Meyers (in person)
CSO Administrative Assistant – Sasha Luna (in person)
Police Officer-Investigations – Cleo Thomas (in person)
Fire Marshal – Joe Sykora (via video)
IT Sr. Specialist – Ben Lato (in person)
Christine Brookshire – Senior Accountant (in person)
Executive Director-TEDC – Kelly Violette (via video)
Pastor James Andrew – Real Life Ministries (via video)

2.0 The invocation was led by Pastor James Andrew – Real Life Ministries.

3.0 Pledges to U. S. and Texas Flags were led by Jeff Bert.

4.0 The following public comments were received:

Quentin Blanchard 1850 S. Cherry St., 77375	-	Expressed his opposition to adoption of Item 7.5, Ordinance No. 2012-21.

5.0 Reports and Announcements:

- ***Tomball City Pool – 2020 Swim Season*** - Jerry Matheson Park Pool will operate with normal hours through August 16. The pool will be open on Saturday and Sunday only on the weekends of August 22-23 and August 29-30. The pool will be closed every Monday during swim season 2020, except Labor Day (September 7). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- ***TOMBALL KID'S CLUB – Activities (Food distribution only)***: July 23 and 30 from 11:00 a.m. to 12:00 p.m., at **Juergens Park**
- Reports by City staff and members of council about items of community interest on which no action will be taken:

6.0 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to approve the Minutes of the July 6, 2020 Special Tomball City Council Meeting and the July 6, 2020 Regular Tomball City Council Meeting

Motion carried unanimously.

7.0 Old Business Consent Agenda:

7.1 Adopt, on Second Reading, Ordinance No. 2020-13, an Ordinance of the City Council of Tomball, Texas, Approving the Service and Assessment Plan for the City of Tomball Public Improvement District Number Four (Alexander Estates Subdivision)

7.2 Adopt, on Second Reading, Ordinance No. 2020-14, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment Against Section One Properties within the City of Tomball Public Improvement District Number Four (Alexander Estates Subdivision); and Making Certain Findings Related Thereto

7.3 Adopt, on Second Reading, Ordinance No. 2020-15, an Ordinance of the City Council of Tomball, Texas, Approving the Service and Assessment Plan for the City of Tomball Public Improvement District Number Eight (Timber Trails Subdivision)

7.4 Adopt, on Second Reading, Ordinance No. 2020-16, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section One Properties within the City of

Tomball Public Improvement District Number Eight (Timber Trails) and Making Certain Findings Related Thereto

7.5 Adopt, on Second Reading, Ordinance No. 2020-21, an Ordinance of the City Council of Tomball, Texas, Amending Section 8-124 of Its Code of Ordinances to Remove the Use of the Term "Single-Family Residential Platted Lot" and Removing the Requirement that the One-Acre Requirement be Calculated Without Regard to Improvements Existing on the Property; 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

Motion was made by Councilman Townsend, second by Councilman Ford, to adopt Ordinance Nos. 2020-13, 2020-14, 2020-15, 2020-16 and 2020-21 (Items 7.1, 7.2, 7.3, 7.4 and 7.5) on Second Reading. Vote was as follows:

Councilman Ford	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried unanimously.

8.0 Old Business:

8.1 Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2020-12, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of The City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars ($200.00) for the Violation of This Ordinance. Vote was as follows:

Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye
Councilman Ford	Aye

Motion carried unanimously.

9.0 New Business

9.1 Consideration and Possible Approval regarding **Zoning Case P20-069**: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by

rezoning approximately 1 Acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas

- Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to consider **Zoning Case P20-069** at 6:30 p.m.; the following comments were received:

  Juan Martinez - Expressed his support for approval.
  20703 Sundown Springs, 77379

  Dave Tegtmeier - Expressed his opposition to approval.
  614 E. Pecan, 77375

  Receiving no additional public comments, Mayor Fagan closed the Public Hearing at 6:25 p.m.

- Motion was made by Councilman Stoll, second by Councilman Ford, to read Ordinance No. 2020-09 by caption only on First Reading.

  Motion carried unanimously.

- Motion was made by Councilman Stoll, second by Councilman Ford, to adopt, on First Reading, Ordinance No. 2020-09, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately One Acre of Land Legally Described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District, said Property being generally located at the Southwest Corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Degges	Aye
Councilman Townsend	Nay
Councilman Klein Quinn	Nay
Councilman Ford	Aye
Councilman Stoll	Aye

  Motion carried, 3 votes Aye, 2 votes Nay.

9.2 Consideration to Approve **Zoning Case P20-105**: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a soap, detergents, cleaning preparations manufacture facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

- Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to consider **Zoning Case P20-105** at 7:01 p.m.

  Receiving no public comments, Mayor Fagan closed the Public Hearing at 7:01 p.m.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2020-17 by caption only on First Reading.

  Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2020-17, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Whitmeyer's Distilling Co., LLC to Operate a "Soap, Detergents, Cleaning Preparations Manufacture" Facility; Said Property being Approximately 6.10 Acres of Land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, within the City of Tomball, Harris County, Texas, generally located at the End of Spell Circle at 21250 Spell Circle, and is Zoned Light Industrial District; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed $2,000 for Violations Hereof; and Providing for Severability. Vote was as follows:

Councilman Townsend	Aye
Councilman Klein Quinn	Aye
Councilman Ford	Aye
Councilman Stoll	Aye
Councilman Degges	Aye

  Motion carried unanimously.

9.3 Consideration to Approve **Zoning Case P20-104**: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The

property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to consider **Zoning Case P20-104** at 7:09 p.m.

  Receiving no public comments, Mayor Fagan closed the Public Hearing at 7:09 pm.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2020-18 by caption only on First Reading.

  Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Ford, to adopt, on First Reading, Ordinance No. 2020-18, 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 6 Acres of Land, Legally Described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, within the City of Tomball, Harris County, Texas, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District; Said Property being generally located on the South Side of FM 2920 at South Live Oak Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Klein Quinn	Nay
Councilman Ford	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye

  Motion carried, 4 votes Aye, 1 vote Nay.

9.4 Consideration to approve **Zoning Case P20-103**: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located

on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to consider **Zoning Case P20-103** at 7:33 p.m.

  Receiving no public comments, Mayor Fagan closed the Public Hearing at 7:33 pm.

- Motion was made by Councilman Townsend, second by Councilman Ford, to read Ordinance No. 2020-19 by caption only on First Reading.

  Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2020-19, 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 95.4 Acres of Land, Legally Described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, PT Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, PT Tract 21A (AG-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, within the City of Tomball, Harris County, Texas, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District; said Property being generally located on the South Side of Theiss Lane at Commercial Park Road and North Side of Holderrieth Road between SH 249 and South Cherry Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Ford	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

  Motion carried unanimously.

9.5 Consideration to approve **Zoning Case P20-099**: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use)

Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to consider **Zoning Case P20-099** at 7:39 p.m.

  Receiving no public comments, Mayor Fagan closed the Public Hearing at 7:39 pm.

- Motion was made by Councilman Stoll, second by Councilman Townsend, to read Ordinance No. 2020-20 by caption only on First Reading.

  Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2020-20, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 1.7958 Acres of Land Legally Described as Part of Tracts 6A 12A 18A 24A 30A & 36A (AG-Use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District, said Property being generally located on the North Side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye
Councilman Ford	Aye

  Motion carried unanimously.

9.6 Motion was made by Councilman Ford, second by Councilman Townsend, to approve Resolution No. 2020-19, a Resolution of the City of Tomball, Texas, Designating the Harris County Tax Office as the Officer to Calculate the No-New Revenue Tax Rate and the Voter Approval Tax Rate in Accordance with the Texas Tax Code.

Motion carried unanimously.

9.7 Motion was made by Councilman Ford, second by Councilman Townsend, to authorize City Manager to Execute an Agreement for Grant Administration Services with Langford

Community Management Services for E&P Project 2019-10015, Lizzie Lane and South Persimmon Drainage Improvements, in the Amount of $109,802.00.

Motion carried unanimously.

9.8 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve Resale Deed for Property acquired by Foreclosure Tax Sale in Cause No. 1987-10418, styled City of Tomball vs. Benye Jackson Brown, HCAD Account No. 035-278-090-0023, to Maricsa Villasenor, in the Amount of $3,000.00.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 3rd day of August 2020.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

MINUTES OF SPECIAL CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

TUESDAY, JULY 21, 2020

6:00 P.M.

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for July 21, 2020, at 6:00 p.m., at 401 Market Street, Tomball, Texas, 77375, via video/telephone conference (Zoom).

1.0 Mayor Fagan called the meeting to order at 6:00 p.m., having established a quorum. Mayor Fagan read a statement regarding the process for the conduct of the meeting via Zoom and telephone. Members present (in person):

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – Robert Hauck (in person)
City Secretary – Doris Speer (in person)
City Attorney – Loren B. Smith (in person)
Legal Secretary-Olson & Olson – Layla Walker (via video)

2.0 No Public Comments were received.

3.0 New Business:

3.1 Executive Session: The City Council recessed at 6:03 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with the City Attorney regarding a Matter that the Attorney's Duty Requires to be Discussed in Closed Session.
- Sec. 551.074 – Personnel Matters: Deliberation of the Appointment, Employment, Duties, Evaluation, Discipline, or Dismissal of a Public Officer or Employee, to wit: City Manager, Robert Hauck.

Upon reconvening into session at 8:16 p.m., no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 3rd day of August 2020.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Adopt, on Second Reading, Ordinance No. 2020-09, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District, said property being generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed $2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Background:
On Monday July 13, 2020, after conducting a public hearing, the Planning & Zoning Commission recommended denial of the rezoning request with a 4-1 vote.

Origination:
Richard C. James

Recommendation:
Adopt on Second Reading

Party(ies) responsible for placing this item on agenda:
Craig T. Meyers, Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2020-09
Staff Report
Public Comment Forms
Additional Comment
Property Owner Notification
Notice of Public Hearing

ORDINANCE NO. 2020-09

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY ONE ACRE OF LAND LEGALLY DESCRIBED AS RESERVE B BLOCK 1 BROWN HUFSMITH CHURCH SUBDIVISION, FROM THE SINGLE-FAMILY 6 DISTRICT TO THE OFFICE DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED AT THE SOUTHWEST CORNER OF BROWN ROAD AND BAKER DRIVE, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * * * * * * *

Whereas, Richard C. James has requested that approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

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

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

Whereas, the Planning & Zoning Commission recommended in its final report that City Council deny the requested rezoning of Office District; and

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

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

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

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

Section 2. The zoning classification of the Property is hereby changed from the Single-Family 6 to the Office District subject to the regulations, restrictions, and conditions hereafter set forth.

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

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

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 15TH DAY OF JUNE 2020.

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

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 6TH DAY OF JULY 2020.

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

_____
Gretchen Fagan, Mayor

ATTEST:

_____
Doris Speer, City Secretary

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case:	P20-069
Property Owner(s):	Tejuma Brown Rd., LLC
Applicant(s):	Richard C. James
Legal Description:	Reserve B Block 1 Brown Hufsmith Church Subdivision
Location:	Southwest corner of Brown Road and Baker Drive (Exhibit "A")
Area:	1 acre
Comp Plan Designation:	Neighborhood Residential (Exhibit "B")
Present Zoning and Use:	Single-Family 6 District (Exhibit "C") / Undeveloped (Exhibit "D")
Proposed Use(s):	Office(s) (Exhibit "D")
Request:	Rezone from the Single-Family 6 District to the Office District

Adjacent Zoning & Land Uses:

North: Single-Family 9 District / Redeemer Church (under construction)

South: Single-Family 6 District / Drainage channel

West: Single-Family 6 District / The Church of Jesus Christ of Latter-day Saints

East: Single-Family 6 District / Single-family residences

BACKGROUND

Representatives of the property owner reached out to City Staff regarding the use of the property in early 2020. After the request was first presented to the Planning & Zoning Commission on May 11, 2020, the applicant requested to postpone the rezoning.

ANALYSIS

The property is currently zoned Single-Family 6 District. Surrounding properties are zoned Single-Family 20 Estate, Single-Family 9 and Single-Family 6, however, most of the surrounding land uses are non-residential. There are two churches and a drainage channel in the immediate area and an assisted living business, daycare, and elementary school close by. There are a few single-family residences across Baker Drive.

According to Section 50-75, the purpose of the Office District is "to create an appropriate setting for low intensity office and professional uses. The district can be used as a transition district between residential uses and more intense uses, and with appropriate buffers and landscaping, this

district may be located in close proximity to residential districts." Uses permitted in the Office District should not create excess noise, traffic or late-night hours of operation.

Since there are existing non-residential uses in the area, the Office Zoning District would provide a transition district between the non-residential uses and the residences along Baker Drive. Baker Drive also offers a buffer from the existing non-residential uses, as well as any potential non-residential development on the subject site. Uses permitted in the Office District are typically low intensity and the district requirements protect neighboring residences. If the site requires parking lot lighting, the Code of Ordinances requires zero spill-over onto adjacent residential properties. Non-residential uses are also required to provide landscaping along the streets as well as in the parking areas.

The property is designated as Neighborhood Residential by the Comprehensive Plan Future Land Use Map. This category is intended for single-family detached dwellings. The proposed rezoning is not compatible with the Future Land Use Map's designation, however, the Comprehensive Plan also states that "limited commercial services…that do not require large parking lots would be appropriate where residential collector streets meet arterials".

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 26, 2020. A Notice of Public Hearing was published in the paper on June 24, 2020. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-069.

EXHIBITS

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

Exhibit "A"
Aerial Photo

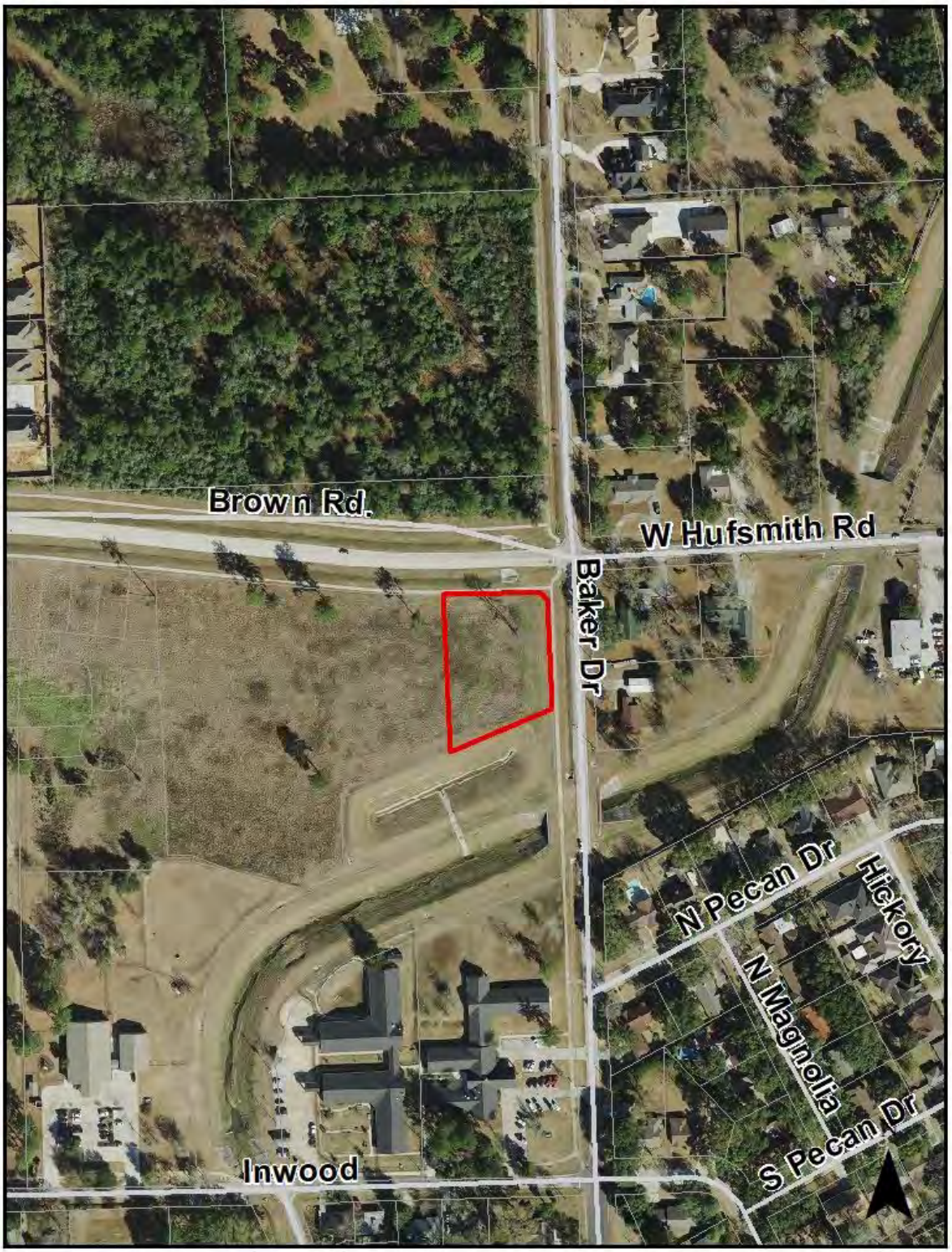


Exhibit "B"
Comprehensive Plan



Exhibit "C"
Zoning Map

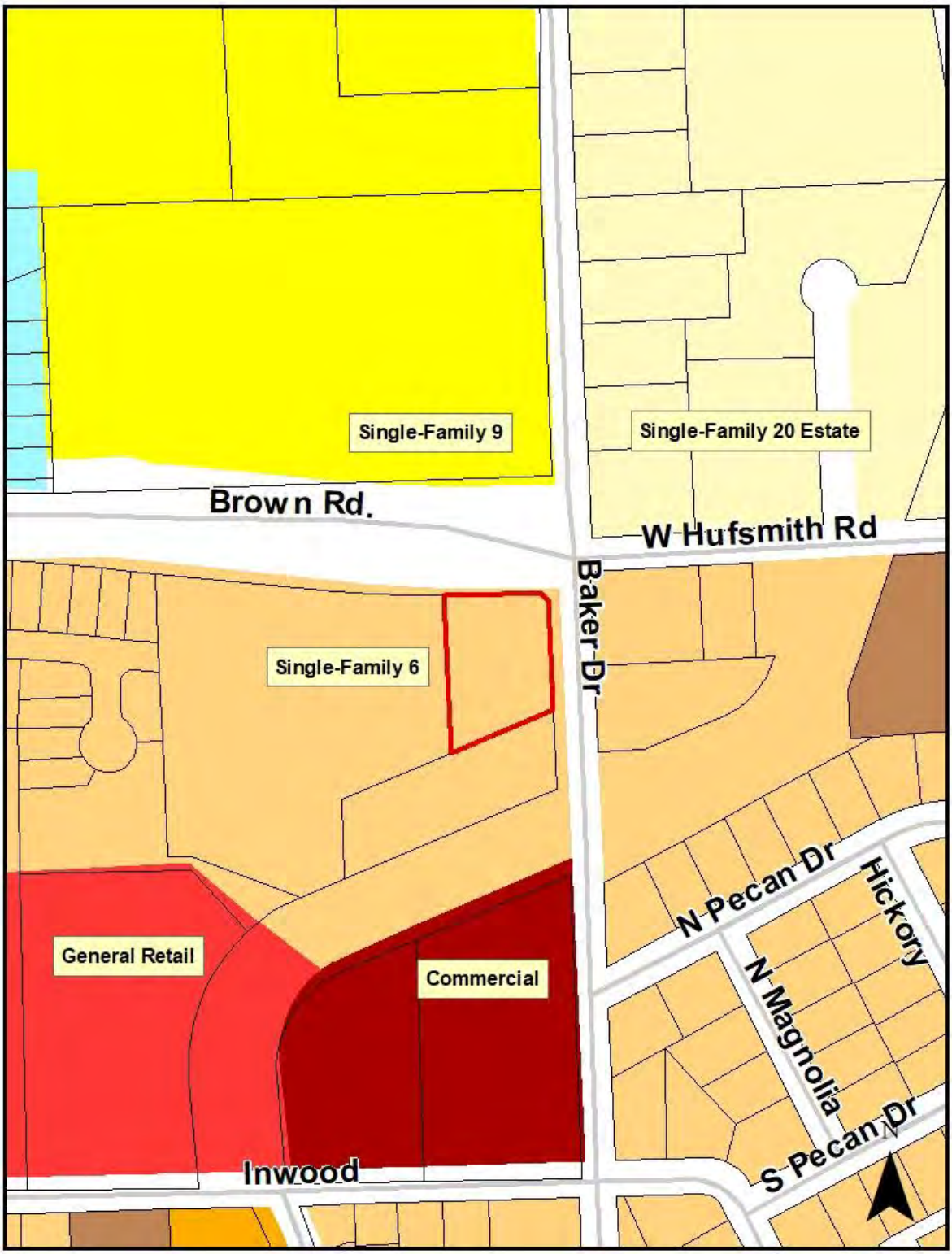


Exhibit "D"
Site Photos





Exhibit "E"
Rezoning Application

RECEIVED (KC)
03/30/2020 2:23:11 PM

Revised 5/19/15
P&Z #20-069
$400.00

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: RICHARD C JAMES Title: Attorney for Owner
Mailing Address: 719 SAWDUST RD, STE 300 City: THE WOODLANDS State: TX
Zip: 77380
Phone: (713) 389-5755 Fax: (713) 389-5756 Email: RICHARD@RCJLAWFIRM.COM

Owner
Name: TEJUMA BROWN RD LLC Title:
Mailing Address: 20703 SUNDANCE SPRINGS LN City: SPRING State: TX
Zip: 77379
Phone: ( ) Fax: ( ) Email:

Engineer/Surveyor (if applicable)
Name: Title:
Mailing Address: City: State:
Zip:
Phone: ( ) Fax: ( ) Email:

Description of Proposed Project: PROFESSIONAL AND GENERAL BUSINESS OFFICE AND/OR MEDICAL (NON-EMERGENCY) SUITES

Physical Location of Property: SW CORNER OF BROWN RD / BAKER DR / W HUFSMITH RD CONFLUENCE
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: Unrestricted Reserve B of Brown-Hufsmith Church Subdivision File # RP-2017-208595
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF-6 SINGLE FAMILY

Current Use of Property: INVESTMENT

Proposed Zoning District: OFFICE

Proposed Use of Property: PROFESSIONAL AND GENERAL BUSINESS OFFICE USE

HCAD Identification Number: 1387630010002 Acreage: 1.0

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 _____ 3/24/2020

Signature of Applicant **Date**

X _____ March 30, 2020

Signature of Owner Juan I. Martinez, Authorized Member of Owner **Date**

JAMES LAW FIRM, P.L.L.C.

Richard C. James
719 Sawdust Road
Suite 300
The Woodlands, Texas 77380

Phone (713) 389-5755
Fax (713) 389-5756
richard@rcjlawfirm.com
www.rcjlawfirm.com

March 30, 2020

City of Tomball
Planning & Zoning Commission
501 James Street
Tomball, Texas 77375

Attn: Ms. Amelia Lindley
City Planner, City of Tomball
E: alindley@tomballtx.gov

Re: Request for a Zoning Ordinance Change
1.0-acre property: Property ID No. 1387630010002
0 Brown Road
Tomball, Texas 77375

Dear Ms. Lindley,

On behalf of the current owner, TEJUMA BROWN ROAD LLC, I request a Zoning Ordinance change to the above-referenced property.

The property was originally purchased on August 13, 2013 encompassing 15.27-acres. Since acquisition, all this property, except the above-referenced 1-acre property, has been sub-divided and sold to different landowners. Specifically, Tejuma sold 5.0474 acres to the Church of Jesus Christ and the Latter Day Saints, for a church, an acceptable use in SF-6 zoning. Further, Tejuma transferred 9.2191 acres at the intersection of Quinn and West Hufsmith to Brown Road, LLC for a residential subdivision. The remaining undeveloped property is a 1-acre parcel at the southwest intersection of Brown Road and Baker Drive. The property resides within the Tomball city limits and is currently zoned for single-family use, SF-6; however, this zoning really no longer fits a 1-acre property.

Going forward, my request for a zoning change is an attempt to convert the 1.0-acre property from Single-Family to Office District. This request is supported by the following reasons:

1) Historic zoning may have made sense many years ago; however, surrounding land uses and traffic patterns have evolved over the years.
2) I am aware of a previous attempt to change this particular parcel of land to Commercial District in 2017. It is my understanding that a convenience store / fuel station was proposed on the property. The proposed use change was met with nearby resident opposition.
3) Due to the sensitivities of the residents, the Owner believes that re-zoning the property to Office District is a favorable use given the historical evidence. As the Office District provisions state, the use creates an appropriate setting for low density, low volume vehicular traffic and is suitable as a transition district between residential uses and business uses, with appropriate buffers, landscaping, and building height restrictions.
4) The ordinance change to Office District may alleviate the residents' previous concerns related to an unsightly use, structure, lighting, noise, traffic, and other undesired issues.
5) The ordinance change to Office District will enable the Owner to pursue a development strategy that aligns with the City's ordinance provisions.
6) As it relates to the City's Zoning Matrix, rezoning to Office District aligns with the Owner's vision for the property, with the intent is to develop the tract according to the following permitted uses:

a. Office, professional and general business
b. Clinic, medical and/or dental (non-emergency)

7) Rezoning to Office District may attract a variety of professional businesses and services to the area, and the surrounding community will likely benefit.
8) Rezoning to Office District is appropriate given the surrounding residences and the more recent transition of uses in the immediate area.
9) Assuming that the Owner follows through with the development plan, rezoning to Office District will generate new tax revenue sources for the City of Tomball and Harris County.

I appreciate the opportunity to submit this Zoning Ordinance change request. Please do not hesitate to contact me if there are any questions related to the property and/or request.

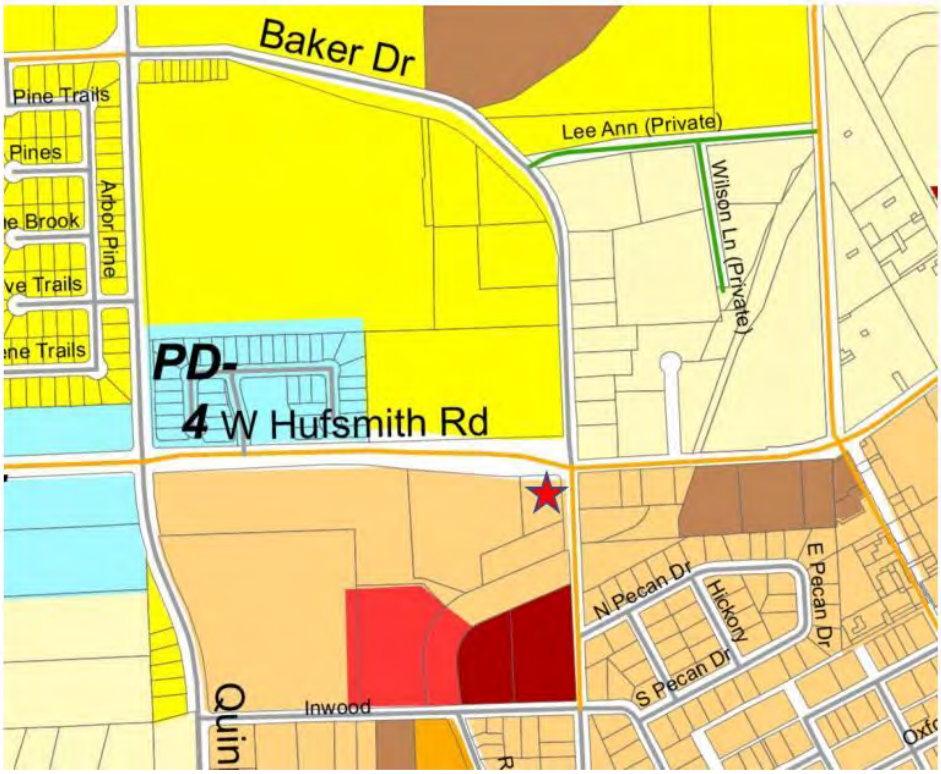
Sincerely,

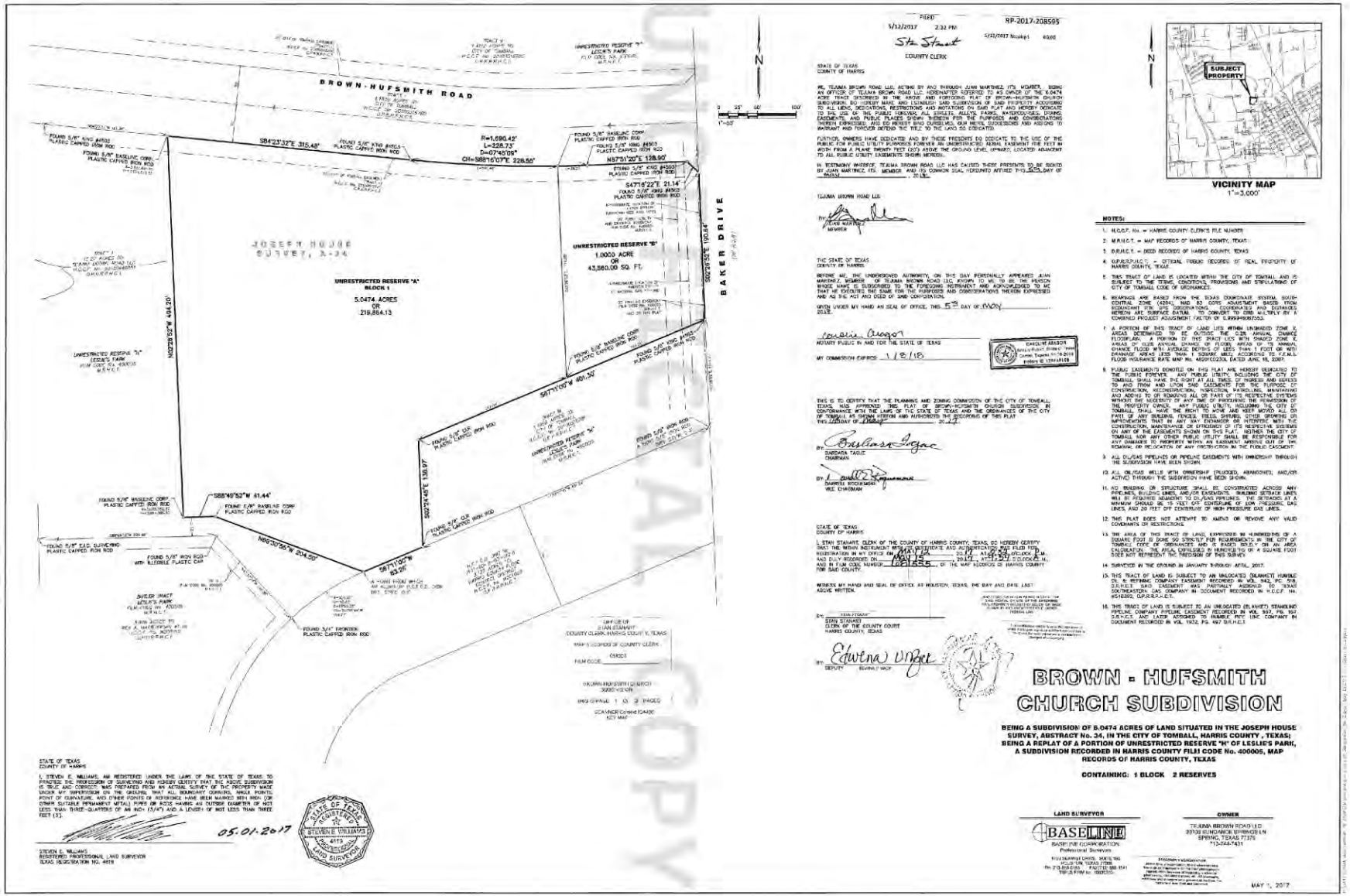
R James

Richard C. James

Enclosures: Zoning Map Exhibit – Subject Property
Application for Rezoning and its enclosures for the Application

Zoning Map Exhibit – Subject Property
1.0-acre property: Property ID No. 1387630010002


Baker Dr
Pine Trails
Pines
Arbor Pine
Lee Ann (Private)
Wilson Ln (Private)
PD-
4 W Hufsmith Rd
N Pecan Dr
E Pecan Dr
S Pecan Dr
Inwood



FILED
5/12/2017 2:32 PM
RP-2017-208595
5/12/2017 Receipt # 6000
Stan Stanart
COUNTY CLERK

STATE OF TEXAS
COUNTY OF HARRIS

WE, TEJANA BROWN ROAD LLC, ACTING BY AND THROUGH JUAN MARTINEZ, ITS MEMBER, BEING AN OFFICER OF TEJANA BROWN ROAD LLC, HEREINAFTER REFERRED TO AS OWNER OF THE 5.0474 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF BROWN-HUFSMITH CHURCH SUBDIVISION, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE TWENTY FEET (20') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

IN TESTIMONY WHEREOF, TEJANA BROWN ROAD LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY JUAN MARTINEZ, ITS MEMBER AND ITS COMMON SEAL HEREUNTO AFFIXED THIS 5th DAY OF May, 2017.

TEJANA BROWN ROAD LLC

By: _____
JUAN MARTINEZ
MEMBER

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JUAN MARTINEZ, MEMBER OF TEJANA BROWN ROAD LLC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AN SEAL OF OFFICE, THIS 5th DAY OF May, 2017.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES 1/18/18

CAROLINE ABASON
Notary Public, State of Texas
Comm. Expires 01/18/2018
Notary ID 12944128

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT OF BROWN-HUFSMITH CHURCH SUBDIVISION IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS 11th DAY OF May, 2017.

By: _____
BARBARA TAGLE
CHAIRMAN

By: _____
DARRYL BOCKHOLDT
VICE CHAIRMAN

STATE OF TEXAS
COUNTY OF HARRIS

I, STAN STANART, CLERK OF THE COUNTY OF HARRIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE AND AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON May 12, 2017, AT 2:32 O'CLOCK P.M. AND DULY RECORDED ON May 15, 2017, AT 2:00 O'CLOCK P.M. AND IN FILM CODE NUMBER 400555 OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

By: _____
STAN STANART
CLERK OF THE COUNTY COURT
HARRIS COUNTY, TEXAS

By: _____
DEPUTY

OFFICE OF
STAN STANART
COUNTY CLERK, HARRIS COUNT Y, TEXAS
MAP RECORDS OF COUNTY CLERK
FILM CODE 400555
BROWN HUFSMITH CHURCH
SUBDIVISION
PAGE 1 OF 2 PAGES
SCANNER Command:54400
KEY MAP

VICINITY MAP
1"=3,000'

NOTES:

1. H.C.C.F. No. = HARRIS COUNTY CLERK'S FILE NUMBER
2. M.R.H.C.T. = MAP RECORDS OF HARRIS COUNTY, TEXAS
3. D.R.H.C.T. = DEED RECORDS OF HARRIS COUNTY, TEXAS
4. O.P.R.R.P.H.C.T. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS
5. THIS TRACT OF LAND IS LOCATED WITHIN THE CITY OF TOMBALL AND IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS AND STIPULATIONS OF CITY OF TOMBALL CODE OF ORDINANCES.
6. BEARINGS ARE BASED FROM THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 CORS ADJUSTMENT, BASED FROM BOUNDARY SITE OBSERVATIONS. COORDINATES AND DISTANCES HEREON ARE SURFACE DATUM. TO CONVERT TO GRID MULTIPLY BY A COMBINED PROJECT ADJUSTMENT FACTOR OF 0.99994806753.
7. A PORTION OF THIS TRACT OF LAND LIES WITHIN UNSHADED ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, A PORTION OF THIS TRACT LIES WITH SHADED ZONE X, AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP No. 48201C0225L DATED JUNE 18, 2007.
8. PUBLIC EASEMENTS DEDICTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWING OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. WITHIN THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
9. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
10. ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
11. NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 25 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
12. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REVOKE ANY VALID COVENANTS OR RESTRICTIONS.
13. THE AREA OF THIS TRACT OF LAND, EXPRESSED IN HUNDREDTHS OF A SQUARE FOOT IS DONE SO STRICTLY FOR REQUIREMENTS IN THE CITY OF TOMBALL CODE OF ORDINANCES AND IS BASED SOLELY ON AN AREA CALCULATION. THE AREA EXPRESSED IN HUNDREDTHS OF A SQUARE FOOT DOES NOT REPRESENT THE PRECISION OF THIS SURVEY.
14. SURVEYED IN THE GROUND IN JANUARY THROUGH APRIL, 2017.
15. THIS TRACT OF LAND IS SUBJECT TO AN UNLOCATED (BLANKET) HUMBLE OIL & REFINING COMPANY EASEMENT RECORDED IN VOL. 942, PG. 518, D.R.H.C.T. SAID EASEMENT WAS PARTIALLY ASSIGNED TO TEXAS SOUTHEASTERN GAS COMPANY IN DOCUMENT RECORDED IN H.C.C.F. NO. W516892, O.P.R.R.P.H.C.T.
16. THIS TRACT OF LAND IS SUBJECT TO AN UNLOCATED (BLANKET) STANOLIND PIPELINE COMPANY PIPELINE EASEMENT RECORDED IN VOL. 947, PG. 197, D.R.H.C.T. AND LATER ASSIGNED TO HUMBLE PIPE LINE COMPANY IN DOCUMENT RECORDED IN VOL. 1932, PG. 497 D.R.H.C.T.

BROWN - HUFSMITH CHURCH SUBDIVISION

BEING A SUBDIVISION OF 5.0474 ACRES OF LAND SITUATED IN THE JOSEPH HOUSE SURVEY, ABSTRACT No. 24, IN THE CITY OF TOMBALL, HARRIS COUNTY , TEXAS; BEING A REPLAT OF A PORTION OF UNRESTRICTED RESERVE "A" OF LESLIE'S PARK, A SUBDIVISION RECORDED IN HARRIS COUNTY FILM CODE No. 400005, MAP RECORDS OF HARRIS COUNTY, TEXAS

CONTAINING: 1 BLOCK 2 RESERVES

STATE OF TEXAS
COUNTY OF HARRIS

I, STEVEN E. WILLIAMS, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINT OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTERS OF AN INCH (3/4") AND A LENGTH OF NOT LESS THAN THREE FEET (3').

05.01.2017

STEVEN E. WILLIAMS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4919

STATE OF TEXAS
REGISTERED
STEVEN E. WILLIAMS
4919
PROFESSIONAL
LAND SURVEYOR

LAND SURVEYOR

BASELINE
BASELINE CORPORATION
Professional Surveyors
9100 SOUTHWEST FREEWAY, SUITE 150
HOUSTON, TEXAS 77074
PH: 713.953.5100 FAX: 713.953.5141
TBPLS FIRM No. 10055700

OWNER

TEJANA BROWN ROAD LLC
23703 SUNDANCE SPRINGS LN
SPRING, TEXAS 77373
713-744-7431

MAY 1, 2017

UNOFFICIAL COPY

TAX CERTIFICATE

ANN HARRIS BENNETT
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
1001 PRESTON, SUITE 100
HOUSTON, TEXAS 77002

Issued To:
TEJUMA BROWN ROAD LLC
20703 SUNDANCE SPRINGS LN
SPRING , TX 77379-8224

Legal Description
RES H BLK 1
LESLIES PARK

Parcel Address: 0 BROWN RD
Legal Acres: 15.2700

<--- ---->

Account Number: 119-522-001-0008
Certificate No: 12085586
Certificate Fee: $10.00

Print Date: 05/04/2017
Paid Date:
Issue Date: 05/04/2017
Operator ID: DPURSLEY

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2016. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:
TEJUMA BROWN ROAD LLC
20703 SUNDANCE SPRINGS LN
SPRING , TX 77379-8224

2016 Value:	1,230,548
2016 Levy:	$14,519.30
2016 Levy Balance:	$0.00
Prior Year Levy Balance:	$0.00
Total Levy Due:	$0.00
P&I + Attorney Fee:	$0.00
Total Amount Due:	$0.00

Certified Tax Unit(s):
40 Harris County
41 Harris County Flood Control Dist
42 Port of Houston Authority
43 Harris County Hospital District
44 Harris County Dept. of Education
45 Lone Star College System
83 City of Tomball
679 Emergency Service Dist #8 (E.M.S.)

OFFICE OF
STAN STANART
COUNTY CLERK, HARRIS COUNTY, TEXAS

MAP RECORDS OF COUNTY CLERK

FILM CODE 681556

BROWN-HUFSMITH CHURCH
SUBDIVISION

THIS IS PAGE 2 OF 2 PAGES

SCANNER Context IQ4400

Reference (GF) No. (if any):
Issued By:
ANN HARRIS BENNETT
HARRIS COUNTY TAX ASSESSOR-COLLECTOR

53.1.80

TAX CERTIFICATE FOR ACCOUNT : 1195220010008
AD NUMBER: 1195220010008
GF NUMBER:
CERTIFICATE NO : 2182721

PAGE 1 OF 1

DATE : 5/5/2017
FEE : $10.00

COLLECTING AGENCY
Brian Ludwig
PO Box 276
Tomball TX 77377-0276

PROPERTY DESCRIPTION
RES H BLK 1LESLIES PARK

0000000 BROWN RD
15.27 ACRES

REQUESTED BY
MARCO LOPEZ

TX

PROPERTY OWNER
TEJUMA BROWN ROAD LLC

20703 SUNDANCE SPRINGS LN
SPRING TX 773798224

THIS IS TO CERTIFY THAT THE AD VALOREM RECORDS OF THE TOMBALL ISD TAX ASSESSOR-COLLECTOR REFLECT THE TAX, INTEREST, AND OTHER STATUTORY FEES THAT HAVE BEEN ASSESSED AND ARE NOW DUE TO THE TAXING ENTITIES AND FOR THE YEARS SET OUT BELOW FOR THE DESCRIBED PROPERTY HEREIN. THE TAX ASSESSOR-COLLECTOR MAKES NO CERTIFICATION AS TO THE AMOUNT OF TAX, PENALTY, INTEREST, OR OTHER FEES ASSESSED BY OR DUE ANY TAXING ENTITY FOR THE YEAR OR YEARS FOR WHICH THE TAX ASSESSOR-COLLECTOR DID NOT HAVE THE STATUTORY DUTY TO COLLECT OR KEEP RECORDS OF SUCH COLLECTION. ADDITIONAL TAXES MAY BECOME DUE ON THE DESCRIBED PROPERTY, WHICH ARE NOT REFLECTED HEREIN, IF THE SAID DESCRIBED PROPERTY HAS OR IS RECEIVING ANY SPECIAL STATUTORY VALUATIONS THAT MAY TRIGGER TAX ROLLBACK PROVISIONS. THIS CERTIFICATE APPLIES TO ADVALOREM TAXES ONLY AND DOES NOT APPLY TO ANY SPECIAL ASSESSMENT LEVIES.

CURRENT VALUES

LAND MKT VALUE:	1,230,548	IMPROVEMENT :	0
AG LAND VALUE:	0	DEF HOMESTEAD:	0
APPRAISED VALUE:	1,230,548	LIMITED VALUE:	0
EXEMPTIONS:			
LAWSUITS:			

YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2016	TOMBALL I.S.D.	0.00	0.00	0.00	0.00	0.00	0.00
						2016 SUB TOTAL	$0.00

TOTAL CERTIFIED TAX DUE 5/2017 : **$ 0.00**

ISSUED TO : MARCO LOPEZ
ACCOUNT NUMBER: 1195220010008

CERTIFIED BY : TOMBALL I.S.D.

This is a statement from the Tax Collector of Tomball I.S.D., indicating that the taxes to be imposed by Tomball Independent School District for the 2017 tax year have not been calculated as of the above date.

UNOFFICIAL COPY

Amelia Lindley

From: Gloria Ruppel <gloriaruppel@icloud.com>
Sent: Friday, July 10, 2020 11:41 AM
To: Amelia Lindley
Subject: Fwd: My letter to council

To whom it may concern:

This is my second request regarding the change of zoning request for the property at Baker and Brown.

>>> My husband and I moved to Tomball in 2014 and built a home at 840 Baker Drive. The area is zoned single-family residential and we were drawn to the community of homes and families. We have worked hard to keep the value of the neighborhood up by our home and yard.
>>>
>>> Please do not change the zoning to allow for mixed use development. I believe that our community would be significantly downgraded and the value of our properties decreased by allowing an office building at Baker Drive and Brown Road in an area that is filled with homes.
>>>
In addition to this reason, one only has to look in our immediate vicinity to find empty office spaces still advertising space to lease, such as on Village Square across from the post office. Two new buildings have just been completed, and Rosewood Square also has spaces available.

Since the land owner's property is zoned residential, could he not build homes there, as has been done on Baker at Hicks and on Quinn across from Tomball Elementary? Keep the purpose and integrity of our neighborhood on single family homes instead of downgrading it with an unneeded office building.

>>> Thank you,
>>> Gloria Ruppel
>>>
>>> Sent from my iPad

Amelia Lindley

From: Harry Byrd <hbyrd3105@att.net>
Sent: Saturday, July 11, 2020 11:30 AM
To: Amelia Lindley; Barbara Tague; Barbara Tague
Subject: Subject: Comment on Request for Zoning Change for Property at the South East Corner of Baker Dr and Brown Road

Amelia and Barbara

It is my understanding that the subject property is on the agenda again for Mondays Planning and Zoning commission meeting to rezone the property for the construction of an office building.

Once again, Tommie and I would like to strenuously object to this second attempt . Since the last request , a new residential subdivision is well under construction next to the elementary school and the Church of Jesus Christ of Latter-day Saints, on the south side of Brown road. There is also a residential subdivision on the North Side of Brown and a new Church being built on the Northeast corner of Baker and Brown. Clearly this area is family oriented residential area. An office building would be a huge negative to the neighborhood.

There also seems to be a significant amount of Office Space already available in Tomball, including new construction across from the Tomball Post office.

I would urge the Commission to disapprove this second and hopefully final request, for reasons stated herein.

Thank you for your consideration.

Harry and Tommie Byrd

Amelia Lindley

From: Charlie Middlebrook <charmoll@swbell.net>
Sent: Sunday, July 12, 2020 9:57 PM
To: Amelia Lindley
Subject: Rezoning of Corner of Baker Dr and Hufsmith-Brown

Please add Buck and Beth Holden 507 S Pecan opposed to proposed rezoning.

Thank you, Mollie Middlebrook

Amelia Lindley

From: Pamela Kaiser <pkaiser54@yahoo.com>
Sent: Friday, June 12, 2020 4:38 PM
To: Amelia Lindley
Cc: Mark Stoll
Subject: Change of zoning request

Dear Ms. Lindsey,

Please share this letter with the City Council and the Planning and Zoning Commission before July 13.

My husband and I lived in Tomball off and on since 1972 and are well aware of the benefits Tomball has to offer its citizens. Two years ago we bought our home at 815 Baker Drive. This area is zoned single-family residential use. We take pride in living among other single family residences as we all work hard to keep our home values high.

We are concerned about the possibility of changing the Baker Drive/Brown Road from single family residential to mixed use development. We believe that our community would be significantly downgraded and the value of our homes decreased by allowing an office building to be built in this area.

Please vote to keep Baker Drive/Brown Road single-family residential use as it should be.

Respectfully,

Tommy & Pamela Kaiser

Public Comment Form

(Please type or use black ink)

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

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

Name: LARRY W. TIEDT
(please print)
Address: 534 W. HUFSMITH RD.
TOMBALL, TX. 77375
Signature: Larry W. Tiedt
Date: 4-6-2020

____ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-069. (Please state reasons below)**

✓ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-069. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:
Monday, July 13, 2020 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:
Monday, July 20, 2020, 6:00 PM
City Council Chambers of the City of Tomball, City Hall

COMMENTS:

AT THE TIME ZONING WAS APPROVED THE CITY ADMINISTRATIONS STORY WAS THAT ZONING WAS NEEDED TO PREVENT COMMERCIAL INTERESTS FROM INVADING RESIDENTIAL AREAS.

I FEEL THIS PLANNING AND ZONING CATERS ONLY TO COMMERCIAL INTERESTS.

FI THIS PROPERTY SHOULD REMAIN ZONED AS IS.

Amelia Lindley

From: Nancy Heuring <heurinns@gmail.com>
Sent: Wednesday, July 8, 2020 10:20 AM
To: Amelia Lindley
Subject: Rezoning of Property - Brown Road & Baker Drive

Ms. Lindley -

I am emailing you regarding the ***rezoning of the property located at Baker Drive & Brown Road***.

Our family moved to Tomball in 2018 and currently live in the Yaupon Trails Subdivision. We decided on this location because of the small town environment and close knit community. However, we are very concerned about the possible rezoning of the property mentioned above and would like to convey our disapproval of this measure.

Not only will this decrease our home value by building an office space at this location, it will introduce a mixed use development (commercial and residential). There are currently other commercial office spaces advertising vacancies that could be considered. (i.e. Rosewood Professional Bldg @ 990 Village Square)

Please do not change the zoning to allow for commercial office space amongst so many well developed family neighborhoods.

Respectfully,

Nancy Heuring
29903 Anna Trails
Tomball, Tx 77375

Amelia Lindley

From: Charlie Middlebrook <charmoll@swbell.net>
Sent: Sunday, July 12, 2020 4:40 PM
To: Amelia Lindley
Subject: Rezoning of Lot on corner of Baker and Hufsmith-Brown

Effective July 11, 2020 please see the following list of Tomball residents/home owners in and near the Tomball Terrace Subdivision who are AGAINST any rezoning request to change the use of property at corner of Baker Dr and Hufsmith-Brown from single family/residential to commercial/office bldg (any size):

Earle and Bobbie Oldham	610 Inwood
Steve Inzana (Melissa Stokes)	603 Inwood
Geneva Adkisson	500 Inwood
Lucy Harvell	1011 Inwood
Shirley Hrogar	519 Inwood
Charles Haygood	612 N Magnolia
Arzuna and Tobey Polanco	619 N Magnolia
Ross and Fran Moriaty	606 N Magnolia
Tom and Stephanie Smith	602 N Magnolia
Emily Jones	618 N Magnolia
Rick and Melanie Noak	516 S Pecan
Dean and Bedine Robison	515 S Pecan
Luke and Lindsey Schnell	419 S Pecan
Kyle and Kristin Shaffer	407 N Pecan
Dave and Brittany Tegtmeier	614 E Pecan
Allie Fuerst	610 E Pecan
Mike and Allison Jamison	607 E Pecan
Audrey Peschong	418 N Pecan
Karen Martin	519 S Pecan
Pat Visser	506 N Pecan
James and Jean Alexander	602 E Pecan
Sadie Virginia Scott	414 N Pecan
Gayle Odom	514 N Pecan
Mary Coats	422 N Pecan
Teri Dorsey	519 N Pecan
Herb and Paula Bruner	410 N Pecan
Herman and Emily McClinton	407 S Pecan
Troy and Laura Hanks	502 N Pecan
Isaac Sanchez	510 N Pecan
Charlie and Mollie Middlebrook	619 N Hickory
Ivis Schemming	603 N Hickory
George and Sandy Chastain	615 N Hickory
Jack and Carolyn Brewer	611 N Hickory
Jonathan and Darlene Zybala	607 N Hickory
Anthony and Kristi Goodman	618 N Hickory
Jean Soloman	607 Hicks

Our concerns remain the same. We feel any change to business use or multi family residential would negatively affect residential property values and street safety.

Thank you, Mollie Middlebrook

Public Comment Form

(Please type or use black ink)

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

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

Name: Cindy Lanham
(please print)
Address: 635 Baker Dr
Tomball, Tx
Signature: Cindy Lanham
Date: 7/22/20 * Note that due to COVID quarantine, I received this letter 7/21/20.

___ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-069. (Please state reasons below)** while in quarantine in

X I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-069. (Please state reasons below)** Taylor, Tx.

Date, Location & Time of **Planning & Zoning Commission** meeting:
Monday, July 13, 2020 6:00 PM Left a message for
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas Amelia Lindley on 7/22/20.

Date, Location & Time of **City Council** meeting:
Monday, July 20, 2020, 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

The block this property is located contains a Elementary school, a church, a Assisted Living. I do not I live with my family across the street, along with my neighbors. There are many bicyclists, walkers due to the sidewalks & nearby schools. I have a ranch home with windows across the front, so lighting could be disruptive to my family. I do not believe that moving from a single family zoning to general Commercial would be suitable for that property.

You may also comment via email to ALindley@tomballtx.gov.
Please reference the case number in the subject line.
For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Notice of Public Hearing

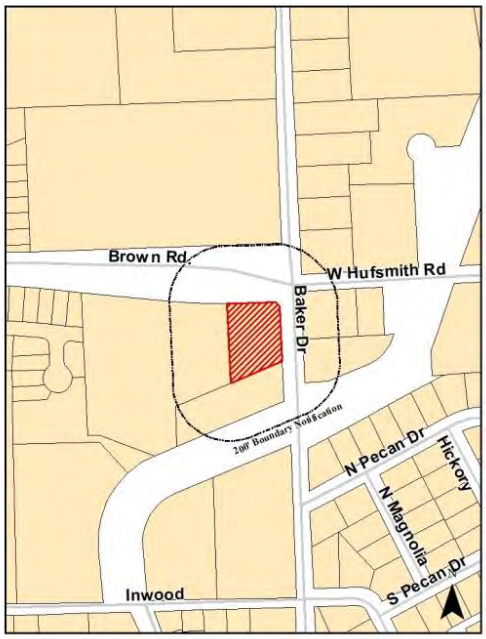
YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-069

APPLICANT/OWNER: Richard C. James

LOCATION: Generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1 Acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District.



CONTACT: Amelia Lindley, City Planner
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, July 13, 2020 6:00 PM

City Council Public Hearing:
***Monday, July 20, 2020 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.

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020

Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.,** and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial 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 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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley
Amelia Lindley
City Planner

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

Adopt, on Second Reading, Ordinance No. 2020-18, 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 6 acres of land, legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, within the City of Tomball, Harris County, Texas, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District; said property being generally located on the south side of FM 2920 at South Live Oak Street; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed $2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters

Background:

On Monday July 13, 2020, after conducting a public hearing, the Planning & Zoning Commission recommended approval of the rezoning request with a 5-0 vote.

Origination:

Jackie Rye

Recommendation:

Adopt Ordinance No. 2020-18 on Second Reading

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2020-18
Staff Report
Public Comment Forms
Property Owner Notification
Notice of Public Hearing

ORDINANCE NO. 2020-18

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 6 ACRES OF LAND, LEGALLY DESCRIBED AS RESERVE A-1 BLOCK 1, AMERICAN SUPERIOR FEED REPLAT, LOTS 3, 4, 5 & 6 BLOCK 71, LOTS 3, 13, 14, 15, 16, 19 & 20 BLOCK 67 TOMBALL, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE OLD TOWN & MIXED USE AND LIGHT INDUSTRIAL DISTRICTS TO THE PLANNED DEVELOPMENT (PD-15) DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTH SIDE OF FM 2920 AT SOUTH LIVE OAK STREET; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * * * * * * *

Whereas, Jackie Rye has requested that approximately 6 acres of land, legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, generally located on the south side of FM 2920 at South Live Oak Street, in the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

Whereas, the applicant has presented an application to the City for a Planned Development District to allow for the construction of a mixed-use development; and

Whereas, the Planned Development application consists of an application for Planned Development District (Exhibit "A"); Planned Development Regulations (Exhibit "B"); and concept plan (Exhibit "C") attached to and made part of this ordinance; and

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

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

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve the requested rezoning of Planned Development (PD-15) District; and

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

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

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

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

Section 2. The zoning classification of the Property is hereby changed from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) 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 Planned Development (PD-15) 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 Planned Development (PD-15) District as described above.

Section 5. The Planned Development (PD-15) shall be subject to the following limitations, restrictions and covenants:

A. Compliance with the Application, Regulations and Concept Plan. The granting of the Planned Development (PD-15) District shall be conditioned upon the proposed improvements and lands uses being located, constructed and conducted upon the Property in substantial compliance with the application for the Planned Development District (Exhibit "A"), Planned Development Regulations (Exhibit "B") and concept plan (Exhibit "C") made a part hereof for all purposes.

Section 6. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed $2,000. Each day of violation shall constitute a separate offense.

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 20TH DAY OF JULY 2020.

COUNCILMAN FORD	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN KLEIN QUINN	NAY

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF AUGUST 2020.

COUNCILMAN FORD	
COUNCILMAN STOLL	
COUNCILMAN DEGGES	
COUNCILMAN TOWNSEND	
COUNCILMAN KLEIN QUINN	

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

Exhibit "A"
Application for Planned Development

METHOD architecture

WDC PLANNED DEVELOPMENT
REQUEST LETTER
06/03/2020

City of Tomball Planning and Zoning
501 James St.
Tomball, TX 77357

Re: Planned Development Application
Whitmeyers Distilling Co. District
Tomball, Texas

Dear Mr. Meyers and Team,

Method Architecture, PLLC., as applicant, requests the acceptance of the proposed Planned Development application and supporting documentation for the group of properties delineated in the attached. Per the City of Tomball Zoning Map, the subject properties are zoned to OT&MU and LI. The application proposes the current zoning designation be revised to a Planned Development District, consisting of a combination of OT&MU and LI with exceptions to allow certain land uses without the need of conditional use permits. Primarily we are seeking to allow the unconditional use of land for distillation of liquor and associated gathering spaces, as well as manufacturing and distribution of hand sanitizer products. We believe that acceptance of such a development will have a positive impact on the City of Tomball by providing a community gathering space for locals and visitors alike and will encourage growth in the surrounding area. We appreciate your time and thank you for the opportunity.

Respectfully,

Jackie Rye, AIA
Associate Principal
METHODarchitecture, PLLC

2118 Lamar St. • Suite 200 • Houston, TX 77003 • (713) 842-7500 • methodarchitecture.com

RECEIVED (KC)
06/04/2020 1:26:25 PM

Revised 5/19/15

P&Z #20-104
$1,000.00

APPLICATION FOR PLANNED DEVELOPMENT

Community Development Department
Planning Division

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

No planned development shall be established and no building permit shall be issued for any use designated as a Planned Development within any zoning district until a Planned Development is approved and issued in accordance with the provisions of the Zoning Ordinance and Concept Plan.

The minimum acreage for a planned development request shall be four (4) acres.

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: Jackie Rye Title: Associate Principal
Mailing Address: 2118 Lamar Street City: Houston State: Tx
Zip: 77003
Phone: (713) 842 7500 Fax: ( ) Email: jrye@methodarchitecture.com

Owner
Name: Travis Whitmeyer Title: President
Mailing Address: 20110 Rosegold Way City: Spring State: Tx
Zip: 77379
Phone: (832) 922 3736 Fax: ( ) Email: travis@whitmeyers.com

Engineer/Surveyor (if applicable)
Name: EIC Surveying Company Title:
Mailing Address: 12345 Jones Street Suite 270 City: Houston State: Tx
Zip: 77070
Phone: (281) 955 2772 Fax: ( ) Email:

Description of Proposed Project: Whitmeyer's Distilling Co.

Physical Location of Property: 204 South Live Oak Street - 6 acre tract description provided below:
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: Lots 13,14,15, 16, 19, 20 Block 67, Tomball, Harris County, Texas
Lot 3, Block 67, Tomball, Harris County, Texas
Lots 3, 4, 5, 6 Block 71, Tomball, Harris County, Texas
Reserve A-1, Block 1, American Superior Feed R/P, Harris County, Texas

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

HCAD Identification Number: Re: B-4 Acreage: Re: B-4

Current Use of Property: LI & Vacant lots

Proposed Use of Property: See attached summary

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 _____ 06/04/2020

Signature of Applicant **Date**

X Kelly Violette Digitally signed by Kelly Violette Date: 2020.06.17 17:10:11 -05'00' 6/17/2020

Signature of Owner **Date**

SURVEYING COMPANY
12345 JONES ROAD
HOUSTON, TX 77070
(281) 955-2772
FIRM NO. 10033340
LEGEND
ABBREVIATION
SUBJECT TO :
TRACT 1
TRACT 2
TRACT 3
TRACT 4
TRACT 5
FM 2920
(AKA EASTMAN STREET)
(60.00' R.O.W.)
PEACH STREET (60.00' R.O.W.)
LIVE OAK STREET (60.00' R.O.W.)
GREEN STREET (60.00' R.O.W.)
MECHANIC STREET (60.00' R.O.W.)
SYCAMORE STREET (60.00' R.O.W.)
REVISED MAP OF TOMBALL VOLUME 4 PAGE 25 H.C.M.R.
MCBRYDE BUSINESS PARK VOLUME 30, PAGE 1004 H.C.D.R.
TOMBALL WAREHOUSE AS RECORDED IN F.C.# 690153 H.C.M.R.
UNRESTRICTED RESERVE "A-2" 6.6980 AC. TRACT (Non Exclusive Access Easement) (C.F.No.020101805)
UNRESTRICTED RESERVE "A-1" CALL 4.6984 ACRE TRACT OUT OF UNRESTRICTED RESERVE "A-1" AS DESCRIBED UNDER C.F.No.2009043132
UNRESTRICTED RESERVE " A " BLOCK 1 MARTIN MARIETTA SUBDIVISION AS RECORDED IN F.C.# 597006
0.6880 AC TRACT DEDICATED TO THE CITY OF TOMBALL C.F.No. P-908566 & P-908567
CALL 5.547 AC TRACT AS DESCRIBED UNDER C.F.No. U107638
CALL 0.3134 AC TRACT/DEDICATED TO CITY OF TOMBALL (C.F.No. P-908567 & P-908567 & F.C# 307101 H.C.M.R.)
TWO STORY Concrete Building
ONE STORY Concrete Building
TWO STORY Concrete Building
15' ALLEY
20' ALLEY
BLOCK 58
BLOCK 67
BLOCK 71
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 11
LOT 12
LOT 13
LOT 14
LOT 15
LOT 16
LOT 17
LOT 18
LOT 19
LOT 20
LOT 21
LOT 22
LOT 23
LOT 24
LOT 25
LOT 26
LOT 27
TRACT 20
TRACT 21
23,103.99 SQ.FT.
AS DESCRIBED UNDER C.F.No. 2009046252
Surveyor: SOUTHLOOP ASSOCIATES, LP
Client: TOMBALL TOWNE CENTER, LTD.
Survey: SOUTHLOOP ASSOCIATES, LP
Subdivision: BLOCK 1 OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 & TRACTS 1, 2, 3, 4, 5, 20 & 21
Abstract No. 1
Survey Date: 11-11-2020
Date: 11-11-2020
Drawn By: JAL
Checked By: JAL
Job No. 20201102
Scale: 1" = 40'
Sheet No. 1 of 1
Remarks:
I, Craig A. Latino, a Registered Professional Land Surveyor, do hereby certify to: TEXAS TITLE COMPANY
GF No. 20201102
Effective Date: 11-11-2020
Date Issued: 11-11-2020
Purchaser: SOUTHLOOP ASSOCIATES, LP
Seller: TOMBALL TOWNE CENTER, LTD.
Survey: SOUTHLOOP ASSOCIATES, LP
Subdivision: BLOCK 1 OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 & TRACTS 1, 2, 3, 4, 5, 20 & 21
Survey: Abstract No. 1
Volume: Page: County, Texas Map Records,
FARMS:
Per
A Division of Everything in Their Services, Inc.

Exhibit "B"
Planned Development Regulations

A. Contents

- General Provisions
- Land Uses
- Development Regulations
- Landscape & Screening Regulations

B. General Provisions

1. The Planned Development, PD, approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City of Tomball. If any provisions or regulations of any City of Tomball ordinance applicable in an OT &MU, and LI is not contained in this ordinance, all the regulations contained in the Codified Zoning Ordinance applicable to the listed zones in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City of Tomball regulation of provisions conflicts with a provision of this ordinance.

2. except as otherwise provided herein, the words used in this Planned Development have the meaning established by the Codified Zoning Ordinance.

3. The PD shall be developed in accordance with the following exhibits that are attached to and made part of this Final Development Plan unless officially amended at a later date.

Exhibit A – "SLO Survey"

Exhibit B – "Concept Masterplan"

Exhibit C – "Setback Diagrams"

Exhibit D – "Request Letter"

4. As shown on Exhibit A, the PD encompasses the following legally described properties:

South Live Oak Tomball, Texas 77375

Lots 13,14,15, 16, 19, 20 Block 67, Tomball, Harris County, Texas

Lot 3, Block 67, Tomball, Harris County, Texas

Lots 3, 4, 5, 6 Block 71, Tomball, Harris County, Texas

Reserve A-1, Block 1, American Superior Feed R/P, Harris County, Texas

Legal Description: *RES A-1 BLK 1, AMERICAN SUPERIOR FEED R/P*

Property Address: *204 S LIVE OAK ST, TOMBALL TX 77375*

HCAD Acct: *1184140010001*

Legal Description:	*LT 3 BLK 67, TOMBALL*
Property Address:	*0 PEACH ST, TOMBALL TX 77375*
HCAD Acct:	*0352720670003*

Legal Description:	*LTS 19 & 20 BLK 67, TOMBALL*
Property Address:	*0 PEACH ST, TOMBALL TX 77375*
HCAD Acct:	*0352720670019*

Legal Description:	*LTS 13 14 15 & 16 BLK 67, TOMBALL*
Property Address:	*110 S LIVE OAK ST, TOMBALL TX 77375*
HCAD Acct:	*0352720670013*

Legal Description:	*LTS 3 4 5 & 6 BLK 71, TOMBALL*
Property Address:	*0 E MAIN ST, TOMBALL TX 77375*
HCAD Acct:	*0352730710012*

C. Land Uses

1. No defined Land Use will be assigned to any specific lot, tract, or otherwise indicated boundary contained within the PD

2. Defined Land Uses shall include any uses permitted by right in the OT&MU, and LI zoning districts as defined by City of Tomball Land Use Matrix currently in effect on the effective date of this ordinance. The following uses shall be permitted and not require a CUP:

- *Distillation of liquors, spirits, etc. (brewery)*
- *Motel*
- *Hotel*
- *Mobile Food Court*
- *Soap, detergents, cleaning preparations manufacture (hand sanitizer)*

D. Development Regulations

1. Area regulations for nonresidential uses.

a. Size of lot.

1. Minimum lot area: 5,000 square feet.

2. Minimum lot width: 25 feet given minimum lot area can be met

3. Minimum lot depth: 25 feet given minimum lot area can be met

2. Size of yards.

a. Commercial properties may have a zero front building line with the exception of properties which front "East Main Street; 2920"

c. Minimum side and rear yard is 5 feet when adjacent to a nonresidential zoning district or use. If adjacent to a SingleFamily, Duplex (Two-Family), Patio Home or Single-Family Attached District or use, then side and/or rear setback shall be a minimum of 20 feet. Corner lots shall maintain a 20 foot side yard setback.

d. Interior side yards: when commercial uses are platted adjacent to other commercial uses and integrated into an overall "strip" site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the city's building code.

3. Height regulations.

a. The maximum height in the PD shall be 70ft

b. Additional height may be approved by CUP.

4. Parking Regulations.

a. General parking and loading requirements

1. "Production" Areas (eg. distillery, brewery, manufacturing, bottling, food production, kitchens, etc): 1 per 1,500 gross sqft

2. Office: 1 per 300 gross sqft

3. Food and Beverage Consumption (tables and chairs): 1 per 150 net sqft

4. Assembly Spaces: 1 per 150 net sqft

5. Designated Outdoor Assembly (beer gardens, programmed green spaces, playground): 1 per 500 gross sqft

6. Overnight Accommodations (hotel/motel/bed & breakfast): 1 space per Guest Room

7. Storage (warehouse): 1 per 5,000 gross sqft

c. Up to 10% of the total parking required may be reduced if the following condition(s) are provided:

1. Designated Ride Share – Pick-up / Drop-off Zones

d. Condensed/Stacked "Valet Only" spots are allowed to count towards the total number of required spots given the total combined number of valet spots does not exceed 25%

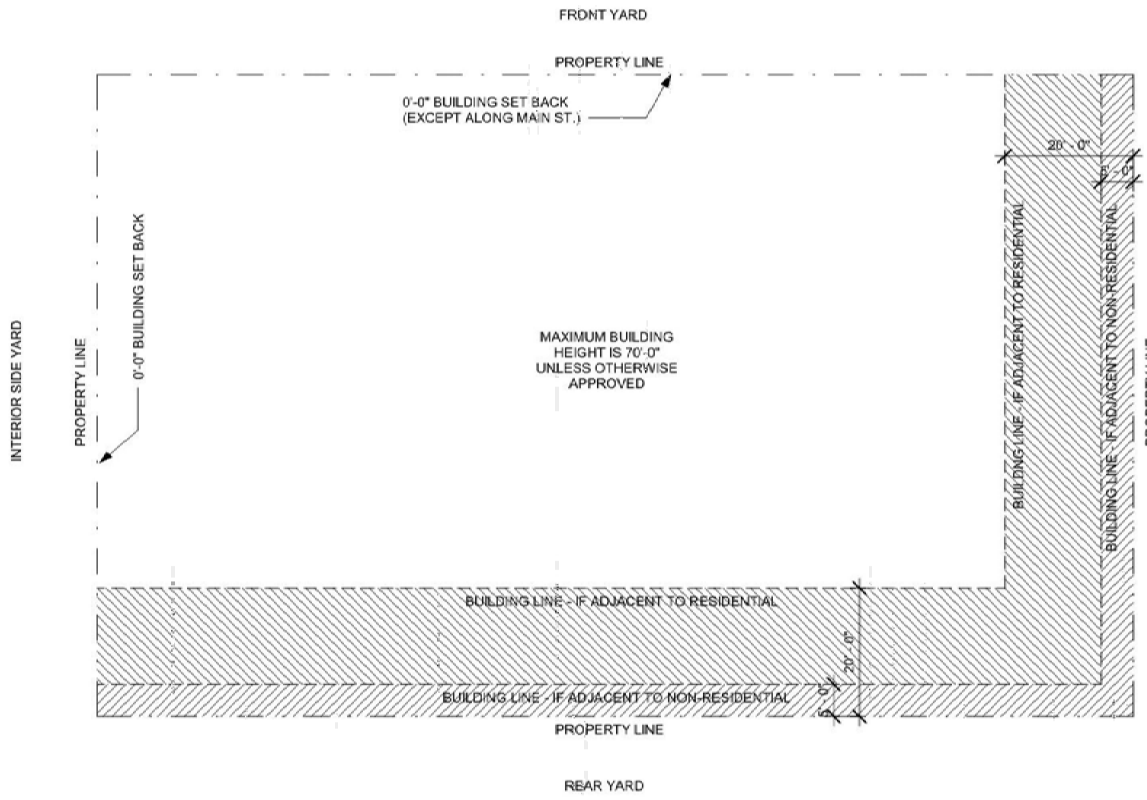
e. Shared parking agreements based on business hours of operation are allowed in order to meet the minimum requirements listed above.

E. Landscape & Screening Regulations

1. Refer to Sec 50-113 Landscape Requirements of the City of Tomball Code of Ordinances
2. Refer to Sec 50-115 Screening Requirements of the City of Tomball Code of Ordinances

Exhibit "C"
Concept Plan





METHOD architecture
methodarchitecture.com

BUILDING REGULATIONS DIAGRAM

WHITMEYERS DISTILLING CO
DISTRICT

TYPICAL
06/01/20

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case:	P20-104
Property Owner(s):	Tomball Economic Development Corporation
Applicant(s):	Jackie Rye
Legal Description:	Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball
Location:	South side of FM 2920 at South Live Oak Street (Exhibit "A")
Area:	6 acres
Comp Plan Designation:	Old Town (Exhibit "B")
Present Zoning and Use:	Old Town & Mixed Use and Light Industrial Districts / Existing buildings and partially undeveloped (Exhibit "D")
Request:	Rezone from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development District (PD-15)

Adjacent Zoning & Land Uses:

North: Old Town & Mixed Use District / Undeveloped, commercial businesses

South: Light Industrial District / Undeveloped, commercial business

West: Old Town & Mixed Use and Light Industrial Districts / Self-storage facility

East: Old Town & Mixed Use and Single-Family 6 Districts / Undeveloped, auto repair shops, single-family residence

BACKGROUND

City Staff first met with the applicant in early 2020 to discuss the development of the site.

ANALYSIS

The whole subject site is approximately 6 acres of land, encompassing multiple lots. According to the applicant, the proposed development will consist of "distillation of liquor and associated gathering spaces, as well as manufacturing and distribution of hand sanitizer products".

The property is currently zoned Old Town & Mixed Use and Light Industrial Districts. The surrounding properties are zoned Old Town & Mixed Use, Light Industrial and Single-Family 6 District. Existing land uses in the area include mostly non-residential businesses such as Tomball Self Storage and various auto repair shops. There are also undeveloped properties adjacent to the site as well as single-family residences on Mechanic Street.

The subject site is designated as Old Town by the City's Comprehensive Plan Future Land Use Map. According to Chapter 4 (Vision) of the Comprehensive Plan, the Old Town category is "intended to be highly walkable and promotes a distinct sense of place". Appropriate land uses include "a mix of residential, office, retail, entertainment, restaurants, and public facilities. Secondary uses include bed and breakfast lodging, live-work buildings, places of assembly or event venues". City staff believes the proposed Planned Development captures the intent and character of the Old Town category and will add to the revitalization of the east side of Main Street.

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.

The proposed Planned Development District, along with its concept plan and development standards, appears to be compatible with the surrounding area. According to the applicant, the proposed development will include production and tasting of liquors, offices, barrel storage, a biergarten, a venue and hand sanitizer production. Proposed secondary uses include a motel, hotel, and a mobile food court. According to the applicant, the development is intended to provide "a community gathering space for locals and visitors alike and will encourage growth in the surrounding 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 no proposed plans for similar developments in the City.

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 are no approved Planned Developments with similar proposed uses in the City.

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

City Staff does not anticipate any adverse impacts on other areas designated for similar development.

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

Generally, the proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare.

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

The request is consistent with the intent and character of the Old Town Future Land Use designation.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 25, 2020. The Notice of Public Hearing was published in the paper on July 1, 2020. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-104.

EXHIBITS

A. Aerial Photo
B. Comprehensive Plan
C. Zoning Map
D. Site Photo
E. Application, Development Regulations and Concept Plan

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

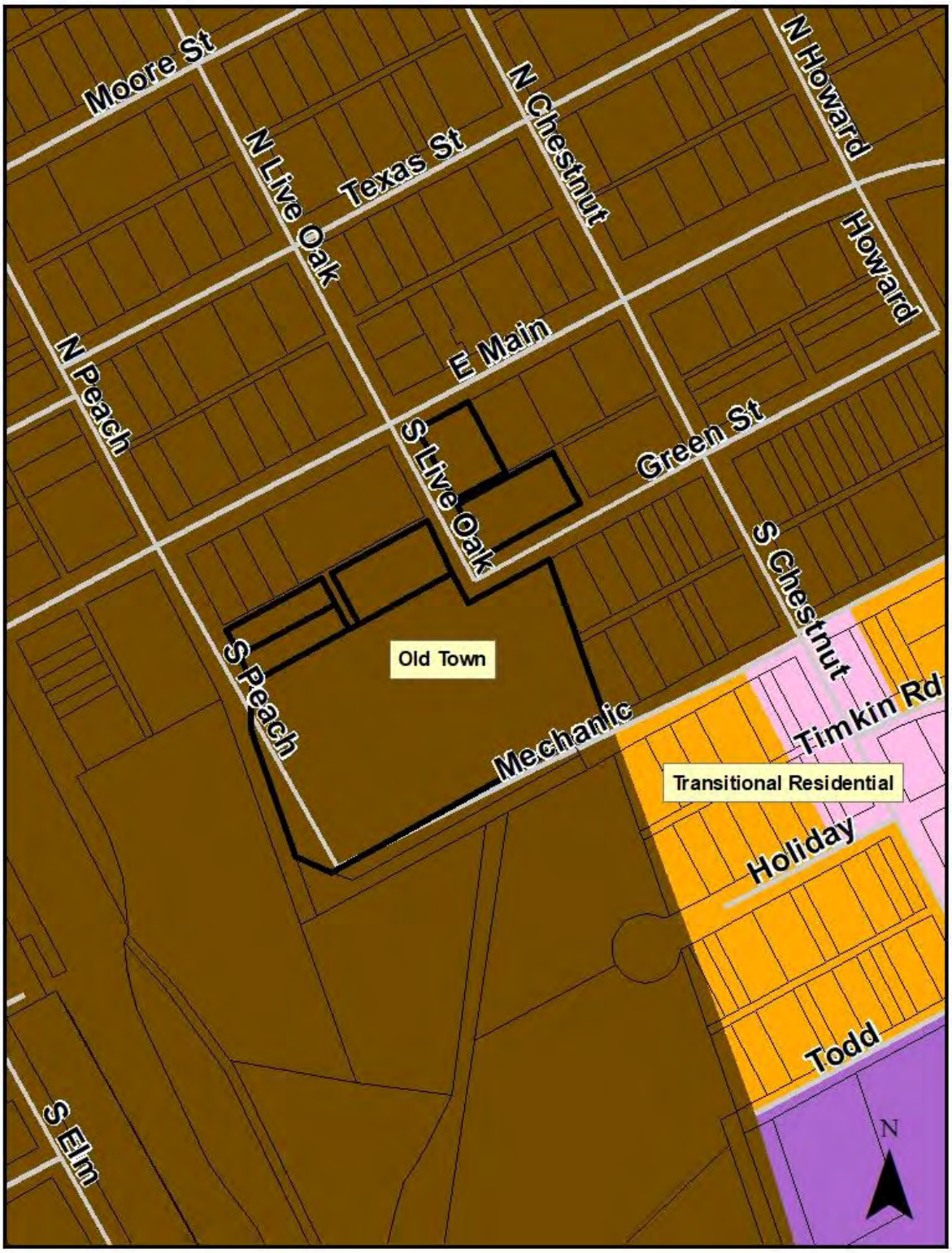


Exhibit "C"
Zoning Map

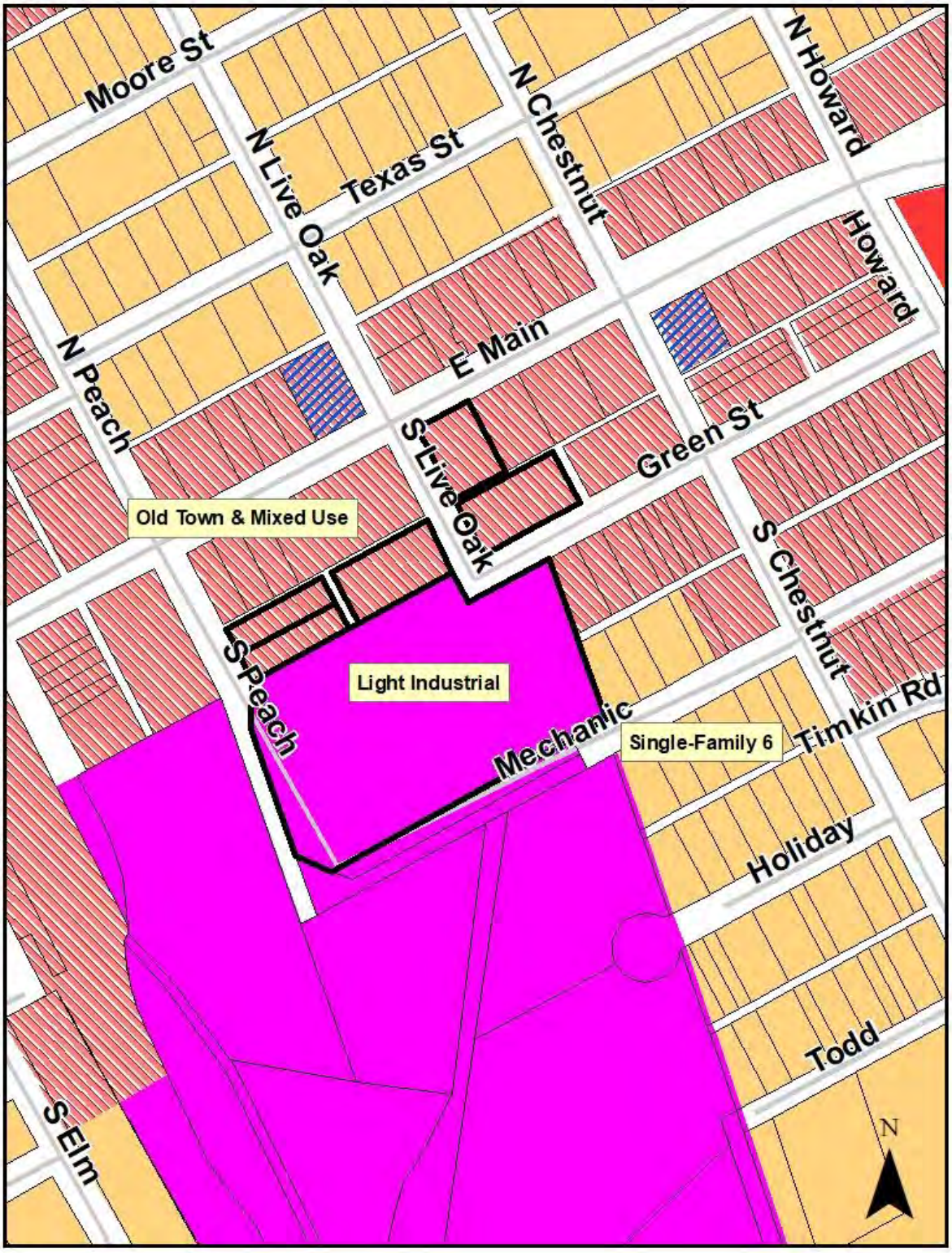


Exhibit "D"
Site Photos







RECEIVED (KC)
06/04/2020 1:26:25 PM

Revised 5/19/15

P&Z #20-104
$1,000.00

APPLICATION FOR PLANNED DEVELOPMENT

Community Development Department
Planning Division

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No planned development shall be established and no building permit shall be issued for any use designated as a Planned Development within any zoning district until a Planned Development is approved and issued in accordance with the provisions of the Zoning Ordinance and Concept Plan.

The minimum acreage for a planned development request shall be four (4) acres.

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: Jackie Rye Title: Associate Principal
Mailing Address: 2118 Lamar Street City: Houston State: Tx
Zip: 77003
Phone: (713) 842 7500 Fax: ( ) Email: jrye@methodarchitecture.com

Owner
Name: Travis Whitmeyer Title: President
Mailing Address: 20110 Rosegold Way City: Spring State: Tx
Zip: 77379
Phone: (832) 922 3736 Fax: ( ) Email: travis@whitmeyers.com

Engineer/Surveyor (if applicable)
Name: EIC Surveying Company Title:
Mailing Address: 12345 Jones Street Suite 270 City: Houston State: Tx
Zip: 77070
Phone: (281) 955 2772 Fax: ( ) Email:

Description of Proposed Project: Whitmeyer's Distilling Co.

Physical Location of Property: 204 South Live Oak Street - 6 acre tract description provided below:
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: Lots 13,14,15, 16, 19, 20 Block 67, Tomball, Harris County, Texas
Lot 3, Block 67, Tomball, Harris County, Texas
Lots 3, 4, 5, 6 Block 71, Tomball, Harris County, Texas
Reserve A-1, Block 1, American Superior Feed R/P, Harris County, Texas

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

HCAD Identification Number: Re: B-4 Acreage: Re: B-4

Current Use of Property: LI & Vacant lots

Proposed Use of Property: See attached summary

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 _____ 06/04/2020
Signature of Applicant **Date**

X Kelly Violette Digitally signed by Kelly Violette Date: 2020.06.17 17:10:11 -05'00' 6/17/2020
Signature of Owner **Date**

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

A. Contents

- General Provisions
- Land Uses
- Development Regulations
- Landscape & Screening Regulations

B. General Provisions

1. The Planned Development, PD, approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City of Tomball. If any provisions or regulations of any City of Tomball ordinance applicable in an OT &MU, and LI is not contained in this ordinance, all the regulations contained in the Codified Zoning Ordinance applicable to the listed zones in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City of Tomball regulation of provisions conflicts with a provision of this ordinance.

2. except as otherwise provided herein, the words used in this Planned Development have the meaning established by the Codified Zoning Ordinance.

3. The PD shall be developed in accordance with the following exhibits that are attached to and made part of this Final Development Plan unless officially amended at a later date.

Exhibit A – "SLO Survey"

Exhibit B – "Concept Masterplan"

Exhibit C – "Setback Diagrams"

Exhibit D – "Request Letter"

4. As shown on Exhibit A, the PD encompasses the following legally described properties:

South Live Oak Tomball, Texas 77375

Lots 13,14,15, 16, 19, 20 Block 67, Tomball, Harris County, Texas

Lot 3, Block 67, Tomball, Harris County, Texas

Lots 3, 4, 5, 6 Block 71, Tomball, Harris County, Texas

Reserve A-1, Block 1, American Superior Feed R/P, Harris County, Texas

Legal Description: *RES A-1 BLK 1, AMERICAN SUPERIOR FEED R/P*

Property Address: *204 S LIVE OAK ST, TOMBALL TX 77375*

HCAD Acct: *1184140010001*

Legal Description: *LT 3 BLK 67, TOMBALL*
Property Address: *0 PEACH ST, TOMBALL TX 77375*
HCAD Acct: *0352720670003*

Legal Description: *LTS 19 & 20 BLK 67, TOMBALL*
Property Address: *0 PEACH ST, TOMBALL TX 77375*
HCAD Acct: *0352720670019*

Legal Description: *LTS 13 14 15 & 16 BLK 67, TOMBALL*
Property Address: *110 S LIVE OAK ST, TOMBALL TX 77375*
HCAD Acct: *0352720670013*

Legal Description: *LTS 3 4 5 & 6 BLK 71, TOMBALL*
Property Address: *0 E MAIN ST, TOMBALL TX 77375*
HCAD Acct: *0352730710012*

C. Land Uses

1. No defined Land Use will be assigned to any specific lot, tract, or otherwise indicated boundary contained within the PD

2. Defined Land Uses shall include any uses permitted by right in the OT&MU, and LI zoning districts as defined by City of Tomball Land Use Matrix currently in effect on the effective date of this ordinance. The following uses shall be permitted and not require a CUP:

- *Distillation of liquors, spirits, etc. (brewery)*
- *Motel*
- *Hotel*
- *Mobile Food Court*
- *Soap, detergents, cleaning preparations manufacture (hand sanitizer)*

D. Development Regulations

1. Area regulations for nonresidential uses.

a. Size of lot.

1. Minimum lot area: 5,000 square feet.

2. Minimum lot width: 25 feet given minimum lot area can be met

3. Minimum lot depth: 25 feet given minimum lot area can be met

2. Size of yards.

a. Commercial properties may have a zero front building line with the exception of properties which front "East Main Street; 2920"

c. Minimum side and rear yard is 5 feet when adjacent to a nonresidential zoning district or use. If adjacent to a SingleFamily, Duplex (Two-Family), Patio Home or Single-Family Attached District or use, then side and/or rear setback shall be a minimum of 20 feet. Corner lots shall maintain a 20 foot side yard setback.

d. Interior side yards: when commercial uses are platted adjacent to other commercial uses and integrated into an overall "strip" site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the city's building code.

3. Height regulations.

a. The maximum height in the PD shall be 70ft

b. Additional height may be approved by CUP.

4. Parking Regulations.

a. General parking and loading requirements

1. "Production" Areas (eg. distillery, brewery, manufacturing, bottling, food production, kitchens, etc): 1 per 1,500 gross sqft

2. Office: 1 per 300 gross sqft

3. Food and Beverage Consumption (tables and chairs): 1 per 150 net sqft

4. Assembly Spaces: 1 per 150 net sqft

5. Designated Outdoor Assembly (beer gardens, programmed green spaces, playground): 1 per 500 gross sqft

6. Overnight Accommodations (hotel/motel/bed & breakfast): 1 space per Guest Room

7. Storage (warehouse): 1 per 5,000 gross sqft

c. Up to 10% of the total parking required may be reduced if the following condition(s) are provided:

1. Designated Ride Share – Pick-up / Drop-off Zones

d. Condensed/Stacked "Valet Only" spots are allowed to count towards the total number of required spots given the total combined number of valet spots does not exceed 25%

e. Shared parking agreements based on business hours of operation are allowed in order to meet the minimum requirements listed above.

E. Landscape & Screening Regulations

1. Refer to Sec 50-113 Landscape Requirements of the City of Tomball Code of Ordinances

2. Refer to Sec 50-115 Screening Requirements of the City of Tomball Code of Ordinances

SURVEYING COMPANY
12345 JONES ROAD
HOUSTON, TX 77070
(281) 955-2772
FIRM NO. 10033400
LEGEND
ABBREVIATION
SUBJECT TO :
TRACT 1
4.6002 ACRE TRACT
CALL 4.6004 ACRE TRACT
OUT OF UNRESTRICTED
RESERVE "A-1"
AS DESCRIBED UNDER
C.F.No.2009046215Z
TRACT 2
23,085.99 SQ.FT.
AS DESCRIBED UNDER
C.F.No. 2009046215Z
0.0893 AC. TRACT
DEDICATED TO THE
CITY OF TOMBALL
C.F.No. P-908566 & P-908567
UNRESTRICTED RESERVE "A"
BLOCK 1
MARTIN MARIETTA SUBDIVISION
AS RECORDED IN F.C.# 597006
TOMBALL WAREHOUSE
AS RECORDED IN F.C.# 600133 H.C.M.R.
UNRESTRICTED
RESERVE "A-2"
0.4410 ACRE TRACT
(Non Exclusive Access Easement)
(C.F.No.0291065)
CALL 3.547 AC. TRACT
AS DESCRIBED UNDER
C.F.No. 0107638
TOMBALL (C.F.No. P-908365, P-908367 & F.C.# 367101 H.C.M.R.)
REVISED MAP OF TOMBALL
VOLUME 4 , PAGE 25 H.C.M.R.
MCBRIDE BUSINESS PARK
VOLUME 35, PAGE 009 H.C.D.R.
BLOCK 58
BLOCK 67
BLOCK 71
TRACT 21
TRACT 30
TRACT 3
TRACT 4
TRACT 5
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 12
LOT 13
LOT 14
LOT 15
LOT 16
LOT 19
LOT 20
LOT 25
LOT 26
LOT 27
LOT 33
LOT 34
SYCAMORE STREET
(60.00' R.O.W)
PEACH STREET (60.00' R.O.W)
LIVE OAK STREET (60.00' R.O.W)
GREEN STREET
(60.00' R.O.W)
MECHANIC STREET
(60.00' R.O.W)
FM 2920
(AKA EAST MAIN STREET)
(60.00' R.O.W)
15' ALLEY
20' ALLEY
13.5' ALLEY
TWO STORY
Concrete Building
S44°26'00"E - 400.00'
N44°26'00"W - 400.00'
S25°30'00"E - 140.00'
N25°30'00"W - 140.00'
N64°30'00"E - 100.00'
S64°30'00"W - 100.00'
S25°30'00"E - 100.00'
N25°30'00"W - 100.00'
S64°30'00"W - 200.00'
N64°30'00"E - 200.00'
S25°30'00"E - 140.00'
N44°26'00"E - 100.00'
S44°26

WHITMEYER'S DISTILLING CO. DISTRICT . TOMBALL, TEXAS



SITE PLAN

NOT TO SCALE

SCHEME B - 06/01/20

MB204016

WDC DISTRICT PHASE I

BUILDING 1
TASTING: 5,000 SF
PRODUCTION: 10,000 SF

BUILDING 2
OFFICE: 5,000 SF
PRODUCTION: 10,000 SF
STORAGE: 10,000 SF

BUILDING 3
BARREL STOR: 5,000 SF

BUILDING 4
VENUE: 4,000 SF

BUILDING TOTAL: ±49,000 SF

BIERGARTEN: 19,000 SF

TOTAL LAND: ±6.81 ACRES

PARKING ESTIMATES

VENUE : 1 PER 150 NET SF
4000 / 150 = 27 SPOTS

TASTING: 1 PER 150 NET SF
5000 / 150 = 34 SPOTS

OFFICE: 1 PER 300 SF
5000 / 300 = 16 SPOTS

PROD.: 1 PER 1500 SF
20000 / 1500 = 14 SPOTS

STORAGE: 1 PER 5000 SF
15000 / 5000 = 3 SPOTS

BEIRGARTEN: 1 PER 500 SF
19000 / 500 = 38 SPOTS

TOTAL PARKING REQUIRED:
132 SPOTS

TOTAL PARKING PROVIDED:
182 SPOTS

BASED ON PRELIMINARY INFORMATION PROVIDED BY THE OWNER - SUBJECT TO CHANGE

METHOD architecture
2118 LAMAR, SUITE 200
HOUSTON, TEXAS 77003
(713) 842 - 7500

METHOD architecture
methodarchitecture.com

BUILDING REGULATIONS DIAGRAM

WHITMEYERS DISTILLING CO
DISTRICT

TYPICAL

06/01/20

METHOD architecture

WDC PLANNED DEVELOPMENT
REQUEST LETTER
06/03/2020

City of Tomball Planning and Zoning
501 James St.
Tomball, TX 77357

Re: Planned Development Application
Whitmeyers Distilling Co. District
Tomball, Texas

Dear Mr. Meyers and Team,

Method Architecture, PLLC., as applicant, requests the acceptance of the proposed Planned Development application and supporting documentation for the group of properties delineated in the attached. Per the City of Tomball Zoning Map, the subject properties are zoned to OT&MU and LI. The application proposes the current zoning designation be revised to a Planned Development District, consisting of a combination of OT&MU and LI with exceptions to allow certain land uses without the need of conditional use permits. Primarily we are seeking to allow the unconditional use of land for distillation of liquor and associated gathering spaces, as well as manufacturing and distribution of hand sanitizer products. We believe that acceptance of such a development will have a positive impact on the City of Tomball by providing a community gathering space for locals and visitors alike and will encourage growth in the surrounding area. We appreciate your time and thank you for the opportunity.

Respectfully,

Jackie Rye, AIA
Associate Principal
METHODarchitecture, PLLC

2118 Lamar St. • Suite 200 • Houston, TX 77003 • (713) 842-7500 • methodarchitecture.com

Amelia Lindley

From: The Garden Oaks Christian Academy <thegardenoakschristianacademy@gmail.com>
Sent: Monday, July 13, 2020 3:00 PM
To: Amelia Lindley
Subject: Re-Zoning

I am against the requested Re-Zoning as explained on the attached public notice for Zoning Case P-20-104 This is the third time in the last couple of years that property has been rezoned. My property is already surrounded by businesses and that should not be. How many of these businesses would like some of these businesses in their neighborhood where they live? I pray you all do the right thing and stop bringing businesses to our neighborhood.

Thank you,
Henry Matthews

Public Comment Form

(Please type or use black ink)

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

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

Name: Mehrdad Touri
(please print)
Address: 315 Mechanic St, Tomball, TX 77375
BIK 70 - Lots 20, 21, 22

Signature: [signature]

Date: June 30, 2020

✓ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-104. (Please state reasons below)**

____ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-104. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:
Monday, July 13, 2020 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:
Monday, July 20, 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

It will generate more income for the city and public areas will see improvements.

You may also comment via email to ALindley@tomballtx.gov.
Please reference the case number in the subject line.
For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Notice of Public Hearing

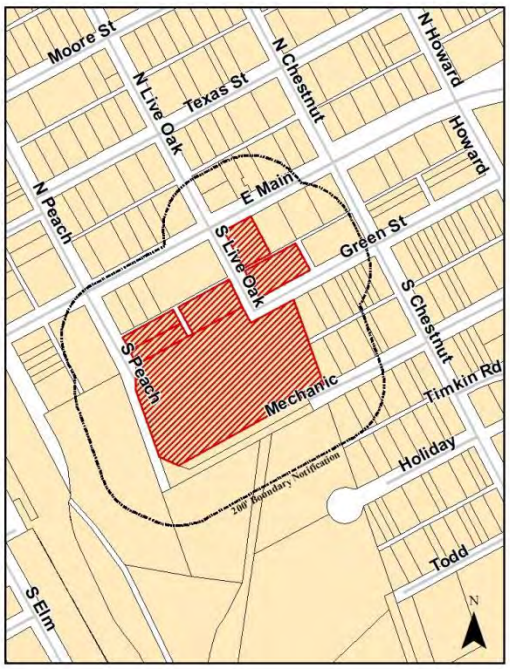
YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-104

APPLICANT/OWNER: Jackie Rye

LOCATION: Generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development District.



CONTACT: Amelia Lindley, City Planner
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, July 13, 2020 6:00 PM

City Council Public Hearing:
***Monday, July 20, 2020 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.

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020

Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.,** and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial 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 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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley
Amelia Lindley
City Planner

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

Adopt, on Second Reading, Ordinance No. 2020-17, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Whitmeyer's Distilling Co., LLC to Operate a "Soap, Detergents, Cleaning Preparations Manufacture" Facility; Said Property being Approximately 6.10 Acres of Land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, within the City of Tomball, Harris County, Texas, generally located at the End of Spell Circle at 21250 Spell Circle, and is Zoned Light Industrial District; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed $2,000 for Violations Hereof; and Providing for Severability

Background:

On Monday July 13, 2020, after conducting a public hearing, the Planning & Zoning Commission recommended approval of the rezoning request with a 5-0 vote.

Origination:

Whitmeyer's Distilling Co., LLC

Recommendation:

Adopt Ordinance No. 2020-17 on Second Reading

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2020-17
Staff Report
Property Owner Notification
Notice of Public Hearing

ORDINANCE NO. 2020-17

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY GRANTING A CONDITIONAL USE PERMIT (CUP) TO WHITMEYER'S DISTILLING CO., LLC TO OPERATE A "SOAP, DETERGENTS, CLEANING PREPARATIONS MANUFACTURE" FACILITY; SAID PROPERTY BEING APPROXIMATELY 6.10 ACRES OF LAND LEGALLY DESCRIBED AS LOT 14 BLOCK 1 TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 9 REPLAT, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, GENERALLY LOCATED AT THE END OF SPELL CIRCLE AT 21250 SPELL CIRCLE, AND IS ZONED LIGHT INDUSTRIAL DISTRICT; PROVIDING REQUIREMENTS AND CONDITIONS FOR THIS CUP; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED $2,000 FOR VIOLATIONS HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * * * * * *

Whereas, Whitmeyer's Distilling Co., LLC, has requested a CUP to operate a "*soap, detergents, cleaning preparations manufacture*" facility on approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, in the City of Tomball, Harris County, Texas, (the "Property"), and

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

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

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

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

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

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

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

Section 2. A CUP to operate a "*soap, detergents, cleaning preparations manufacture*" facility at the Property and subject to the terms and conditions set forth below is hereby granted to Whitmeyer's Distilling Co., LLC.

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

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

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

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

Section 7. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 20TH DAY OF JULY 2020.

COUNCILMAN FORD	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN KLEIN QUINN	AYE

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF AUGUST 2020.

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

_____
Gretchen Fagan, Mayor

ATTEST:

_____
Doris Speer, City Secretary

Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case:	P20-105
Property Owner(s):	Nickson Tomball Industrial LTD
Applicant(s):	Whitmeyer's Distilling Co., LLC
Legal Description:	Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat
Location:	End of Spell Circle at 21250 Spell Circle (Exhibit "A")
Area:	6.10 acres
Comp Plan Designation:	Business Park & Industrial (Exhibit "B")
Present Zoning and Use:	Light Industrial District (Exhibit "C") / Office/warehouse facility (Exhibit "D")
Proposed Use(s):	Hand sanitizer manufacturing and distribution (Exhibit "E")
Request:	Conditional Use Permit (CUP) to allow the operation of a *soap, detergents, cleaning preparations manufacture* facility

Adjacent Zoning & Land Uses:

North: Single-Family 20 Estate and Light Industrial District / Undeveloped & single-family residence

South: Light Industrial District / Undeveloped & Suez

West: Light Industrial District / Office/warehouse facility

East: Light Industrial District / Undeveloped & construction company (Creacom, Inc.)

BACKGROUND

City staff met with the applicant to discuss the lease of an existing building on the subject site for the manufacturing and distribution of hand sanitizer.

ANALYSIS

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

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

   The Comprehensive Plan identifies the subject site as Business Park & Industrial. According to Chapter 4 (Vision) of the Comprehensive Plan, the intent and character of the Business Park & Industrial category is "to create opportunities for employment". The proposed land use would not only bring jobs to the City, but also provide a much-needed product. Furthermore, light manufacturing is an appropriate land use type in this area.

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

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

   According to Section 50-78, "the Light Industrial District is intended primarily for the conduct of light manufacturing, assembling and fabrication activities and for warehousing, research and development, wholesaling and service operations". The proposed land use meets the purpose and intent of the Light Industrial Zoning District.

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

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

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

   The proposed use appears to be compatible with the adjacent developments. The property is located within the Tomball Business and Technology Park where there are many light industrial uses.

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

   Staff does not anticipate any adverse effects on surrounding properties.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 25, 2020. A Notice of Public Hearing was published in the paper on July 1, 2020. Any

public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-105.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

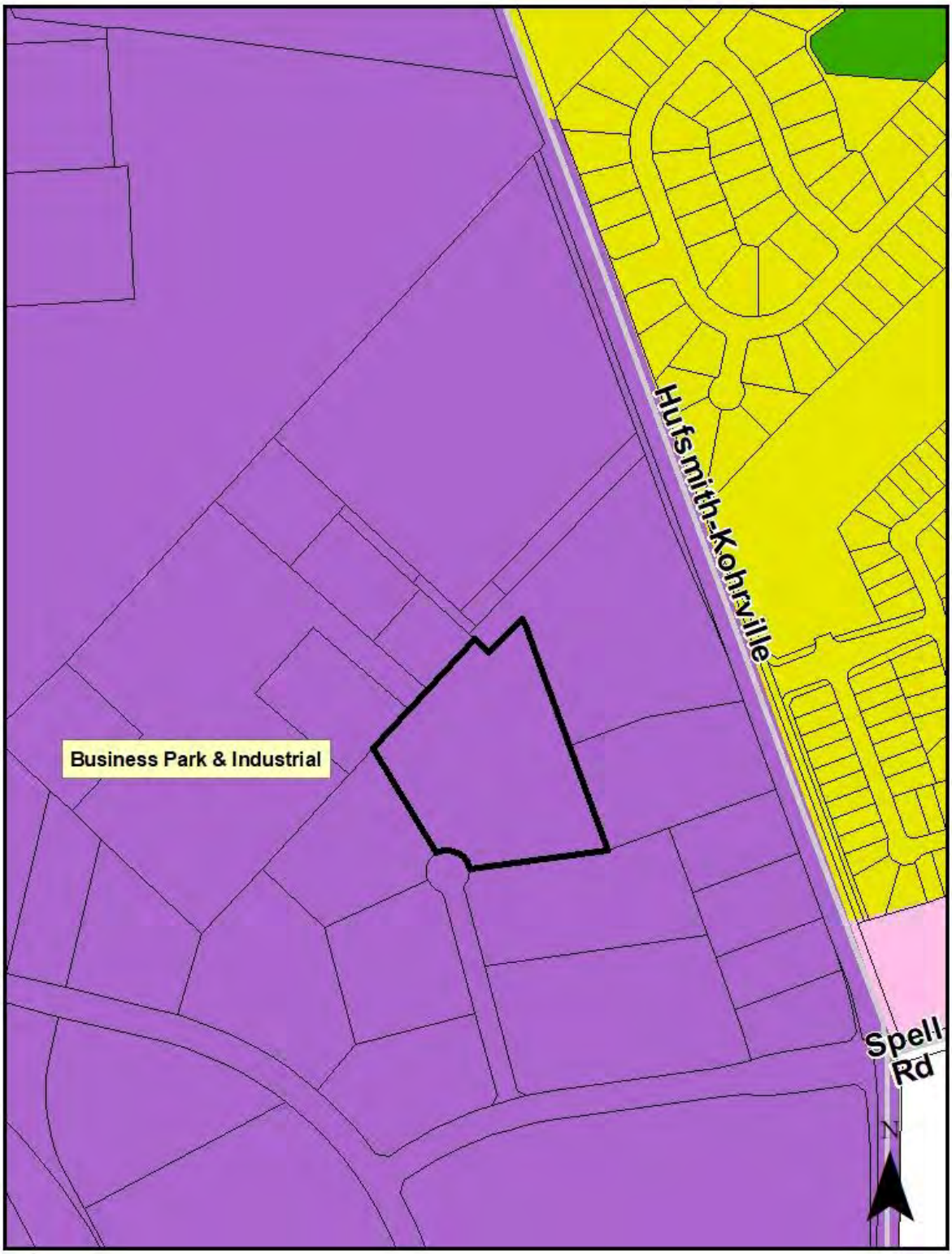


Exhibit "C"
Zoning Map

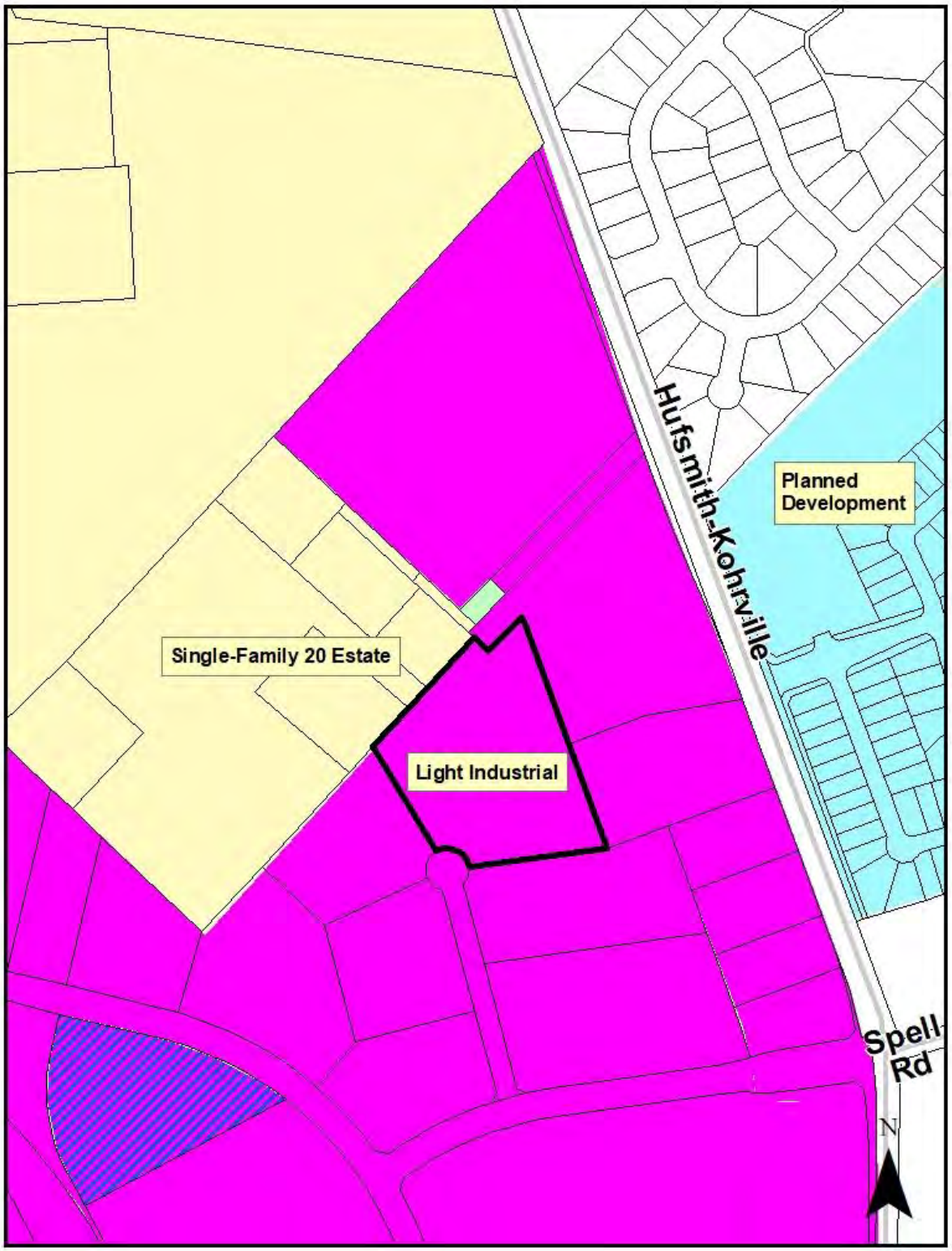


Exhibit "D"
Site Photo



Exhibit "E"
CUP Application

RECEIVED (KC)
06/05/2020 9:59:39 AM

Revised 4/24/2020

P&Z #20-105
$600.00

APPLICATION FOR CONDITIONAL USE PERMIT

Planning Division

A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions. This Section sets forth the standards used to evaluate proposed conditional uses and the procedures for approving conditional use permit (CUP) applications.

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: Whitmeyer's Distinctive Co. LLC Title:
Mailing Address: 16711 Houston St. City: Houston State: TX
Zip: 77066 Contact: Travis Whitmeyer - President
Phone: (___) Email: travis@whitmeyers.com

Owner Nickson Tomball Industrial Ltd

Name: by Charles Nickson Pres Title:
Mailing Address: 2807 East Grove Ln. City: Houston State: TX
Zip: 77027 Contact:
Phone: (713) 961-4400 Email: cnickson@msn.com

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: Hand Sanitizer Production Facility

Physical Location of Property: 21250 Spur Circle 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 Lot/Block]

Revised: 4/24/2020

HCAD Identification Number: _____ Acreage: _____

Current Use of Property: _____

Proposed Use of Property: HAND SANITIZER PRODUCTION

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 _____ 6/5/2020
Signature of Applicant Date

X _____ 6/5/2020
Signature of Owner Date

E.L.I. land design, LLC

P.O. Box 133244
The Woodlands, Texas 77393
office: 281.259.2610
fax: 281.259.2632
www.elilandesign.com

- site design and planning
- construction documentation
- project management and budgeting

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REGISTERED LANDSCAPE ARCHITECT
CHRISTOPHER M. BEEMAN
STATE OF TEXAS
2667

project:
SPELL CIRCLE BUSINESS PARK

client information:
CHARLES NICKSON
2807 EASTGROVE LANE
HOUSTON, TX 77027

project location:
21250 SPELL CIRCLE
TOMBALL, TX 77375

sheet title:
PLANTING PLAN

phase: 100% FOR PERMIT
date: 05.24.18
author: ML
file: SPELL.dwg
plot style: ELI.ctb
contact author for plot style if missing

revision:
7/26/18 STREET TREE ADDED
LANDSCAPE BUFFERS NOTED

original scale: 1" = 30'-0"
original size: 36" x 24"
sheet: L1.0

STATE OF TEXAS
COUNTY OF HARRIS

We, Tomball Economic Development Corporation, acting by and through Gretchen Fagan, President of the Board of Directors, being an officer of Tomball Economic Development Corporation, and Nickson Tomball Industrial, Ltd., a Texas limited partnership, acting by and through its general partner, Nickson Tomball, Ltd., a Texas limited partnership, acting by and through its general partner C. L.C., owners hereinafter referred to as Owners (whether one or more) of the 25.1176 acre tract described in the above and foregoing plat of TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 9 REPLAT, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and do hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places thereon shown for the purposes and considerations therein expressed and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional seven feet, six inches (15'6") for a total fifteen feet (15'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21'6") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or open drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15'0") wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in the plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency having jurisdiction, the right to enter upon said easements at any and all times for construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way is hereby restricted to keep such drainage ditch, gully, creek or natural drainage way free of trees, bushes, fences, buildings, refuse or any obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions; we further certify that no portion of the preceding plat was filed by deed restriction for residential use for not more than two (2) residential units per lot.

IN TESTIMONY WHEREOF, Tomball Economic Development Corporation, has caused these presents to be signed by Gretchen Fagan, President of the Board of Directors, thereunto authorized by resolution of the Board of Directors, and W. E. (Bill) Sumner, Jr., and its common seal hereunto affixed this the 14 day of August 2018.

Tomball Economic Development Corporation

By: _____
Gretchen Fagan
President of the Board of Directors

Attest: _____
W. E. (Bill) Sumner, Jr.
Secretary of the Board of Directors

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Gretchen Fagan and W. E. (Bill) Sumner, Jr., President and Secretary of the Board of Directors of Tomball Economic Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgment to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 14 day of August 2018.

TIFFANI G WOOTEN
Notary ID # 126074214
My Commission Expires
April 7, 2020

_____
Notary Public in and for the
State of Texas

My Commission Expires:
April 7 2020

IN TESTIMONY WHEREOF, Nickson Tomball Industrial, Ltd, a Texas limited partnership, acting by and through its General Partner Toro Builders L.L.C. a Texas Limited Liability Company has caused these presents to be signed by Charles G. Nickson, Manager, this the 15 day of August 2018.

By: Nickson Tomball Industrial, Ltd.,
a Texas Limited Partnership
By: Toro Builders L.L.C.,
a Texas Limited Liability Company

By: _____
Charles G. Nickson
Manager

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Charles G. Nickson, Manager of Toro Builders L.L.C., a Texas Limited Liability Company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgment to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15 day of August 2018.

TIFFANI G WOOTEN
Notary ID # 126074214
My Commission Expires
April 7, 2020

_____
Notary Public in and for the
State of Texas

My Commission Expires:
April 7 2020

I, Robert Kness, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.

STATE OF TEXAS
REGISTERED
ROBERT KNESS
6486
PROFESSIONAL LAND SURVEYOR

Robert Kness
Registered Professional Land Surveyor
Texas Registration No. 6486

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of TOMBALL BUSINESS AND TECHNOLOGY PARK REPLAT LOT 9 REPLAT in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this

10th day of May, 2018.

By: _____
Barbara Teague
Chairman

By: _____
Darrell Roquemore
Vice Chairman

I, Stan Stanart, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on AUGUST 17, 2018, at 1:03 o'clock P M., and duly recorded on AUGUST 17, 2018, at 2:46 o'clock P M., and at Film Code No. 695051 of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

STAN STANART
County Clerk
of Harris County, Texas

By: _____
Deputy
ERIKA V. WACK

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW

THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND SHALL NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCY BETWEEN THE PLANS AND THE FIELD CONDITIONS PRIOR TO THE START OF ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES OCCASIONED BY THE CONSTRUCTION OF THIS PROJECT AND SHALL CALL THE APPROPRIATE UTILITY LOCATION BUREAU FOR FIELD LOCATION OF UTILITIES AT LEAST 48 HOURS, BUT NOT MORE THAN 14 DAYS, PRIOR TO BEGINNING CONSTRUCTION.

RP-2018-377903
8/17/2018 herpirp1 110.00
FILED
8/17/2018 1:03 PM
Stan Stanart
COUNTY CLERK

DESCRIPTION

DESCRIPTION OF A 25.1176 ACRES (1,094,121.18 SQ. FT.) TRACT OF LAND, SITUATED IN THE ELIZABETH SMITH SURVEY, A-70 HARRIS COUNTY, TEXAS

BEING A 25.1176 ACRES (1,094,121.18 SQUARE FEET), TRACT OF LAND, SITUATED IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70, HARRIS COUNTY, TEXAS, SAID 25.1176 ACRES TRACT BEING OUT OF LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK PLAT AS RECORDED UNDER FILM CODE NO. 678808 OF THE HARRIS COUNTY MAP RECORDS, HARRIS COUNTY, TEXAS, SAID 25.1176 ACRES TRACT BEING MORE BOUNDED AS FOLLOWS WITH THE BASIS OF BEARINGS BEING THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE NO. 4204 (NAD 83) (ALL COORDINATES SHOWN HEREON ARE GRID COORDINATE AXES AND MAY BE CONVERTED TO SURFACE BY APPLYING THE COMBINED SCALE FACTOR OF 1.00005228). ALL DISTANCES SHOWN ARE SURFACE.):

BEGINNING (N=13,953,777.18, E=3,548,057.35) AT A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR THE NORTH RIGHT-OF-WAY LINE OF SOUTH PERSIMMON STREET (80' RIGHT-OF-WAY) RECORDED UNDER FILM CODE 455008 OF THE HARRIS COUNTY MAP RECORDS, IN A SOUTHWEST CORNER OF LOT 2 OF THE SAID TOMBALL BUSINESS AND TECHNOLOGY PARK PLAT AND FOR A SOUTHWEST CORNER OF SAID TRACT AND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE IN A WESTERLY DIRECTION, ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1040.00 FEET, A CENTRAL ANGLE OF 40 DEG. 26 MIN. 25 SEC., A CHORD BEARING NORTH 56 DEG. 24 MIN. 04 SEC. WEST, A CHORD DISTANCE OF 715.91 FEET AND AN ARC LENGTH OF 734.55 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND IN THE EAST RIGHT-OF-WAY LINE OF SOUTH PERSIMMON STREET, FOR AN ANGLE POINT IN SAID TOMBALL BUSINESS AND TECHNOLOGY PARK PLAT AND FOR AN ANGLE POINT OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 76 DEG. 37 MIN. 16 SEC. WEST, WITH A SOUTH LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND A SOUTH LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 277.08 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND IN THE SOUTHEAST CORNER OF A 1.8603 ACRES TRACT OF LAND CONVEYED TO 2978 INDUSTRIAL PROPERTIES, LLC BY DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. 20150219724 OF THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, FOR A WEST CORNER OF SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK AND TO A WEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 13 DEG. 22 MIN. 44 SEC. EAST, WITH A WEST LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND A WEST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 427.76 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND IN THE SOUTHWEST LINE OF A 15.000 ACRES TRACT OF LAND CONVEYED TO PHILLIP EUGENE PASSAFUME, JR. AND WIFE, ROBERTA D. PASSAFUMA BY DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. E593736 OF THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, FOR A NORTH CORNER OF SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK AND TO A NORTH CORNER IN THE SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 49 DEG. 43 MIN. 02 MIN. 28 SEC. EAST, WITH A NORTHWEST LINE OF THE SAID 15.000 ACRE TRACT, WITH A NORTHEAST LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND A NORTHEAST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 1,383.26 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND IN AN INTERIOR CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 42 DEG. 46 MIN. 13 SEC. EAST, WITH A SOUTHEAST LINE OF THE SAID 15.000 ACRE TRACT, WITH A NORTHWEST LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND A NORTHWEST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 1,122.13 FEET TO A 1/2-INCH IRON ROD FOUND IN A WEST LINE OF LOT 2 OF THE TOMBALL SOUTH COMMERCIAL PLAT AS RECORDED UNDER FILM CODE NO. 653199 OF THE HARRIS COUNTY MAP RECORDS, HARRIS COUNTY, TEXAS AND FOR A NORTH CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 47 DEG. 13 MIN. 47 SEC. EAST, WITH A SOUTHWEST LINE OF THE SAID LOT 2 OF THE TOMBALL SOUTH COMMERCIAL, WITH A NORTHEAST LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND A NORTHEAST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 54.06 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND IN AN INTERIOR CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 44 DEG. 30 MIN. 33 SEC. EAST, WITH A SOUTHEAST LINE OF THE SAID LOT 2 OF THE TOMBALL SOUTH COMMERCIAL, WITH A NORTHWEST LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND A NORTHWEST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 130.94 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND IN A INTERIOR CORNER OF THE TOMBALL SOUTH COMMERCIAL PLAT, FOR A NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED AND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE IN A SOUTHERLY DIRECTION, ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 05 DEG. 03 MIN. 09 SEC., A CHORD BEARING S 22 DEG. 53 MIN. 22 SEC. E, A CHORD DISTANCE OF 23.80 FEET, AND AN ARC LENGTH OF 23.81 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND FOR AN ANGLE POINT IN THE WEST LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND AN EAST LINE OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 20 DEG. 21 MIN. 47 SEC. EAST, WITH A WEST LINE OF THE SAID LOT 2 AND LOT 3 OF THE TOMBALL SOUTH COMMERCIAL, WITH AN EAST LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND AN EAST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 668.52 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND IN AN INTERIOR CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 69 DEG. 38 MIN. 13 SEC. EAST, WITH A SOUTH LINE OF THE SAID LOT 3 OF THE TOMBALL SOUTH COMMERCIAL, WITH A NORTH LINE OF THE SAID LOT 2 OF THE TOMBALL BUSINESS AND TECHNOLOGY PARK, AND A NORTH LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 180.20 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND FOR A NORTH CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 20 DEG. 21 MIN. 47 SEC. EAST, WITH A WEST LINE OF LOT 1 OF SAID TOMBALL BUSINESS AND TECHNOLOGY PARK PLAT, THE EAST LINE OF LOT 2 OF SAID TOMBALL BUSINESS AND TECHNOLOGY PARK PLAT AND THE EAST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 318.47 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR A SOUTH CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 81 DEG. 52 MIN. 18 SEC. WEST, OVER AND ACROSS SAID LOT 2 OF SAID TOMBALL BUSINESS AND TECHNOLOGY PARK AND WITH A SOUTH LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 829.47 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR AN INTERIOR CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 15 DEG. 03 MIN. 37 SEC. WEST, OVER AND ACROSS SAID LOT 2 OF SAID TOMBALL BUSINESS AND TECHNOLOGY PARK AND WITH A WEST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 217.10 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

THENCE IN A NORTHERLY DIRECTION, ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 49 DEG. 40 MIN. 47 SEC., A CHORD BEARING NORTH 09 DEG. 46 MIN. 47 SEC. EAST, A CHORD DISTANCE OF 21.00 FEET AND AN ARC LENGTH OF 21.68 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR THE BEGINNING OF A TANGENT CURVE TO THE LEFT;

THENCE IN A WESTERLY DIRECTION, ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 279 DEG. 21 MIN. 34 SEC., A CHORD BEARING SOUTH 74 DEG. 09 MIN. 23 SEC. WEST, A CHORD DISTANCE OF 77.65 FEET AND AN ARC LENGTH OF 292.55 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

THENCE IN A SOUTHERLY DIRECTION, ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 49 DEG. 40 MIN. 47 SEC., A CHORD BEARING SOUTH 39 DEG. 54 MIN. 00 SEC. EAST, A CHORD DISTANCE OF 21.00 FEET AND AN ARC LENGTH OF 21.68 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR AN ANGLE POINT OF SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 15 DEG. 03 MIN. 37 SEC. EAST, OVER AND ACROSS SAID LOT 2 OF SAID TOMBALL BUSINESS AND TECHNOLOGY PARK AND WITH AN EAST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 575.63 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR A SOUTH CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 28 DEG. 50 MIN. 16 SEC. WEST, OVER AND ACROSS SAID LOT 2 OF SAID TOMBALL BUSINESS AND TECHNOLOGY PARK AND WITH A SOUTHEAST LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 50.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SOUTH PERSIMMON STREET (80' RIGHT-OF-WAY) RECORDED UNDER FILM CODE 455008 OF THE HARRIS COUNTY MAP RECORDS, AND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE IN A WESTERLY DIRECTION, ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1040.00 FEET, A CENTRAL ANGLE OF 14 DEG. 47 MIN. 03 SEC., A CHORD BEARING SOUTH 64 DEG. 47 MIN. 34 SEC. WEST, A CHORD DISTANCE OF 267.87FEET AND AN ARC LENGTH OF 268.35 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "MESSER ENG HOUSTON, TX" SET FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

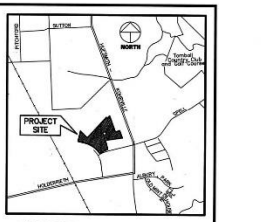
THENCE SOUTH 57 DEG. 24 MIN. 03 SEC. WEST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID SPELL ROAD, AND WITH THE SOUTH LINE OF SAID TRACT HEREIN DESCRIBED, A DISTANCE OF 60.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.1176 ACRES (1,094,121.18 SQUARE FEET) OF LAND.

GENERAL NOTES

1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN CITY PLANNING LETTER NO. 2018-0240 OF CHARTER TITLE COMPANY, DATED JUNE 18, 2018, AND IS SUBJECT TO THE LIMITATIONS OF THAT COMMITMENT.
2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.99994211.
3. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
4. ALL OIL/GAS WELLS (PLUGGED, ABANDONED, AND/OR ACTIVE) WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
5. NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF THE CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF THE CENTERLINE OF HIGH PRESSURE GAS LINES.
6. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVED AND VALID COVENANTS OR RESTRICTIONS.
7. PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. PROPERTY OWNER, AND/OR PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO USE THE SURFACE OF THE EASEMENT FOR ANY PURPOSE NOT BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT; AND THE CITY OF TOMBALL AND ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
8. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NO. 48201C0230L REVISED/DATED JUNE 18, 2007, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHADED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY AND HAS NOT BEEN SURVEY VERIFIED. A ZONE "X" DESIGNATION DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL NOT EXPERIENCE FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.

ABBREVIATIONS

A.E.	– ADRIAL EASEMENT
D.E.	– DRAINAGE EASEMENT
ESMT.	– EASEMENT
FND	– FOUND
H.C.C.F.	– HARRIS COUNTY CLERK' FILE
H.C.D.R.	– HARRIS COUNTY DEED RECORDS
H.C.M.R.	– HARRIS COUNTY MAP RECORDS
IP	– IRON PIPE
IR	– IRON ROD
NO.	– NUMBER
PG.	– PAGE
R.O.W.	– RIGHT-OF-WAY
SQ. FT.	– SQUARE FEET
VOL.	– VOLUME
B.L.	– BUILDING LINE
W.L.E.	– WATER LINE EASEMENT
S.S.E.	– SANITARY SEWER EASEMENT
C.T.U.E.	– CITY OF TOMBALL UTILITY EASEMENT



CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 9 REPLAT

A SUBDIVISION OF
25.1176 ACRES / 1,094,121.18 SQ. FT.
BEING A REPLAT OF LOT 9, BLOCK 1 OF TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 2 REPLAT, FILM CODE NO. 678808 H.C.M.R.,
IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

1 BLOCK 7 LOTS

AUGUST 2018

Owners

Tomball Economic Development Corporation
29201 Quinn Road
Tomball TX 77375
281-401-4085

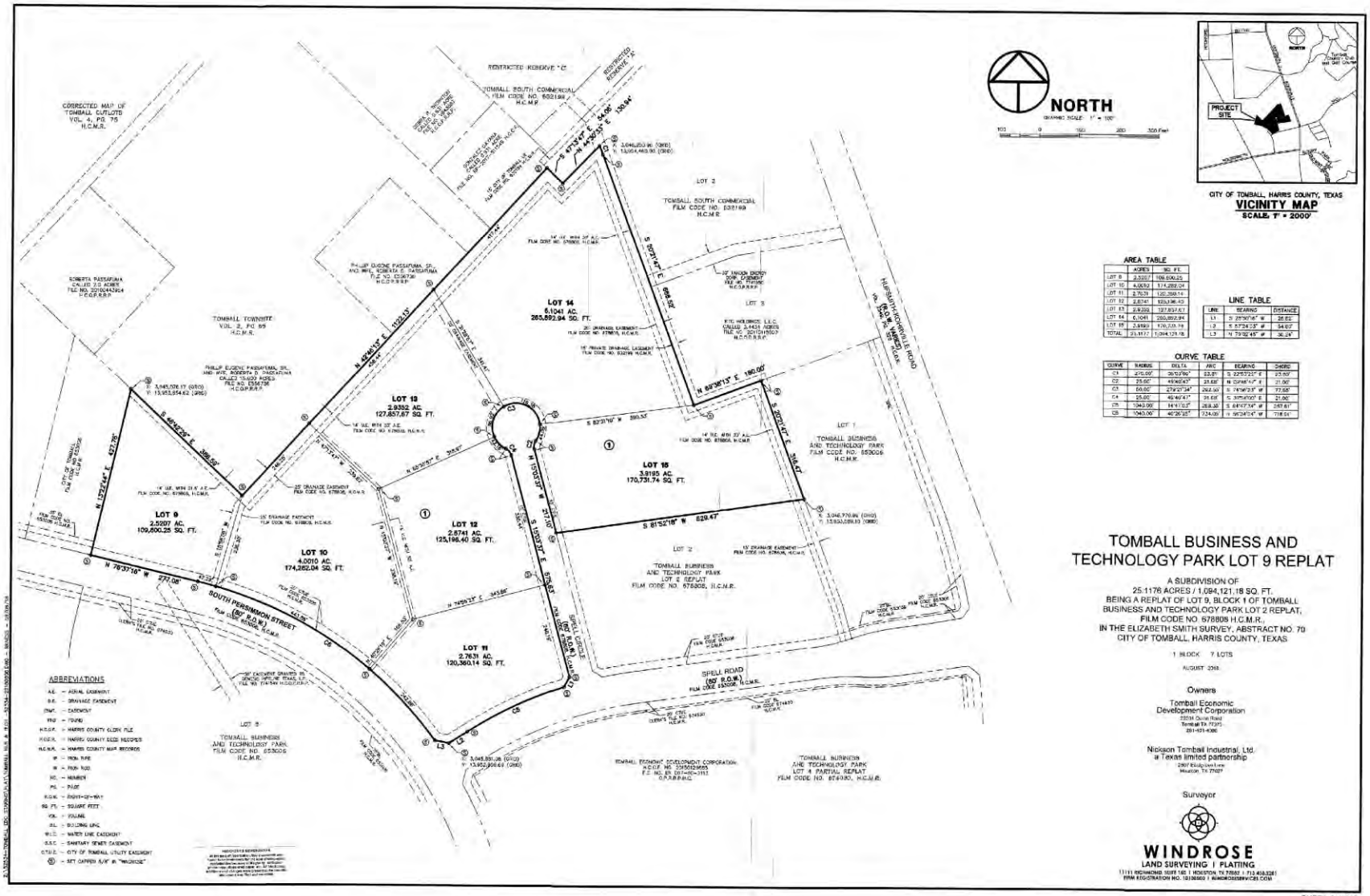
Nickson Tomball Industrial, Ltd.
a Texas limited partnership
2807 Eastgrove Lane
Houston, TX 77027

Surveyor

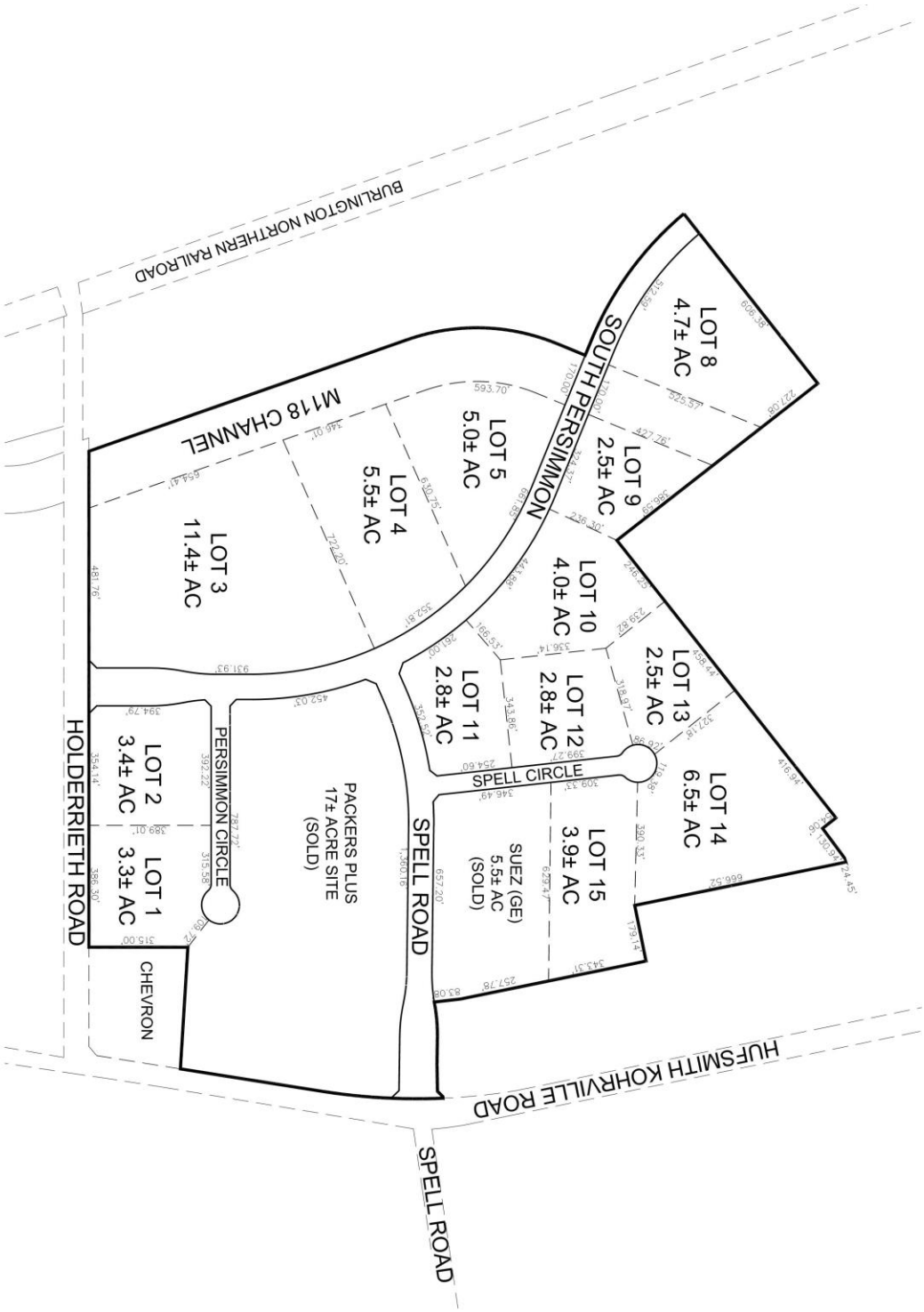
WINDROSE
LAND SURVEYING | PLATTING
11111 RICHMOND, SUITE 190 | HOUSTON, TX 77082 | 713.468.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

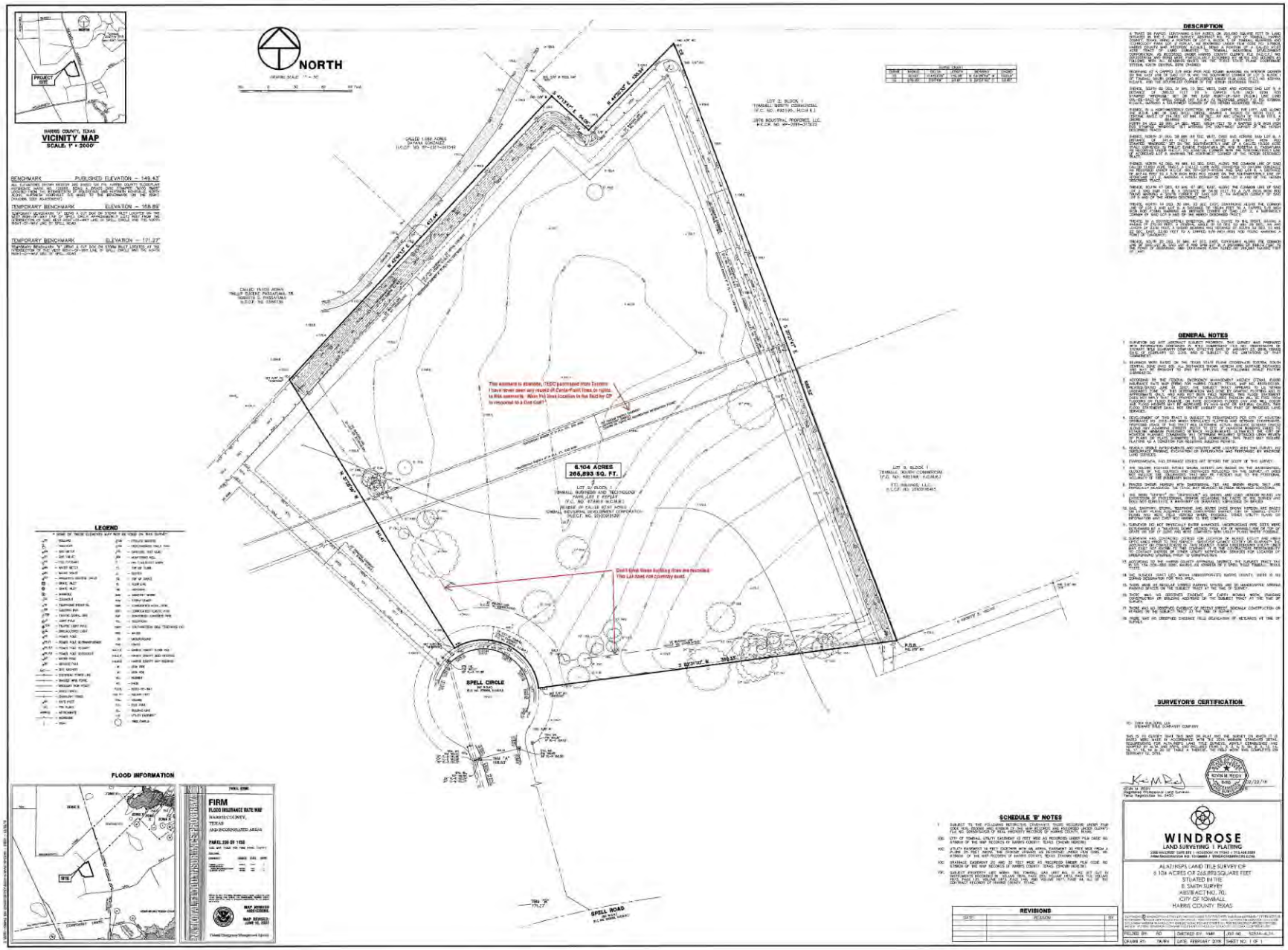
SHEET 1 OF 2

C:\2020\TOMBALL EDC STANDPLAT\TOMBALL BUS & TECH - 2020-08-08(REVISED) - WINDROSE - REVISED - 08/18/18


NORTH
GRAPHIC SCALE: 1" = 100'
PROJECT SITE
CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'
AREA TABLE
LINE TABLE
CURVE TABLE
LOT 9
2.5207 AC.
109,800.25 SQ. FT.
LOT 10
4.0010 AC.
174,262.04 SQ. FT.
LOT 11
2.7631 AC.
120,360.14 SQ. FT.
LOT 12
2.8741 AC.
125,186.40 SQ. FT.
LOT 13
2.9352 AC.
127,857.67 SQ. FT.
LOT 14
5.1041 AC.
265,892.94 SQ. FT.
LOT 15
3.9195 AC.
170,731.74 SQ. FT.
SOUTH PERSIMMON STREET
(80' R.O.W.)
SPELL ROAD
(60' R.O.W.)
HUFFMAN-KOENIGSVILLE ROAD
(VOL. 5, PG. 96, H.C.M.R.)
TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 9 REPLAT
A SUBDIVISION OF
25.1176 ACRES / 1,094,121.18 SQ. FT.
BEING A REPLAT OF LOT 9, BLOCK 1 OF TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 2 REPLAT, FILM CODE NO. 678808 H.C.M.R.,
IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 79
CITY OF TOMBALL, HARRIS COUNTY, TEXAS
1 BLOCK 7 LOTS
AUGUST 2018
Owners
Tomball Economic Development Corporation
Nickson Tomball Industrial, Ltd.
a Texas limited partnership
Surveyor
WINDROSE
LAND SURVEYING | PLATTING
ABBREVIATIONS

SHEET 2 OF 2


BURLINGTON NORTHERN RAILROAD
M118 CHANNEL
SOUTH PERSIMMON
LOT 8
4.7± AC
LOT 9
2.5± AC
LOT 5
5.0± AC
LOT 4
5.5± AC
LOT 3
11.4± AC
LOT 10
4.0± AC
LOT 13
2.5± AC
LOT 12
2.8± AC
LOT 11
2.8± AC
LOT 14
6.5± AC
LOT 15
3.9± AC
LOT 2
3.4± AC
LOT 1
3.3± AC
PERSIMMON CIRCLE
SPELL CIRCLE
HOLDERRIETH ROAD
PACKERS PLUS
17± ACRE SITE
(SOLD)
SUEZ (GE)
5.5± AC
(SOLD)
SPELL ROAD
CHEVRON
HUFSMITH KOHRVILLE ROAD
SPELL ROAD


NORTH
HARRIS COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'
PROJECT SITE
BENCHMARK PUBLISHED ELEVATION – 149.43'
TEMPORARY BENCHMARK ELEVATION – 166.89'
TEMPORARY BENCHMARK ELEVATION – 171.27'
CALLED 1.000 ACRES
SAYAKA GONZALEZ
(U.C.C.F. NO. RP-2021-381549)
CALLED 15.000 ACRES
"WILLIE EUGENE PASSAILAIGUE, III"
ROBERTS G. PASSAILAIGUE
(U.C.C.F. NO. 13566139)
LOT 3, BLOCK 1
TOMBALL NORTH COMMERCIAL
(F.C. NO. 698195, H.C.M.R.)
3976 INDUSTRIAL PROPERTIES, LLC
(H.C.C.F. NO. RP-2019-375323)
LOT 2, BLOCK 1
TOMBALL NORTH COMMERCIAL
(F.C. NO. 698195, H.C.M.R.)
FEC HOLDINGS, LLC
(H.C.C.F. NO. 20100018451)
6.104 ACRES
266,893 SQ. FT.
LOT 1, BLOCK 1
TOMBALL BUSINESS AND TECHNOLOGY PARK (LOT 2 REPLAT
(F.C. NO. 672808 H.C.M.R.)
REVISE OF CALLED 87.247 ACRES
TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION
(H.C.C.F. NO. 20120181524)
SPELL CIRCLE
SPELL ROAD
P.O.B.
N 87°37'31" W 393.55'
S 87°37'31" E 393.55'
N 00°22'29" E 675.00'
S 00°22'29" W 675.00'
N 00°22'29" E 675.00'
S 00°22'29" W 675.00'
The easement is standard, I SEE purchased more 5 years. I have never seen any record of Cycle-Fuel lines on rights. Is this correct? Also the location in the field by CP is required to a One Call?
Don't think these building lines are recorded. The LH does not currently exist.
LEGEND
FLOOD INFORMATION
FIRM
FLOOD INSURANCE RATE MAP
HARRIS COUNTY,
TEXAS
AND INCORPORATED AREAS
PANEL 535 OF 1150
MAP REVISED
JUNE 19, 2007
DESCRIPTION
GENERAL NOTES
SURVEYOR'S CERTIFICATION
SCHEDULE 'B' NOTES
REVISIONS
WINDROSE
LAND SURVEYING | PLATTING
ALTA/NSPS LAND TITLE SURVEY OF
6.104 ACRES OF 266,893 SQUARE FEET
SITUATED IN THE
E. SMITH SURVEY
ABSTRACT NO. 70
CITY OF TOMBALL
HARRIS COUNTY, TEXAS
FIELDED BY: RD DRAFTED BY: HMP JOB NO.: 1235A-ALTA
DRAWN BY: TM/HH DATE: FEBRUARY 2018 SHEET NO.: 1 OF 1

Notice of Public Hearing

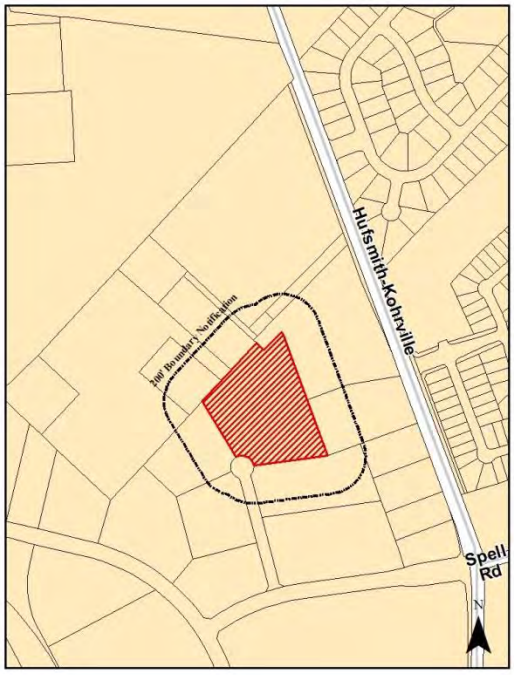
YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-105

APPLICANT/OWNER: Whitmeyer's Distilling Co., LLC

LOCATION: Generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas.

PROPOSAL: Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat and is zoned Light Industrial District.



CONTACT: Amelia Lindley, City Planner
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, July 13, 2020 6:00 PM

City Council Public Hearing:
***Monday, July 20, 2020 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.

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020

Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.,** and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial 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 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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley
Amelia Lindley
City Planner

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

Adopt, on Second Reading, Ordinance No. 2020-19, 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 95.4 Acres of Land, Legally Described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, PT Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, PT Tract 21A (AG-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, within the City of Tomball, Harris County, Texas, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District; said Property being generally located on the South Side of Theiss Lane at Commercial Park Road and North Side of Holderrieth Road between SH 249 and South Cherry Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

Background:

On Monday July 13, 2020, after conducting a public hearing, the Planning & Zoning Commission recommended approval of the rezoning request with a 5-0 vote.

Origination:

Daniel Valdez, META Planning + Design

Recommendation:

Adopt Ordinance No. 2020-19 on Second Reading

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2020-19
Staff Report
Public Comment Form
Public Comment Received 7-15-2020
Property Owner Notification
Notice of Public Hearing

ORDINANCE NO. 2020-19

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 95.4 ACRES OF LAND, LEGALLY DESCRIBED AS TRACTS 198A, 202A & 206A, TOMBALL OUTLOTS, TRACTS 3B, 4, 4Q, 21A, 23B & 23B-2 ABSTRACT 632 C V PILLOT, PT TRACT 21A (HOMESITE) (TRACT 4-X) ABSTRACT C N PILLOT, TRACT 23A ABSTRACT 632 C N PILLOT, PT TRACT 21A (AG-USE) ABSTRACT 632 C N PILLOT, TRACTS 3A-2, 4P, 19A & 23B-1 ABSTRACT 632 C V PILLOT, TRACT 4R ABSTRACT 632 C V PILLOT, TRACT 23A-2 ABSTRACT 632 C N PILLOT, TRACTS 4Q-1, 23B-3 & 23B-2A ABSTRACT 632 C V PILLOT, TRACTS 3A & 3A-3 ABSTRACT 632 C V PILLOT, AND TRACT 4R-1 ABSTRACT 632 C V PILLOT, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE AGRICULTURAL AND COMMERCIAL DISTRICTS TO THE PLANNED DEVELOPMENT (PD-14) DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTH SIDE OF THEISS LANE AT COMMERCIAL PARK ROAD AND NORTH SIDE OF HOLDERRIETH ROAD BETWEEN SH 249 AND SOUTH CHERRY STREET; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * * * * * * *

Whereas, Daniel Valdez with META Planning + Design, has requested that approximately 95.4 acres of land, legally described Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, in the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

Whereas, the applicant has presented an application to the City for a Planned Development District to allow for the construction of a mixed-use development; and

Whereas, the Planned Development application consists of an application for Planned Development District (Exhibit "A"); Planned Development Regulations (Exhibit "B"); and concept plan (Exhibit "C") attached to and made part of this ordinance; and

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

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

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve the requested rezoning of Planned Development (PD-14) District; and

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

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

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

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

Section 2. The zoning classification of the Property is hereby changed from the Agricultural and Commercial and Districts to the Planned Development (PD-14) 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 Planned Development (PD-14) 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 Planned Development (PD-14) District as described above.

Section 5. The Planned Development (PD-14) shall be subject to the following limitations, restrictions and covenants:

A. Compliance with the Application, Regulations and Concept Plan. The granting of the Planned Development (PD-14) District shall be conditioned upon the proposed improvements and lands uses being located, constructed and conducted upon the Property in substantial compliance with the application for the Planned Development District (Exhibit "A"), Planned Development Regulations (Exhibit "B") and concept plan (Exhibit "C") made a part hereof for all purposes.

Section 6. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not

affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed $2,000. Each day of violation shall constitute a separate offense.

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 20TH DAY OF JULY 2020.

COUNCILMAN FORD	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN KLEIN QUINN	AYE

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF AUGUST 2020.

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

_____
Gretchen Fagan, Mayor

ATTEST:

_____
Doris Speer, City Secretary

Exhibit "A"
Application for Planned Development

RECEIVED (KC)
06/04/2020 8:07:05 AM

Revised 5/19/15
P&Z #20-103

APPLICATION FOR PLANNED DEVELOPMENT

Community Development Department
Planning Division

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

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The minimum acreage for a planned development request shall be four (4) acres.

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: Daniel Valdez - META Planning + Design Title: Senior Planner
Mailing Address: 24275 Katy Freeway, Suite 200 City: Katy State: Texas
Zip: 77494
Phone: (281) 810-1422 Fax: (____) _____ Email: dvaldez@metaplanningdesign.com

Owner
Name: Kevin Graham Title: _____
Mailing Address: P.O BOX 1621 City: TOMBALL State: TX
Zip: 77377-1621
Phone: (281) 825-7211 Fax: (____) _____ Email: GRAHAM_KEVIN@SBCGLOBAL.NET

Engineer/Surveyor (if applicable)
Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: 95.4 Acre Single-family residential community

Physical Location of Property: East of SH 249, North of Holderrieth Rd., ±1,500' west of S. Cherry St.
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: See attached list

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

HCAD Identification Number: See attached list Acreage: 95.4

Current Use of Property: Vacant

Proposed Use of Property: Single-family development

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 _____ 5/11/2020

Signature of Applicant **Date**

X Kevin Graham 5-26-2020

Signature of Owner **Date**

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Mailing Address: 30 E RIVERCREST DR City: HOUSTON State: TX
Zip: 77042
Phone: (832) 755-5074 Fax: (____) _____ Email: LOUIS_SMULDERS@HOTMAIL.COM

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X _____ 5/11/2020

Signature of Applicant **Date**

X _____ 5/27/2020

Signature of Owner **Date**

META
PLANNING + DESIGN

June 2, 2020

Mayor and City Council
City of Tomball
401 Market Street
Tomball, Texas 77375

Re: HOLDERRIETH TRACT PLANNED DEVELOPMENT

Dear Mayor and City Council,

On behalf of our client, Chesmar Homes, we are submitting the application for the creation of the Holderrieth Tract Planned Development.

The developer intends to develop the 95-acre tract into a single-family residential community. The tract is located north of Holderrieth Road, south of Theis Lane, west of South Cherry Street.

Below is a list of the items that are included with this submittal:

1) Completed application form
2) Surveys that comprise the tract
3) List of HCAD tracts that comprise tract
4) Planned Development Text
5) Detailed Concept Plan
6) Open Space Plan
7) Tax Certificates (Harris County and Tomball ISD)

Feel free to contact me if you have any questions or need any additional information.

Sincerely,

Daniel Valdez
Enclosure

24275 Katy Freeway, Suite 200 | Katy, Texas 77494 | 281-810-1422

Exhibit B

Planned Development

95 Acres Tomball (Theis Lane Tract)

A. Contents. This final development plan includes the following sections:

- General Provisions
- Land Uses
- Development Regulations for Single Family Lots
- Development Regulations for Non-Residential Uses
- Amenities and Landscape Regulations
- Open Space and Trails
- Building Regulations

B. General Provisions

1. The planned Development, PD, approved herein must be constructed, developed, and maintained in compliance with this ordinance and other ordinances of the City in effect at the effective date of this PD Ordinance. If any provisions or regulations of any City ordinance applicable in a SF-6 (Standard Single Family Residential) or GR (General Retail) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the SF-6 and GR zoning district in effect on the effective date of this ordinance apply to this PD as through written herein, except to the extend the City regulation or provision conflicts with a provision in this ordinance.
2. Except as otherwise provided herein, the words used in this Planned Development have the meaning established by the Development Code.
3. The PD shall be developed in accordance with the following exhibits that are attached to and made a part of this Final Development Plan:

   Exhibit C – Concept Plan

   Exhibit C1 – Landscape and Open Space Plan

4. As shown on Exhibit C, the PD encompasses 95.4 acres, located west of S. Cherry Street, east of State Highway 249, north of Holderrieth Road and south of Theis Lane.

C. Land Uses.

1. SFR: Permitted land uses are listed below.

Use	SIC Code
Private Household Services	8811
Dwellings – Single Family	99 (Non-Classifiable)
Parks and Recreational Facilities, Public or Private	99 (Non-Classifiable)
Residential Sales Office (Temporary)	
Drill Site	
Well Site	
Wetlands	

2. General Retail: Permitted uses of the Commercial tracts on Exhibit C shall be those uses permitted within GR- General Retail District of the Zoning Ordinance.

D. **Development Regulations for Single Family Lots** – Maximum 350 lots permitted. The total lot count may vary from that shown in Exhibit C so long as it is generally in a configuration with what is shown on Exhibit C. See H. Minor Modifications for permitted variations to the land plan.

Single-family home sites within the PD shall be developed in accordance with the following regulations:

1. The minimum lot width shall be 40 feet wide. Except the maximum number of lots 40 feet wide shall not exceed 60% percent of the total maximum number of lots.
2. Lots shown on Exbibit C
    a. Minimum lots area:
        i. 40' wide lots shall have a minimum area of 4,800 square feet.
        ii. 50' wide and greater, lots shall have a minimum area of 6,000 square feet. Lot width shall be measured at the building line.
    b. Minimum lot width: 40 feet. Lot width shall me measured at the building line.
    c. Minimum lot depth: 100 feet
    d. Maximum lot coverage: 60% (lot acreage shall include building footprint only)
3. Minimum building setbacks:
    a. Front yard: 20 feet; (measured from front building line)
    b. Rear yard: 15 feet;
    c. Side yard: 5 feet, 10 feet on street side of a corner lot.

E. **Development Regulations for non-residential uses-** All provisions and regulations regarding height, area regulations, maximum lot coverage, and maximum floor-area-ratios applicable in a GR (General Retail) zoning district.

F. **Amenities and Landscape Regulations** – As shown on Exhibit C1, the PD shall be developed in accordance with the following landscape regulations:
1. Recreation site and amenities:
    a. A minimum 1-acre recreational reserve, centrally located within the development, may include a playground and picnic facilities, etc.
    b. A minimum 6, off-street parking spaces shall be provided. The off-street parking may be provided thru dedicated parking lot, parallel parking and/or a combination of both. At a minimum, one bicycle rack which will accommodate a minimum of five bicycles.
    c. Amenities may include (but are not limited to):
        - Playground
        - Picnic Facilities
2. Landscape buffers:
    a. 15' foot minimum buffer shall be provided along all major and minor arterials and within commercial areas contiguous to lot lines. As shown on Exhibit C1
    b. 10-foot minimum buffer, contiguous to lot lines, shall be provided along entry street(s) and collector streets. As shown on Exhibit C1

c. Required buffers along major arterials and entry streets shall include one shade tree for each street frontage, or portion thereof, measured along the right-of-way line. The trees may be clustered or spaced linearly; they need to be placed evenly.
d. Required buffers may include trails.

3. Open Space:
   a. Minimum 30% space, to be distributed as shown on Exhibit C1
   b. Open space shall include all landscape buffers, landscape reserves, open space reserves, parks, drill sites, detention, lakes, wetlands and well sites.
   c. At a minimum 1 acre shall be provided as parks
   d. All required open space shall be owned and maintained by the Homeowners Association and shall be accessible to all residents within the PD's Homeowner's association. Exhibit C1

G. **Sidewalks -** As shown on Exhibit C1, the PD shall be developed in accordance with the following:
   1. Sidewalks:
      a. Minimum 5-foot width sidewalks shall be provided along both sides of local residential and collector streets.
      b. All sidewalks shall be paved with concrete.

H. **Minor Modifications –**The following minor modifications of the PD are allowed provided that such modifications shall be reviewed for compliance tithe the applicable Tomball Codes and this Ordinance and approved by the Planning Director.
   1. Modifications to internal street patterns are allowed
   2. Modifications to the location of land uses, provide that such relocations meet the minimum area and land use regulations set forth within in this document.
   3. Modifications to lot sizes are allowed provided that such lots shall meet the minimum area regulations set forth in this document.
   4. Modifications to the total acreage provided for each land use set for in Exhibit C are allowed, provided that the modification or series of modifications, shall not result in a net change of greater than 10% in each land use.

Exhibit "C"
Concept Plan

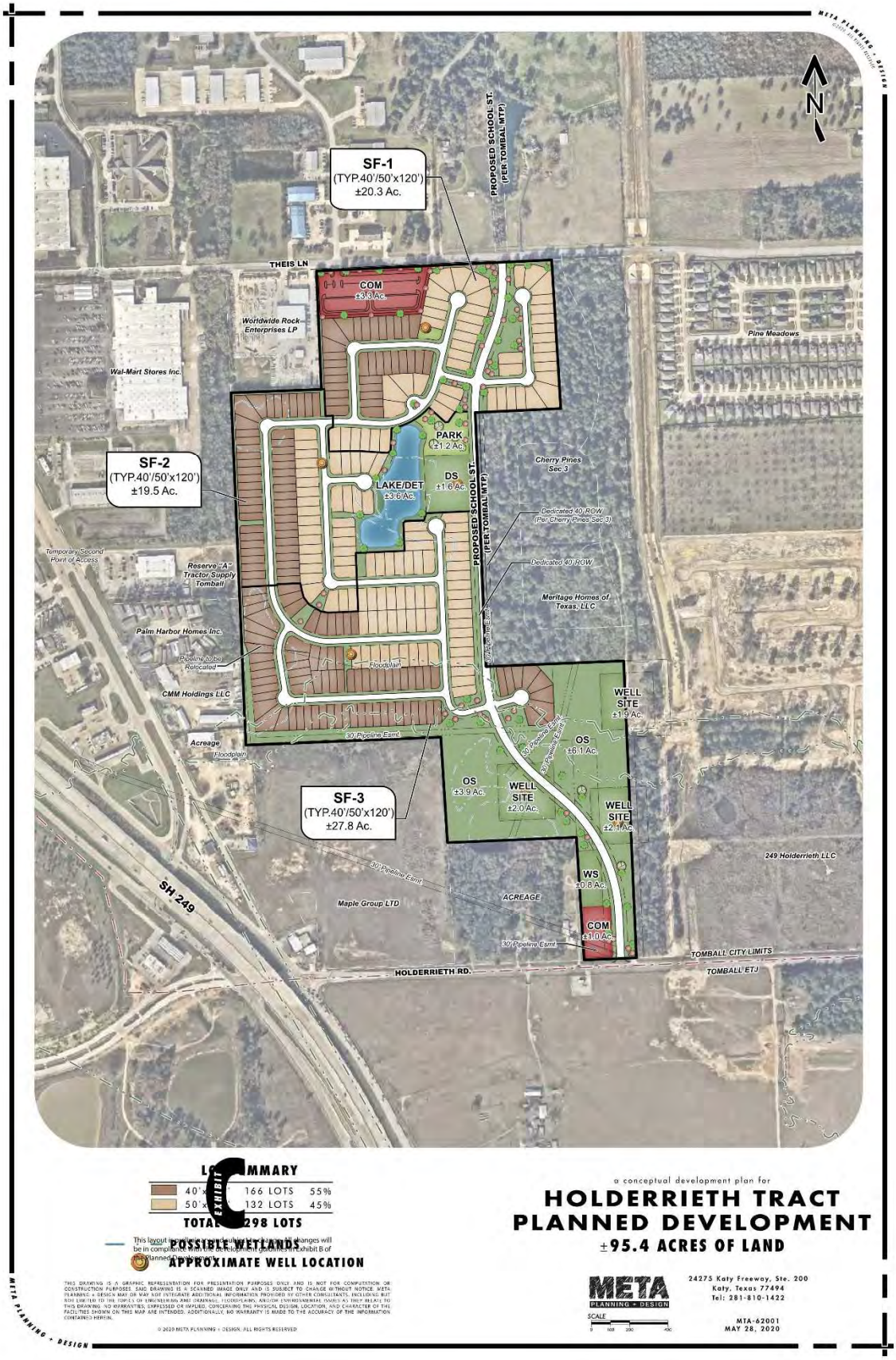

SF-1
(TYP.40'/50'x120')
±20.3 Ac.
PROPOSED SCHOOL ST.
(PER TOMBALL MTP)
THEIS LN
COM
±3.3 Ac.
Worldwide Rock Enterprises LP
Wal-Mart Stores Inc.
Pine Meadows
PARK
±1.2 Ac.
SF-2
(TYP.40'/50'x120')
±19.5 Ac.
LAKE/DET
±3.6 Ac.
DS
±1.6 Ac.
Cherry Pines Sec 3
Dedicated 40' ROW
(Per Cherry Pines Sec 3)
Dedicated 40' ROW
Temporary Second Point of Access
Reserve "A" Tractor Supply Tomball
Meritage Homes of Texas, LLC
Palm Harbor Homes Inc.
Pipeline to be Relocated
Floodplain
CMM Holdings LLC
WELL SITE
±1.9 Ac.
30' Pipeline Esmt.
Acreage
Floodplain
OS
±6.1 Ac.
OS
±3.9 Ac.
WELL SITE
±2.0 Ac.
SF-3
(TYP.40'/50'x120')
±27.8 Ac.
WELL SITE
±2.1 Ac.
249 Holderrieth LLC
WS
±0.8 Ac.
SH 249
Maple Group LTD
ACREAGE
COM
±1.0 Ac.
TOMBALL CITY LIMITS
TOMBALL ETJ
HOLDERRIETH RD.
N
LOT SUMMARY
40' x 166 LOTS 55%
50' x 132 LOTS 45%
TOTAL 298 LOTS
POSSIBLE WETLANDS
APPROXIMATE WELL LOCATION
EXHIBIT C
a conceptual development plan for
HOLDERRIETH TRACT
PLANNED DEVELOPMENT
±95.4 ACRES OF LAND
META PLANNING + DESIGN
24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422
SCALE
MTA-62001
MAY 28, 2020
META PLANNING + DESIGN



EXHIBIT C1

LOT SUMMARY

x120'	LOTS	55%
x120'	LOTS	45%
TOTAL	LOTS	

This layout is conceptual in nature and changes will be in compliance with the development guidelines in Exhibit B of the planned development.

POSSIBLE WETLANDS

APPROXIMATE WELL LOCATION

THIS DRAWING IS A GRAPHIC REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. SAID DRAWING IS A SCANNED IMAGE ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. META PLANNING + DESIGN MAY OR MAY NOT INTEGRATE ADDITIONAL INFORMATION PROVIDED BY OTHER CONSULTANTS, INCLUDING BUT NOT LIMITED TO THE TOPICS OF ENGINEERING AND DRAINAGE, FLOODPLAINS, AND/OR ENVIRONMENTAL ISSUES AS THEY RELATE TO THIS DRAWING. NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE PHYSICAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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an open space exhibit for

HOLDERRIETH TRACT PLANNED DEVELOPMENT

±95.4 ACRES OF LAND

META PLANNING + DESIGN
24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE 0 100 200 400

MTA-62001
MAY 6, 2020

META PLANNING + DESIGN



EXHIBIT **C1**

This layout is preliminary and subject to change. All changes will be in compliance with the development guidlines in Exhibit B of the Planned Development.

an open space exhibit for

HOLDERRIETH TRACT PLANNED DEVELOPMENT

±95.4 ACRES OF LAND

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META PLANNING + DESIGN

24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE 0 100 200 400

MTA-62001
MAY 28, 2020

META PLANNING + DESIGN

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case:	P20-103
Property Owner(s):	Kevin Graham, Maritia LP
Applicant(s):	Daniel Valdez – META Planning + Design
Legal Description:	Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot
Location:	South side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street (Exhibit "A")
Area:	95.4 acres
Comp Plan Designation:	Neighborhood Residential and Corridor Commercial (Exhibit "B")
Present Zoning and Use:	Agricultural and Commercial Districts (Exhibit "C") / Undeveloped (Exhibit "D")
Proposed Use(s):	Single-family residential subdivision with commercial (Exhibit "E")
Request:	Rezone from the Agricultural and Commercial Districts to the Planned Development (PD-14) District

Adjacent Zoning & Land Uses:

North: Light Industrial and Agricultural Districts / various commercial development and rural residential

South: Planned Development 8 and Commercial Districts, City limits / Undeveloped

West: Light Industrial and Commercial Districts / Rock Materials, commercial developments

East: Single-Family 6 District / Single-family residential subdivision (Cherry Pines - under construction)

ANALYSIS

The property is zoned mostly Agricultural District, with a Commercial portion on the southern boundary. Surrounding properties are zoned Light Industrial, Commercial, Planned Development (PD-8), and Single-Family 6 District. Surrounding land uses include various commercial and industrial facilities such as Rock Materials, Inline Services, Walmart, Tractor Supply Co, etc. A single-family residential subdivision, Cherry Pines, is currently under construction to the east of the subject site.

Section 50-80(a)(1) of the Tomball Code of Ordinances outlines the general purpose and description of the Planned Development District:

"The PD Planned Development District is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., Single-Family, Multifamily, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A PD Planned Development District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this chapter, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

a. To provide for a superior design on lots or buildings;
b. To provide for increased recreation and open space opportunities for public use and enjoyment;
c. To provide amenities or features that would be of special benefit to the property users or to the overall community;
d. To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes, viewscapes, or wildlife habitats;
e. To protect or preserve existing historical buildings, structures, features or places;
f. To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; and
g. To meet or exceed the standards of this chapter."

According to the Planned Development Application (Exhibit "E") and the development regulations, the proposed Planned Development will be a single-family residential community, with commercial tracts, and will include amenities such as a recreational reserve with a playground and/or picnic facilities, open spaces, and landscape buffers.

The property is designated as Neighborhood Residential by the Comprehensive Plan Future Land Use Map. This "category is intended for areas predominantly comprised of single-family detached housing". Appropriate land uses in this category include "safe and desirable neighborhoods, with single-family detached residential being the primary use". The proposed Planned Development meets the intent of the Future Land Use Designation.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 25, 2020. A Notice of Public Hearing was published in the paper on July 1, 2020. Any

public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-103.

EXHIBITS

A. Aerial Photo
B. Comprehensive Plan
C. Zoning Map
D. Site Photo
E. Planned Development Application, Regulations and Concept Plan

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

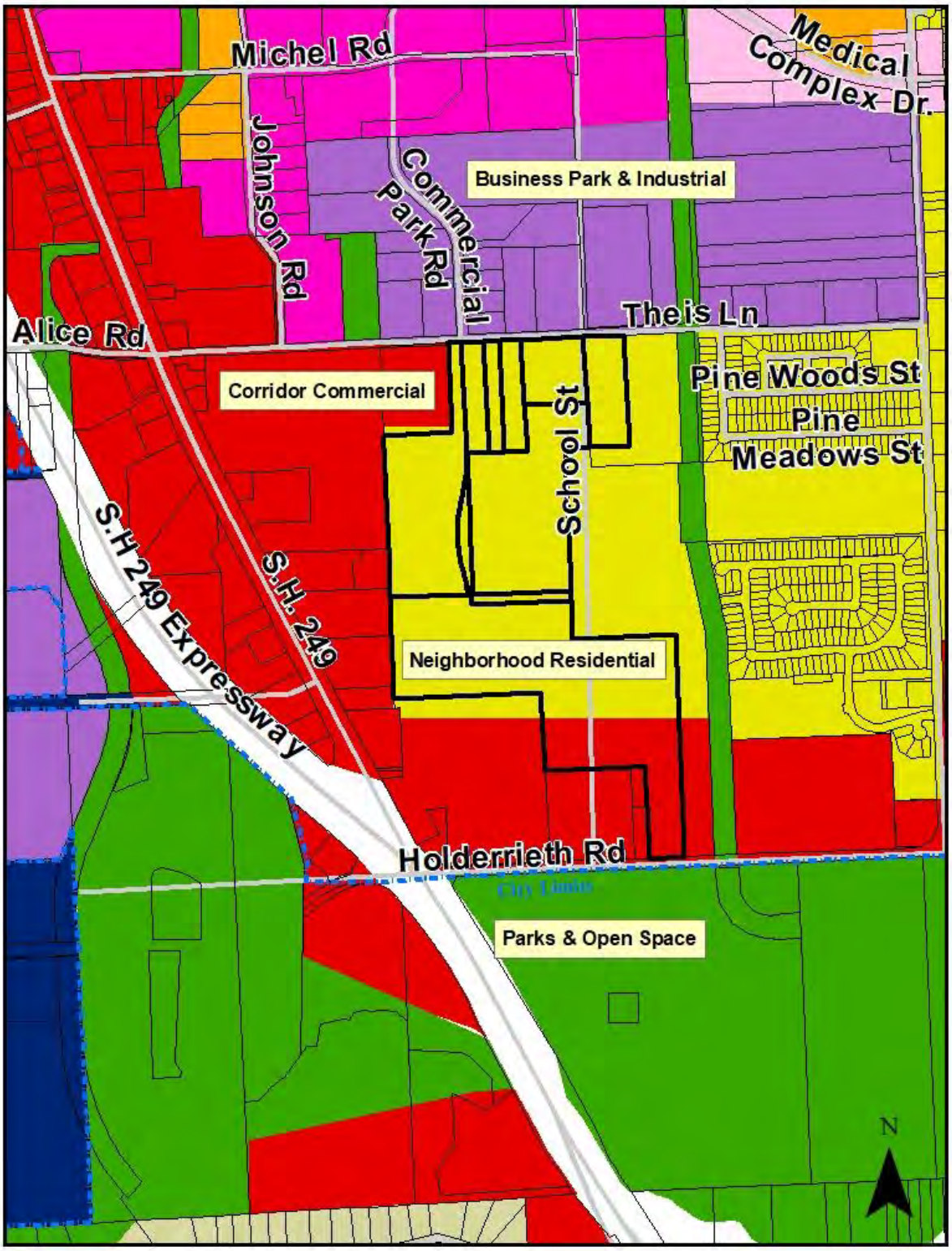


Exhibit "C"
Zoning Map

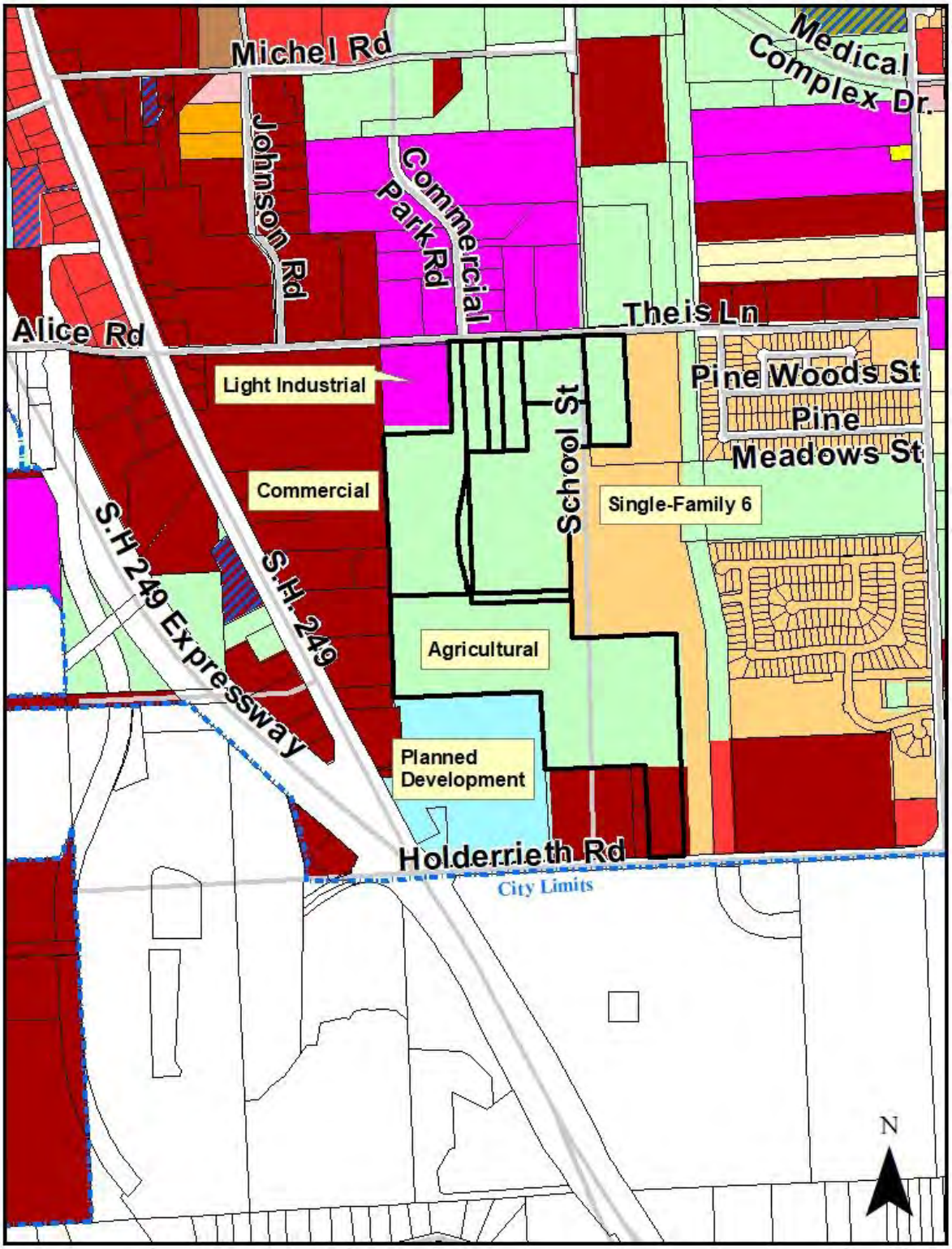


Exhibit "D"
Site Photo



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Current Use of Property: Vacant

Proposed Use of Property: Single-family development

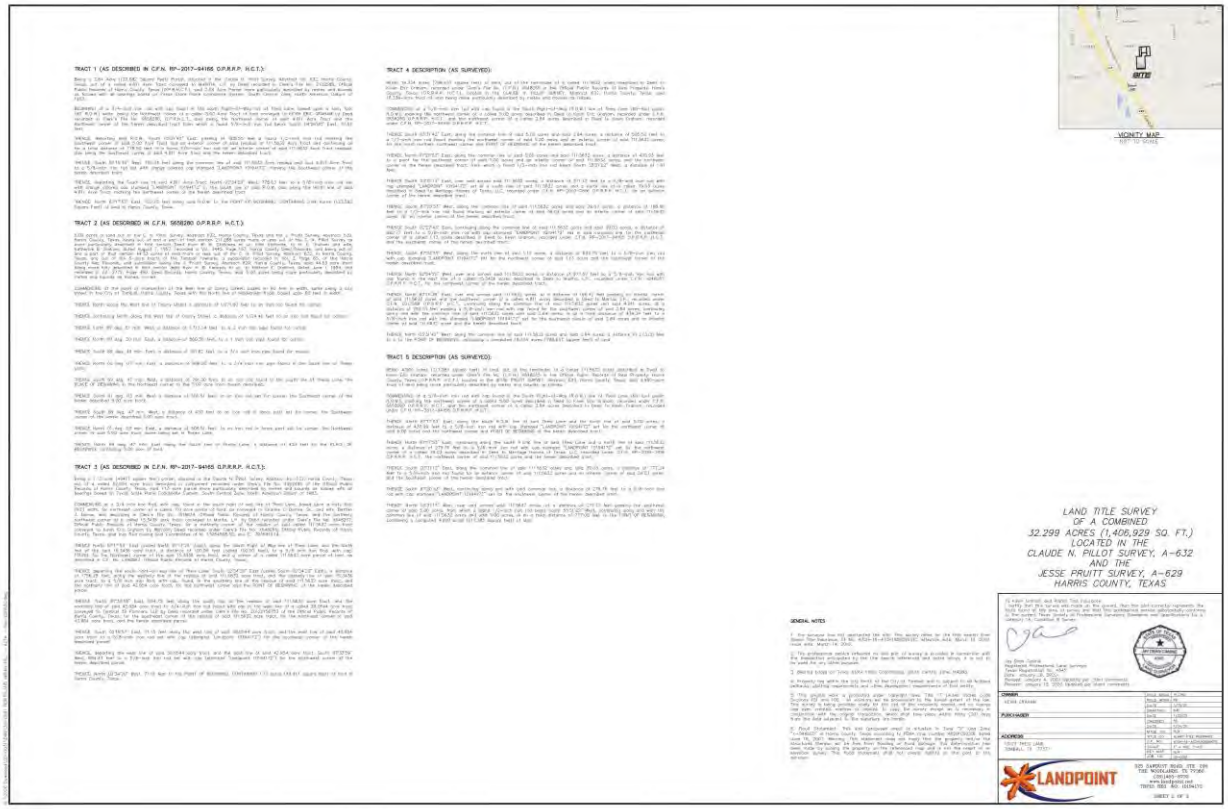
Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

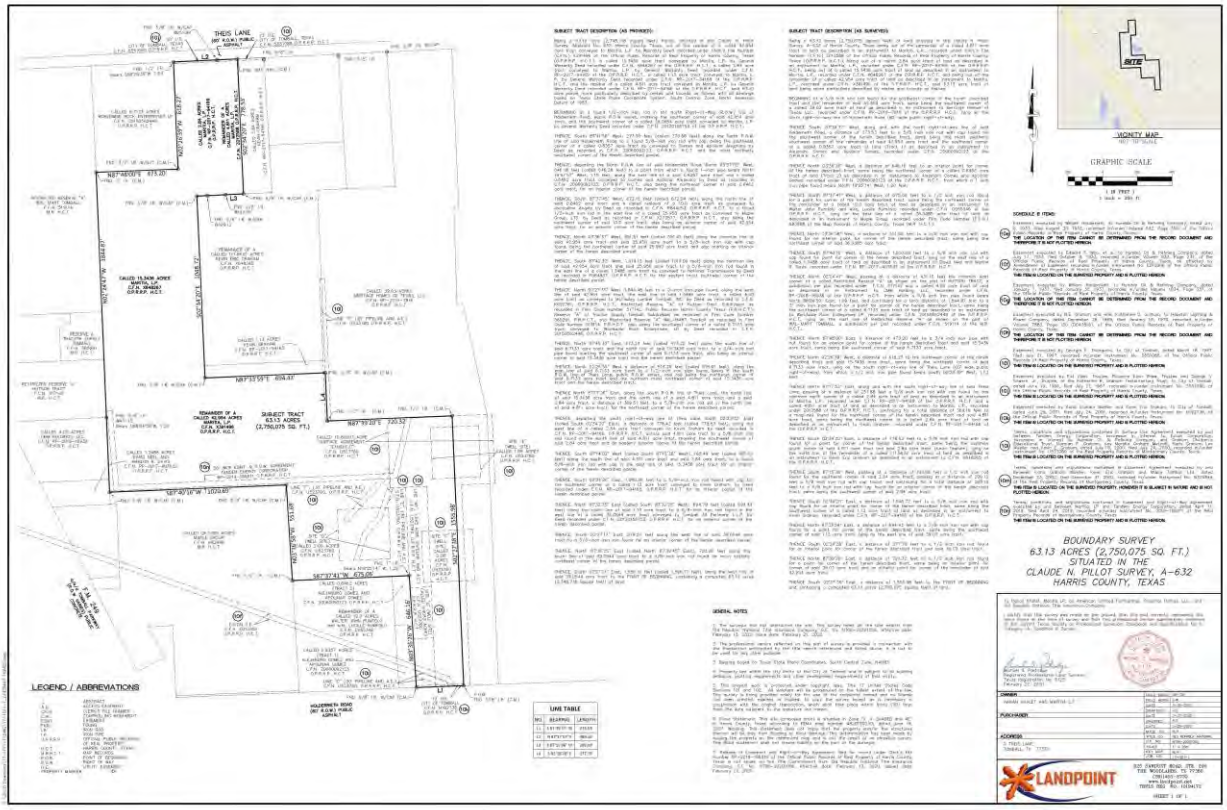
This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

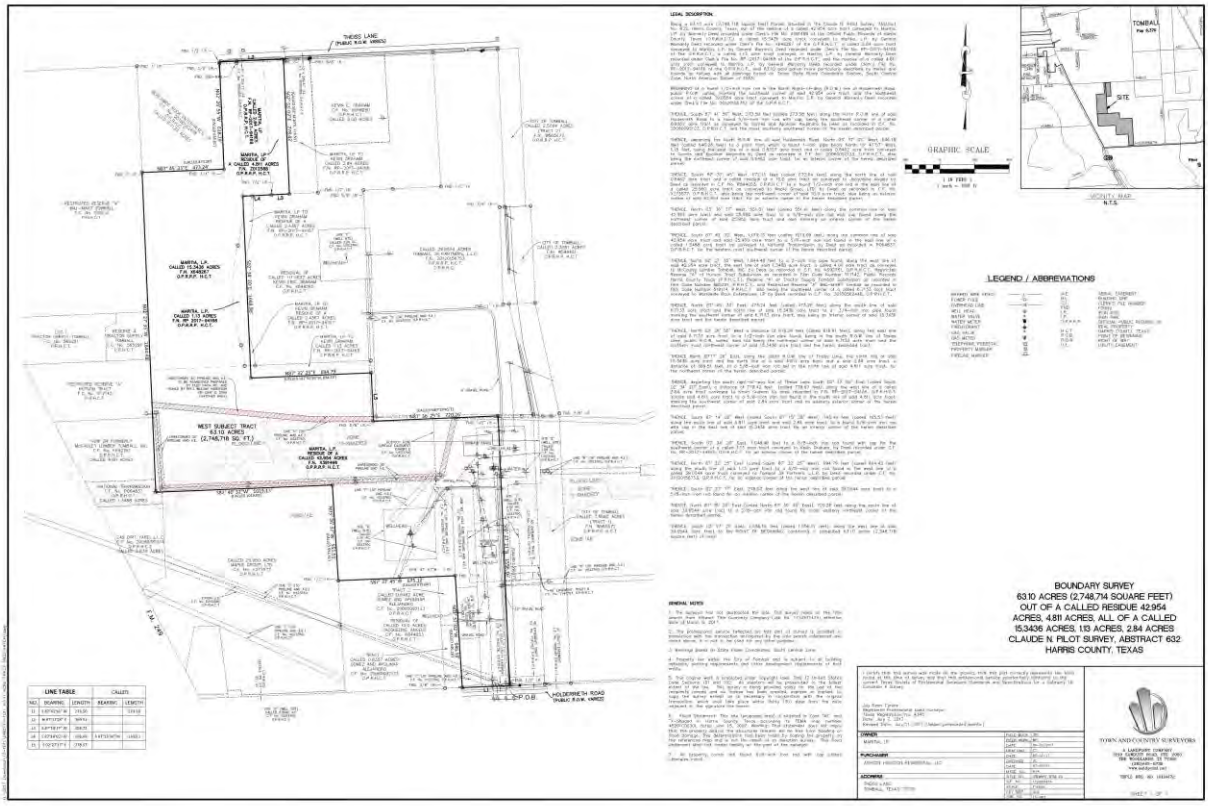
X _____ 5/11/2020
Signature of Applicant **Date**

X _____ 5/27/2020
Signature of Owner **Date**


THEIS LANE
(60' R.O.W.)
SEE HOUSE DETAIL
TRACT 1
2.837 ACRES
(123,580 SQ. FT.)
TRACT 2
6.093 ACRES
(217,908 SQ. FT.)
TRACT 3
4.988 ACRES
(217,385 SQ. FT.)
TRACT 4
18.334 ACRES
(798,677 SQ. FT.)
TRACT 5
1.134 ACRES
(49,417 SQ. FT.)
KEVIN ERIC GRAHAM
CALLED 5.00 ACRES
C.F.N. 19082910
O.P.R.R.P. H.C.T.
KEVIN ERIC GRAHAM
REMAINDER OF A
CALLED 111.5632 ACRES
C.F.N. X84825
O.P.R.R.P. H.C.T.
KEVIN ERIC GRAHAM
CALLED 111.5632 ACRES
C.F.N. X84825
O.P.R.R.P. H.C.T.
KEVIN ERIC GRAHAM
CALLED 1.13 ACRES
C.F.N. RP-2017-94165
O.P.R.R.P. H.C.T.
ZONE "X"
ZONE "X-SHADED"
P.O.B. TRACTS 4 & 5
P.O.B. TRACT 5
P.O.B. TRACT 4
HOUSE DETAIL
SCALE: 1" = 10'
VICINITY MAP
NOT TO SCALE
GRAPHIC SCALE
1 IN. = 100 FT.
LINE TABLE
LAND TITLE SURVEY
OF A COMBINED
32.299 ACRES (1,406,929 SQ. FT.)
LOCATED IN THE
CLAUDE N. PILLOT SURVEY, A-632
AND THE
JESSE PRUITT SURVEY, A-629
HARRIS COUNTY, TEXAS
GENERAL NOTES
LANDPOINT


TRACT 1 (AS DESCRIBED IN C.F.N. RP-2017-94165 O.P.R.R.P. H.C.T.):
TRACT 2 (AS DESCRIBED IN C.F.N. 19082910 O.P.R.R.P. H.C.T.)
TRACT 3 (AS DESCRIBED IN C.F.N. RP-2017-94165 O.P.R.R.P. H.C.T.):
TRACT 4 DESCRIPTION (AS SURVEYED):
TRACT 5 DESCRIPTION (AS SURVEYED):
VICINITY MAP
NOT TO SCALE
LAND TITLE SURVEY
OF A COMBINED
32.299 ACRES (1,406,929 SQ. FT.)
LOCATED IN THE
CLAUDE N. PILLOT SURVEY, A-632
AND THE
JESSE PRUITT SURVEY, A-629
HARRIS COUNTY, TEXAS
GENERAL NOTES
LANDPOINT


THEIS LANE
(80' R.O.W.) PUBLIC ASPHALT
SUBJECT TRACT
63.13 ACRES
(2,750,075 SQ. FT.)
LEGEND / ABBREVIATIONS
LINE TABLE
GENERAL NOTES:
VICINITY MAP
GRAPHIC SCALE
BOUNDARY SURVEY
63.13 ACRES (2,750,075 SQ. FT.)
SITUATED IN THE
CLAUDE N. PILLOT SURVEY, A-632
HARRIS COUNTY, TEXAS
LANDPOINT


THEIS LANE
(PUBLIC R.O.W. VARIES)
MARTIN, LP
CALLED 15.3436 ACRES
F.N. 2017089
O.P.R.R.P. H.C.T.
WEST SUBJECT TRACT
63.10 ACRES
(2,748,718 SQ. FT.)
HOLDERRITH ROAD
(PUBLIC R.O.W. VARIES)
LEGAL DESCRIPTION
GENERAL NOTES
GRAPHIC SCALE
VICINITY MAP
N.T.S.
LEGEND / ABBREVIATIONS
BOUNDARY SURVEY
63.10 ACRES (2,748,714 SQUARE FEET)
OUT OF A CALLED RESIDUE 42.954
ACRES, 4.81 ACRES, ALL OF A CALLED
15.3436 ACRES, 1.13 ACRES, 2.84 ACRES
CLAUDE N. PILOT SURVEY, ABSTRACT 632
HARRIS COUNTY, TEXAS
TOWN AND COUNTRY SURVEYORS

Owner	Legal Description of Property	HCAD ID No.
Kevin Graham	Tracts 198A, 202A & 206A, Tomball Outlots	035-286-000-0202
Kevin E Graham	Tracts 3B, 4, 4Q, 21A, 23B & 23b-2 Abstract 632 C V Pillot	044-058-000-0020
Kevin Eric Graham	Pt Tract 21A (Homesite) (Tract 4-X) Abstract 632 C N Pillot	044-058-000-0156
Maritia LP	Tract 23A Abstract 632 C N Pillot	044-058-000-0160
Kevin Eric Graham	Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot	044-058-000-0230
Maritia LP	Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot	044-058-000-0284
Hanan Khalet	Tract 4R Abstrat 632 C V Pillot	044-058-000-0285
Kevin Graham	Tract 23A-2 Abstract 632 C N Pillot	044-058-000-0303
Maritia LP	Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot	044-058-000-0304
Maritia LP	Tracts 3A & 3A-3 Abstract 632 C V Pillot	044-058-000-0305
Kevin Graham	Tract 4R-1 Abstract 632 C V Pillot	044-058-000-0306

Exhibit B

Planned Development

95 Acres Tomball (Theis Lane Tract)

A. Contents. This final development plan includes the following sections:

- General Provisions
- Land Uses
- Development Regulations for Single Family Lots
- Development Regulations for Non-Residential Uses
- Amenities and Landscape Regulations
- Open Space and Trails
- Building Regulations

B. General Provisions

1. The planned Development, PD, approved herein must be constructed, developed, and maintained in compliance with this ordinance and other ordinances of the City in effect at the effective date of this PD Ordinance. If any provisions or regulations of any City ordinance applicable in a SF-6 (Standard Single Family Residential) or GR (General Retail) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the SF-6 and GR zoning district in effect on the effective date of this ordinance apply to this PD as through written herein, except to the extend the City regulation or provision conflicts with a provision in this ordinance.
2. Except as otherwise provided herein, the words used in this Planned Development have the meaning established by the Development Code.
3. The PD shall be developed in accordance with the following exhibits that are attached to and made a part of this Final Development Plan:

   Exhibit C – Concept Plan

   Exhibit C1 – Landscape and Open Space Plan

4. As shown on Exhibit C, the PD encompasses 95.4 acres, located west of S. Cherry Street, east of State Highway 249, north of Holderrieth Road and south of Theis Lane.

C. Land Uses.

1. SFR: Permitted land uses are listed below.

Use	SIC Code
Private Household Services	8811
Dwellings – Single Family	99 (Non-Classifiable)
Parks and Recreational Facilities, Public or Private	99 (Non-Classifiable)
Residential Sales Office (Temporary)	
Drill Site	
Well Site	
Wetlands	

2. General Retail: Permitted uses of the Commercial tracts on Exhibit C shall be those uses permitted within GR- General Retail District of the Zoning Ordinance.

D. **Development Regulations for Single Family Lots** – Maximum 350 lots permitted. The total lot count may vary from that shown in Exhibit C so long as it is generally in a configuration with what is shown on Exhibit C. See H. Minor Modifications for permitted variations to the land plan.

Single-family home sites within the PD shall be developed in accordance with the following regulations:

1. The minimum lot width shall be 40 feet wide. Except the maximum number of lots 40 feet wide shall not exceed 60% percent of the total maximum number of lots.
2. Lots shown on Exbibit C
    a. Minimum lots area:
        i. 40' wide lots shall have a minimum area of 4,800 square feet.
        ii. 50' wide and greater, lots shall have a minimum area of 6,000 square feet. Lot width shall be measured at the building line.
    b. Minimum lot width: 40 feet. Lot width shall me measured at the building line.
    c. Minimum lot depth: 100 feet
    d. Maximum lot coverage: 60% (lot acreage shall include building footprint only)
3. Minimum building setbacks:
    a. Front yard: 20 feet; (measured from front building line)
    b. Rear yard: 15 feet;
    c. Side yard: 5 feet, 10 feet on street side of a corner lot.

E. **Development Regulations for non-residential uses-** All provisions and regulations regarding height, area regulations, maximum lot coverage, and maximum floor-area-ratios applicable in a GR (General Retail) zoning district.

F. **Amenities and Landscape Regulations** – As shown on Exhibit C1, the PD shall be developed in accordance with the following landscape regulations:
1. Recreation site and amenities:
    a. A minimum 1-acre recreational reserve, centrally located within the development, may include a playground and picnic facilities, etc.
    b. A minimum 6, off-street parking spaces shall be provided. The off-street parking may be provided thru dedicated parking lot, parallel parking and/or a combination of both. At a minimum, one bicycle rack which will accommodate a minimum of five bicycles.
    c. Amenities may include (but are not limited to):
        - Playground
        - Picnic Facilities
2. Landscape buffers:
    a. 15' foot minimum buffer shall be provided along all major and minor arterials and within commercial areas contiguous to lot lines. As shown on Exhibit C1
    b. 10-foot minimum buffer, contiguous to lot lines, shall be provided along entry street(s) and collector streets. As shown on Exhibit C1

c. Required buffers along major arterials and entry streets shall include one shade tree for each street frontage, or portion thereof, measured along the right-of-way line. The trees may be clustered or spaced linearly; they need to be placed evenly.
d. Required buffers may include trails.

3. Open Space:
   a. Minimum 30% space, to be distributed as shown on Exhibit C1
   b. Open space shall include all landscape buffers, landscape reserves, open space reserves, parks, drill sites, detention, lakes, wetlands and well sites.
   c. At a minimum 1 acre shall be provided as parks
   d. All required open space shall be owned and maintained by the Homeowners Association and shall be accessible to all residents within the PD's Homeowner's association. Exhibit C1

G. **Sidewalks -** As shown on Exhibit C1, the PD shall be developed in accordance with the following:
   1. Sidewalks:
      a. Minimum 5-foot width sidewalks shall be provided along both sides of local residential and collector streets.
      b. All sidewalks shall be paved with concrete.

H. **Minor Modifications –**The following minor modifications of the PD are allowed provided that such modifications shall be reviewed for compliance tithe the applicable Tomball Codes and this Ordinance and approved by the Planning Director.
   1. Modifications to internal street patterns are allowed
   2. Modifications to the location of land uses, provide that such relocations meet the minimum area and land use regulations set forth within in this document.
   3. Modifications to lot sizes are allowed provided that such lots shall meet the minimum area regulations set forth in this document.
   4. Modifications to the total acreage provided for each land use set for in Exhibit C are allowed, provided that the modification or series of modifications, shall not result in a net change of greater than 10% in each land use.



EXHIBIT C

LOT SUMMARY

40'x120'	166 LOTS	55%
50'x120'	132 LOTS	45%
TOTAL	298 LOTS	

POSSIBLE WETLANDS

APPROXIMATE WELL LOCATION

This layout is conceptual in nature and minor changes will be in compliance with the development guidelines exhibit B of the Planned Development.

a conceptual development plan for

HOLDERRIETH TRACT PLANNED DEVELOPMENT

±95.4 ACRES OF LAND

META PLANNING + DESIGN
24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE 0 100 200 400

MTA-62001
MAY 28, 2020

THIS DRAWING IS A GRAPHIC REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. SAID DRAWING IS A SCANNED IMAGE ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. META PLANNING + DESIGN MAY OR MAY NOT INTEGRATE ADDITIONAL INFORMATION PROVIDED BY OTHER CONSULTANTS, INCLUDING BUT NOT LIMITED TO THE TOPICS OF ENGINEERING AND DRAINAGE, FLOODPLAINS, AND/OR ENVIRONMENTAL ISSUES AS THEY RELATE TO THIS DRAWING. NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE PHYSICAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

© 2020 META PLANNING + DESIGN, ALL RIGHTS RESERVED.

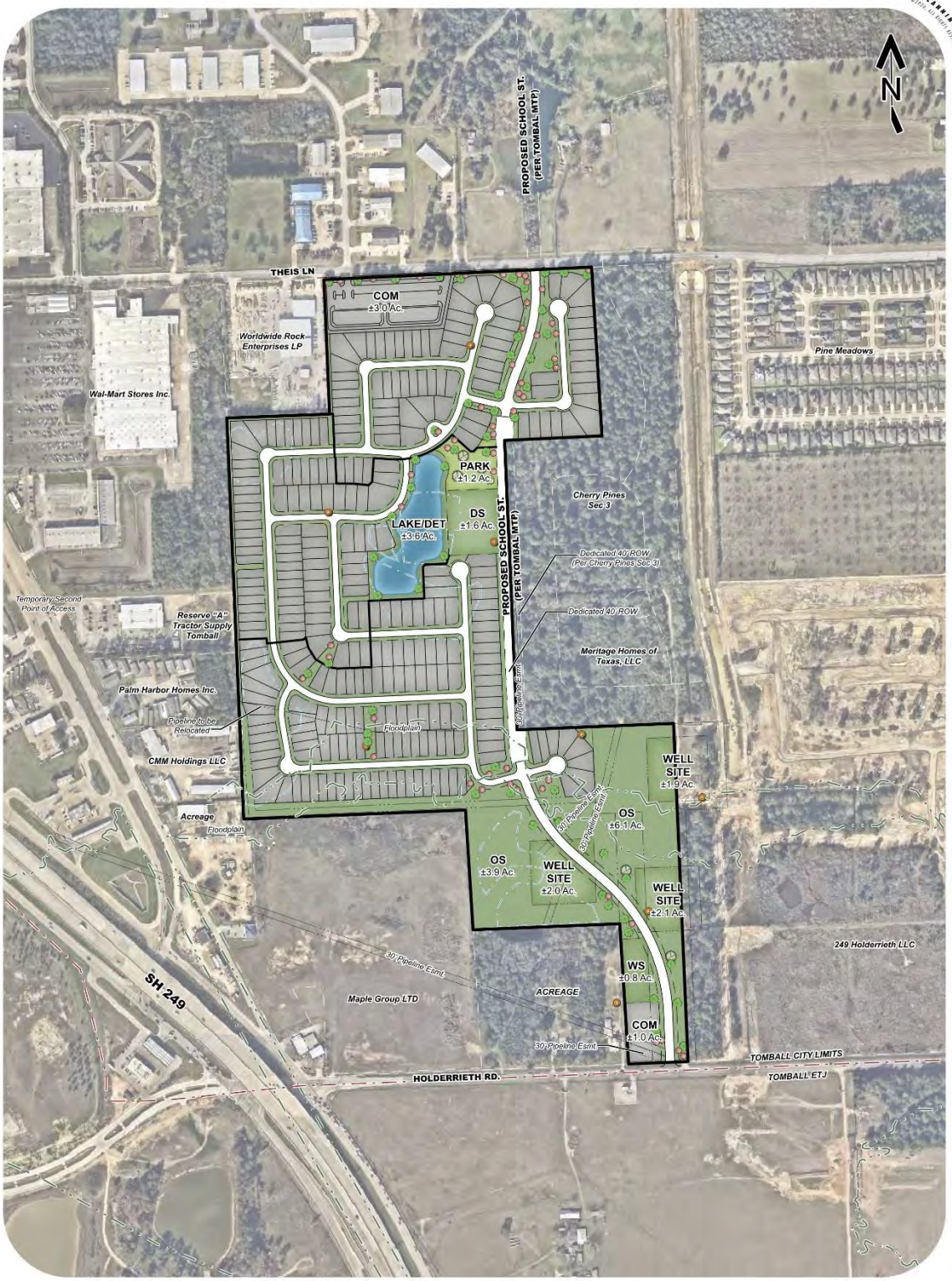


EXHIBIT C1

T S MARY

x120' LOTS 55%

x120' LOTS 45%

8 LOTS

POSSIBLE WETLANDS

APPROXIMATE WELL LOCATION

This layout is conceptual in nature and final changes will be in compliance with the development guidelines in exhibit B of the Planned Development.

an open space exhibit for

HOLDERRIETH TRACT PLANNED DEVELOPMENT

±95.4 ACRES OF LAND

META PLANNING + DESIGN
24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE 0 100 200 400

MTA-62001
MAY 6, 2020

THIS DRAWING IS A GRAPHIC REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. SAID DRAWING IS A SCANNED IMAGE ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. META PLANNING + DESIGN MAY OR MAY NOT INTEGRATE ADDITIONAL INFORMATION PROVIDED BY OTHER CONSULTANTS, INCLUDING BUT NOT LIMITED TO THE TOPICS OF ENGINEERING AND DRAINAGE, FLOODPLAINS, AND/OR ENVIRONMENTAL ISSUES AS THEY RELATE TO THIS DRAWING. NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE PHYSICAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

© 2020 META PLANNING + DESIGN, ALL RIGHTS RESERVED.



EXHIBIT **C1**

This layout is preliminary and subject to change. All changes will be in compliance with the development guidlines in Exhibit B of the Planned Development.

an open space exhibit for

HOLDERRIETH TRACT PLANNED DEVELOPMENT

±95.4 ACRES OF LAND

THIS DRAWING IS A GRAPHIC REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. SAID DRAWING IS A SCANNED IMAGE ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. META PLANNING + DESIGN MAY OR MAY NOT INTEGRATE ADDITIONAL INFORMATION PROVIDED BY OTHER CONSULTANTS, INCLUDING BUT NOT LIMITED TO THE TOPICS OF ENGINEERING AND DRAINAGE, FLOODPLAINS, AND/OR ENVIRONMENTAL ISSUES AS THEY RELATE TO THIS DRAWING. NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE PHYSICAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

© 2020 META PLANNING + DESIGN, ALL RIGHTS RESERVED.

META PLANNING + DESIGN

24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE 0 100 200 400

MTA-62001
MAY 28, 2020

META PLANNING + DESIGN

Public Comment Form

(Please type or use black ink)

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

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

Name: KEVIN GRAHAM
(please print)
Address: P.O. BOX 1621, TOMBALL, TX 77377

OR

Signature: Kevin Graham
Date: 7-4-2020

✓ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-103. (Please state reasons below)**

____ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-103. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:
Monday, July 13, 2020 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:
Monday, July 20, 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to ALindley@tomballtx.gov.
Please reference the case number in the subject line.
For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Public Comment Form

(Please type or use black ink)

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

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

Name: Jacqueline Angelo
(please print)
Address: 13142 HOLDERRIETH ROAD (TR 4B 026* TR 4-D)
TOMBALL, TX 77375 ABST 632 CN PILLOT
Signature: Jacqueline Angelo 8.5181 AC
Date: 07/15/20

✓ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-103. (Please state reasons below)**

____ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-103. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:
Monday, July 13, 2020 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:
~~**Monday, July 20, 6:00 PM**~~
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

As an substancial interest property owner; I am concerned about any and all my water rights and especially my pond adjacent to the back corner of my property line. I need to reinerate that The City of Tomball continue to have Notice of the Encroach lender new development may impose as well as other issues reguarding my Property FEMA COMMUNITY NO. 480315

You may also comment via email to ALindley@tomballtx.gov.
Please reference the case number in the subject line.
For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Notice of Public Hearing

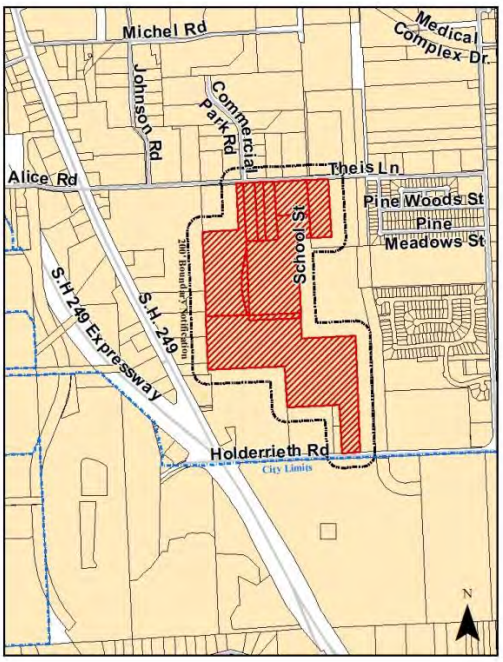
YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P20-103

APPLICANT/OWNER: Daniel Valdez with META Planning + Design.

LOCATION: Generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development District.



Planning & Zoning Commission Public Hearing:
Monday, July 13, 2020 6:00 PM

City Council Public Hearing:
***Monday, July 20, 2020 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.

CONTACT: Amelia Lindley, City Planner
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.

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020

Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.,** and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial 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 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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley
Amelia Lindley
City Planner

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

Adopt, on Second Reading, Ordinance No. 2020-20, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 1.7958 Acres of Land Legally Described as Part of Tracts 6A 12A 18A 24A 30A & 36A (AG-Use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District, said Property being generally located on the North Side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

Background:

On Monday July 13, 2020, after conducting a Public Hearing, the Planning & Zoning Commission recommended approval of the rezoning request with a 5-0 vote.

Origination:

Daniel Rodano

Recommendation:

Adopt Ordinance No. 2020-20 on Second Reading

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2020-20
Staff Report
Public Comment Form
Property Owner Notification
Notice of Public Hearing

ORDINANCE NO. 2020-20

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 1.7958 ACRES OF LAND LEGALLY DESCRIBED AS PART OF TRACTS 6A 12A 18A 24A 30A & 36A (AG-USE) TOMBALL OUTLOTS, FROM THE SINGLE-FAMILY 20 ESTATE DISTRICT TO THE COMMERCIAL DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF EAST HUFSMITH ROAD AT SNOOK LANE, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * * * * * * *

Whereas, Daniel Rodano has requested that approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

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

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

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve the requested rezoning of Commercial District; and

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

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

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

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

Section 2. The zoning classification of the Property is hereby changed from the Single-Family 20 Estate District to the Commercial District subject to the regulations, restrictions, and conditions hereafter set forth.

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

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

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 20TH DAY OF JULY 2020.

COUNCILMAN FORD	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN KLEIN QUINN	AYE

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF AUGUST 2020.

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

_____
Gretchen Fagan, Mayor

ATTEST:

_____
Doris Speer, City Secretary

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 13, 2020
City Council Public Hearing Date: July 20, 2020

Rezoning Case:	P20-099
Property Owner(s):	Daniel Rodano
Applicant(s):	Daniel Rodano
Legal Description:	Part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots
Location:	North side of East Hufsmith Road at Snook Lane (Exhibit "A")
Area:	1.7958
Comp Plan Designation:	Ranch Rural & Estate (Exhibit "B")
Present Zoning and Use:	Single-Family 20 Estate District (Exhibit "C") / Undeveloped (Exhibit "D")
Proposed Use(s):	Office and RV storage (Exhibit "E")
Request:	Rezone a portion of the property from the Single-Family 20 Estate District to the Commercial District

Adjacent Zoning & Land Uses:

North: Single-Family 20 Estate District / Single-family residence

South: Commercial District / Cornerstone Electric, single family residences

West: Single-Family 20 Estate District / Boxwood Manor (wedding venue)

East: Agricultural District / Single-family residence

BACKGROUND

City Staff began discussions with the property owner and representatives regarding the development of the site in early 2020.

ANALYSIS

The property as a whole is approximately 13 acres of land with frontage on both Zion Road and East Hufsmith Road. The property is split zoned: Single-Family 20 Estate District on the northern portion and Commercial District on the southern portion. Surrounding properties are zoned Single-Family 20 Estate to the north and west, Commercial to the south and Agricultural on the east.

This area of East Hufsmith has seen non-residential development in the recent past, including a wedding venue, Boxwood Manor, which is directly adjacent to the subject site on the west. Other recent developments include a boat and RV storage facility and office/warehouses. A portion of the property is already zoned Commercial, and, according to the Rezoning Application, the intended use of the portion of the property being rezoned is to serve as the detention pond for the commercial development which would provide a buffer for surrounding properties.

The property is designated as Ranch Rural & Estate by the Comprehensive Plan Future Land Use Map. The proposed rezoning does not meet the intent of the Future Land Use category; however, it does meet the character of the increasingly non-residential area of East Hufsmith Road.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 26, 2020. A Notice of Public Hearing was published in the paper on July 1, 2020. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P20-099.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

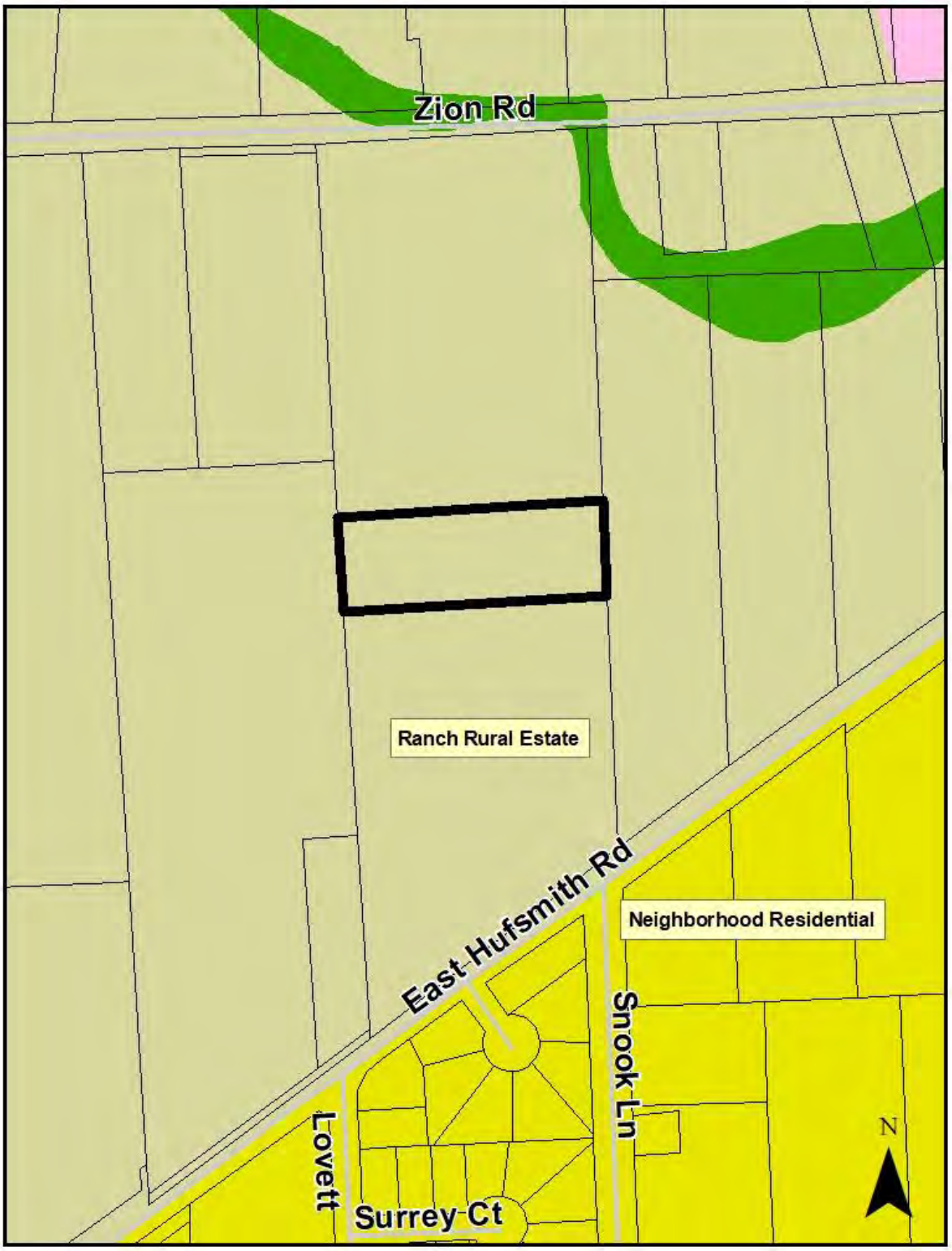


Exhibit "C"
Zoning Map

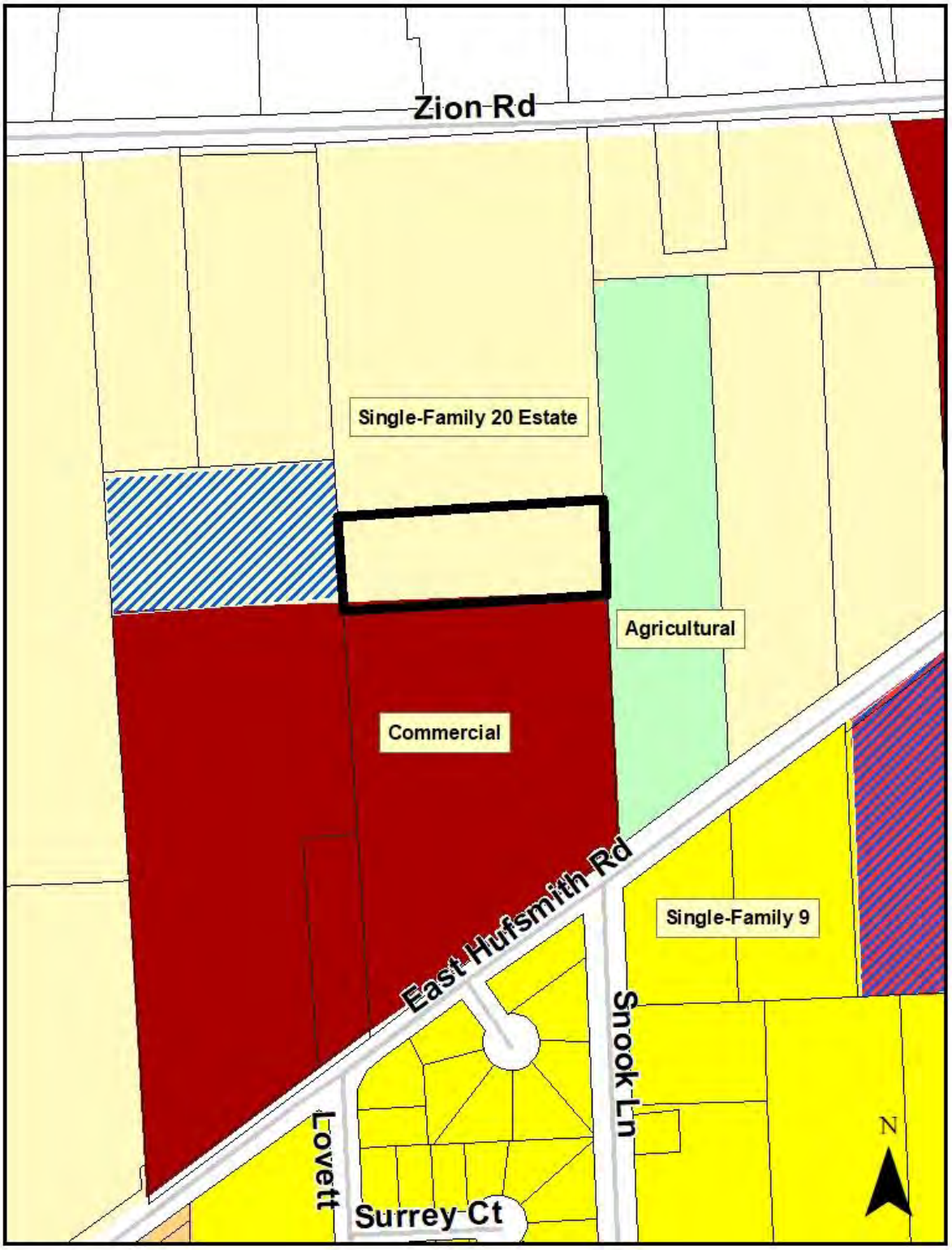


Exhibit "D"
Site Photos





Exhibit "E"
Rezoning Application

RECEIVED (KC)
05/15/2020 2:30:38 PM

Revised 5/19/15
ZONING CASE #P20-099
$420.00

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: Daniel Rodano Title: _____
Mailing Address: 12125 Zion Rd City: Tomball State: TX
Zip: 77375
Phone: (713) 824-3454 Fax: (____) _____ Email: coach16a@aol.com

Owner
Name: Daniel Rodano Title: _____
Mailing Address: 12125 Zion Rd City: Tomball State: TX
Zip: 77375
Phone: (713) 824-3454 Fax: (____) _____ Email: coach16a@aol.com

Engineer/Surveyor (if applicable)
Name: DPK Engineering, LLC David Kelly Title: President
Mailing Address: PO Box 823 City: Fulshear State: TX
Zip: 77441
Phone: (281) 346-2616 Fax: (____) _____ Email: david.kelly@dpkengineering.com

Description of Proposed Project: Office Condominiums and RV Storage

Physical Location of **Property:** On north side of E Hufsmith Rd across from Snook Ln
[General Location – approximate distance to nearest existing street corner]

Legal Description of **Property:** PT TRS 6A 12A 18A 24A 30A & 36A (AG-USE) TOMBALL OUTLOTS
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF-20-E - Single-Family 20 Estate District

Current Use of Property: Pond

Proposed Zoning District: C - Commercial

Proposed Use of **Property:** To serve as detention for adjacent commercial property

HCAD Identification Number: 0352820000171 Acreage: 1.7958

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 _____ 5/13/2020

Signature of Applicant Date

X _____

Signature of Owner Date

401 Market Street
401 Market Street
Tomball, TX 77375
(281) 351-5484

DATE : 5/13/2020 3:13 PM
OPER : RP
TKBY : rp
TERM : 2
REC# : R01221154

130.0000 PLANNING AND ZONING 420.00
daniel rodano e husmith and snook 420.

Paid By:daniel rodano e husmith and snoo
2-CK 420.00 REF:w 38343

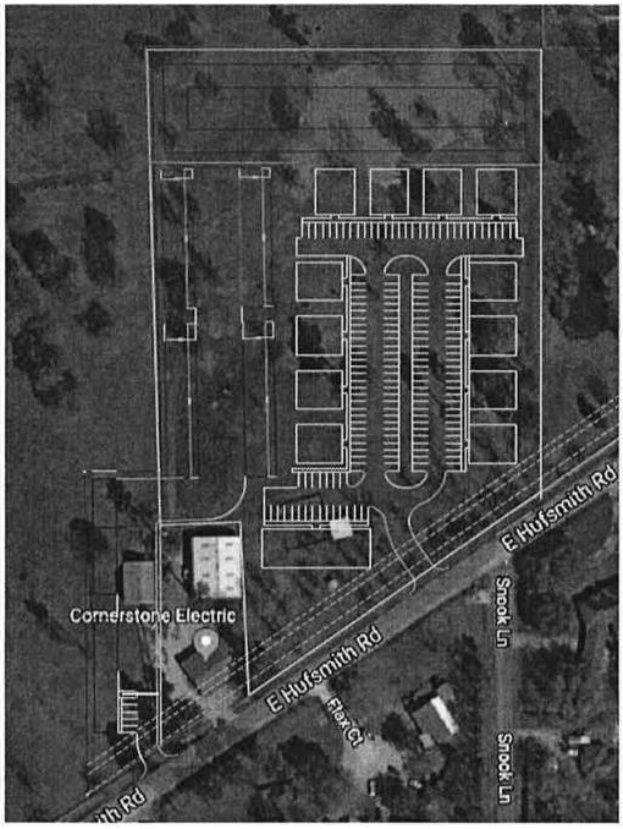
APPLIED 420.00
TENDERED 420.00

CHANGE 0.00

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

To Whom it may concern,

I am requesting a portion of land on my property as defined by the attached metes and bounds to be rezoned from SF-20-E Single Family Estate to Commercial. The specified land is currently occupied by a pond and is highlighted in red in the proposed construction layout below.



I request that this land be zoned commercial, so that the existing pond may be used as detention to support the commercial land adjacent to its southern border. Allowing the pond that is already there to serve as detention for the adjacent commercial land will enable more efficient use of the commercial land, on which I plan to build office condominiums and recreational vehicle storage. Neglecting to take advantage of the pond would minimize the services which I plan to offer to our community and the jobs which the offices may attract. Thank you for your consideration.

FOUR Points SURVEYING

FIELD NOTES

Description of 1.7958 acres (78,227 square feet) of land situated in the John S. Smith Survey, Abstract No. 730, Harris County. Texas; being a portion of a called 15.237 acre tract to Daniel G. Rodano by Special Warranty Deed of land as recorded in Harris County Clerk's File No. X609281, said 8.3020 acre tract being more particularly described as follows (all bearings are based NAD83 Texas State Plane Coordinate System):

COMMENCING at a found 5/8-inch iron rod for the southwest corner of said 15.237 acre tract, the southeast corner of a called 0.850 acre residual of a called 15.2374 acres as recorded under Harris County Clerk's File No. X609278 and in the northwest right-of-way of Huffsmith Road;

THENCE, North 02°57'19" West, along the west line of said 15.237 acre tract and the east line of said 0.850 acre, a west line of a called 2.792 acre to Hogan Crum, LLC by General Warranty Deed as recorded under Harris County Clerk's File No. RP-2017-108431 and a called 7.000 acre tract to Hogan Crum, LLC by General Warranty Deed as recorded under Harris County Clerk's File No. RP-2017-46121 a distance of 765.18 feet to the POINT OF BEGINNING and southwest corner of the herein described tract;

THENCE, North 02°57'19" West, along the west line of said 15.237 acre tract and the east line of said 7.000 acre tract a distance of 166.67 feet to a point for the northwest corner of the herein described tract;

THENCE, North 87°34'45" East, over and across said 15.237 acre tract a distance of 468.62 feet to a point for the northeast corner of the herein described tract and in the west line of a called 4.2394 acre tract to Weston Hickey ETUX by General Warranty Deed as recorded under Harris County Clerk's File No. 20150258907;

THENCE, South 02°25'15" East, along the east line of said 15.237 acre tract and the west line of said 4.2394 acre tract a distance of 167.75 feet to a point for the southeast corner of the herein described tract, from which a found 5/8-inch iron rod bears South 02°25'15" East, 455.39 feet, for the southeast corner of the said 15.237 acre tract and in the northwest right-of-way of said Huffsmith Road;

THENCE, South 87°42'45" West, over and across said 15.237 acre tract 467.07 feet to the POINT OF BEGINNING and containing a computed area of 1.7958 acres (78,227 square feet) of land. This description is based on a ground survey and plat prepared by Mark Sherley, Registered Professional Land Surveyor and dated April 27, 2020.

Mark L. Sherley
Registered Professional Land Surveyor No. 5326

STATE OF TEXAS
REGISTERED
MARK L. SHERLEY
5326
PROFESSIONAL
LAND SURVEYOR


E Hufsmith Rd
Snook Ln
Cornerstone Electric
E Hufsmith Rd
Flax Ct
Snook Ln
E Hufsmith Rd
Lovett S

P.O.B.
P.O.C.
1.7958 Acres
78,227 Sq. Feet
POND
JOHN S. SMITH
SURVEY, A-730
HUFFSMITH ROAD
PIPELINE MARKER
GAS METER
N 87°34'45" E 498.63'
S 87°42'45" W 483.07'
S 02°25'15" E 167.75'
N 02°57'19" W 166.67'
S 02°25'15" E 455.38'
N 02°57'19" W 76.18'
S 57°42'45" W 585.91'
FND 5/8" IR.
CALLED 7.000 ACRE
TO JORDAN KARAWITZ
BY DEED RECORDED
H.C.C.F.No. RPC-2017-48129
H.C.R.P.R.
CALLED 2.726 ACRE
TO GENERAL KARAWITZ
BY DEED RECORDED
H.C.C.F.No. RP-
H.C.R.P.R.
CALLED 0.850 ACRE
RESIDUAL OF A CALLED 12.2374 ACRES
CLERK'S FILE No. X609276
H.C.R.P.R.
CALLED 16.327 ACRE
TO BENITO G. ARROYO
BY DEED RECORDED
H.C.F.No. X608581
H.C.R.P.R.
CALLED 4.9994 ACRE
TO WESTON WICKET STUE
BY GENERAL WARRANTY DEED
H.C.F.No.
H.C.R.P.R.
PROPOSED COMMERCIAL ZONING
EXISTING COMMERCIAL ZONING
EXISTING CONDITIONAL USE ZONING
FLOOD PLAIN NOTE:
NOTES:
EXHIBIT
1.7958 ACRES
LOCATED IN THE JOHN S. SMITH SURVEY,
ABSTRACT NO. 730
HARRIS COUNTY, TEXAS
FOUR POINTS SURVEYING
SURVEYING FIRM #10194048

Public Comment Form

(Please type or use black ink)

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

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

Name: Wes & Rebecca Hickey
(please print)
Address: 1155 E Hufsmith
Tomball TX 77375

Signature: _____

Date: Wes and Rebecca Hickey

_____ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-099. (Please state reasons below)**

✓ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-099. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:
Monday, July 13, 2020 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:
Monday, July 20, 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

We feel this would greatly decrease our home and land value as we live at 1155 E. Hufsmith. We acknowledge the Rodano's rights, but ask to consider striving to protect the integrity of the trees along the fence border and try to build as far back or close to hufsmith as possible

You may also comment via email to ALindley@tomballtx.gov.
Please reference the case number in the subject line.
For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Notice of Public Hearing

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

CASE NUMBER: P20-099

APPLICANT/OWNER: Daniel Rodano

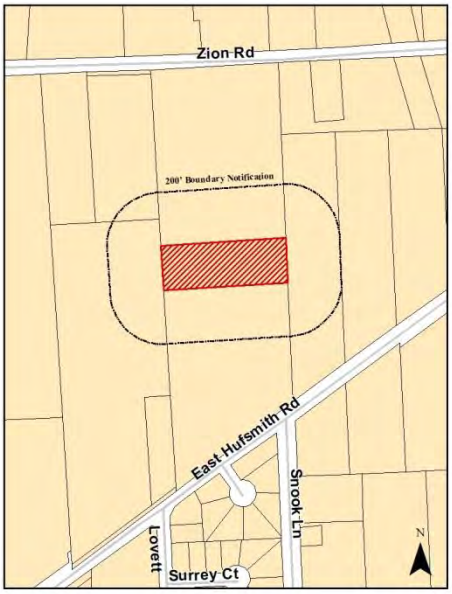
LOCATION: Generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District.

CONTACT: Amelia Lindley, City Planner
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, July 13, 2020 6:00 PM

City Council Public Hearing:
***Monday, July 20, 2020 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.

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 13, 2020
&
CITY COUNCIL
JULY 20, 2020

Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 13, 2020, at 6:00 P.M.,** and by the City Council of the City of Tomball on **Monday, July 20, 2020, 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 P20-069: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Zoning Case P20-099: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Zoning Case P20-103: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development (PD-14) District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-104: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described

as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development (PD-15) District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Zoning Case P20-105: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial 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 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 **9th** day of **July 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley
Amelia Lindley
City Planner

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Reappoint three Associate/Alternate Judges to the Municipal Court for an additional one-year term.

Background:
Associate/Alternate Judges Michael Tiffin, Cindy Bennett-Smith, and Blair Bruce, have performed well during the past year, and staff recommends that they be reappointed for an additional one-year term.

Origination:
Municipal Court

Recommendation:
Reappoint Judges Tiffin, Bennett-Smith, and Bruce.

Party(ies) responsible for placing this item on agenda:
Robert S. Hauck

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Reappoint Associate/Alternate Prosecutor to the Municipal Court for an additional one-year term

Background:
Associate/Alternate Prosecutor Erik Berglund has performed well during the past year, and staff recommends that he be reappointed for an additional one-year term.

Origination:
Municipal Court

Recommendation:
Reappoint Prosecutor Berglund

Party(ies) responsible for placing this item on agenda:
Robert S. Hauck

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Reappoint Presiding Municipal Court Judge, Brett Peabody, for an Additional Two-Year Term

Background:
Presiding Municipal Court Judge Brett Peabody was appointed in October 2014, to fill the remaining two-year term of Judge Andrea Walker, following her resignation. Judge Peabody has been a tremendous asset to the court, and he has assisted the Court Administrator both modernize and improve court practices and procedures.

Judge Peabody is a part-time employee of the City, but his position requires Council reappointment for an additional two-year term.

Origination:
Robert S. Hauck, City Manager

Recommendation:
It is recommended that Brett Peabody be reappointed as Presiding Municipal Court Judge for an additional two-year term.

Party(ies) responsible for placing this item on agenda:
Robert S. Hauck

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Reappoint Grant Stevens as Chief Prosecutor for the Tomball Municipal Court, for an Additional Two-Year Term

Background:
On November 18, 2014, Mr. Stevens was appointed to fill the vacancy created when his predecessor resigned to accept a position with the Grimes County District Attorney's Office.

During the past four years, Mr. Stevens has provided excellent service as our Chief Prosecutor and his philosophy meshes well with the values of our community.

Origination:
Robert S. Hauck, City Manager

Recommendation:
Appoint Grant Stevens as Chief Municipal Court Prosecutor.

Party(ies) responsible for placing this item on agenda:
Robert S. Hauck

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve Resolution No. 2020-15, a Resolution of the City of Tomball, Texas, Stating the City of Tomball's Intent to Participate in Tax Abatement and Establishing the Guidelines and Criteria for Granting Tax Abatements in a Reinvestment Zone Created in the City of Tomball

Background:
The Tax Code requires that each taxing unit that wishes to consider tax abatement proposals must adopt a Resolution indicating its intent to participate in tax abatement. The Resolution does not bind the City of Tomball to grant approval of any proposed agreements.

The Tax Code also requires any eligible taxing jurisdiction to establish Guidelines and Criteria as to eligibility for tax abatement agreements prior to granting any future tax abatement. These guidelines do not limit the City Council's discretion to choose whether or not to enter into any particular abatement agreement, and they do not give any person a legal right to require the governing body to consider or grant a specific application for tax abatement.

The draft Tax Abatement guidelines are very similar to the previous ones adopted under Resolution No. 2015-06; however, we have incorporated the latest Chapter 312, Tax Code requirements. The City's current guidelines will expire August 5, 2020 and must be re-adopted/re-authorized; staff is requesting re-adoption of the City's tax abatement guidelines, including the incorporation of the new requirements.

In the last Legislative session, HB 3143 was adopted, extending the tax abatement program for an additional ten years and adding additional public hearing and noticing requirements. The proposed changes to the City's policy are those required under HB 3143; including a public hearing a minimum of 30 days prior to reauthorization; the City held its public hearing on June 15, 2020.

Origination:
Finance Director and City Secretary

Recommendation:
Approve Resolution No. 2020-15

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

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2020-15

RESOLUTION NO. 2020-15

A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, STATING THE CITY OF TOMBALL'S INTENT TO PARTICIPATE IN TAX ABATEMENT AND ESTABLISHING THE GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENTS IN A REINVESTMENT ZONE CREATED IN THE CITY OF TOMBALL.

* * * * * * * * * *

WHEREAS, the capital investment and the creation and retention of job opportunities are a community priority; and

WHEREAS, new jobs and investment will benefit the area economy, provide needed opportunities, strengthen the real estate market, and generate revenue to support local services; and

WHEREAS, the City of Tomball must compete with other localities currently offering tax inducements to attract new business and modernization projects; and

WHEREAS, the abatement of property taxes, when offered to attract new investment and primary jobs in industries which bring in money from outside a community instead of merely re-circulating dollars within a community, has been shown to be an effective method of enhancing and diversifying an area of economy; and

WHEREAS, Texas law requires any eligible taxing jurisdiction to establish guidelines and criteria regarding eligibility for tax abatement prior to granting of any future tax abatement, and said guidelines and criteria to be unchanged for a two-year period unless amended by a three-quarters (3/4) vote; and

WHEREAS, the City Council of the City of Tomball desires to adopt guidelines and criteria regarding eligibility for tax abatement from the City of Tomball;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the authority contained in Section 312.002 of the Texas Tax Code, the City of Tomball does hereby intend to participate in tax abatement and adopt the guidelines and criteria for granting tax abatements in reinvestment zones in the City of Tomball attached hereto as Exhibit "A" and incorporated herein as if set forth at length.

PASSED, APPROVED, AND RESOLVED this 3rd day of August 2020.

_____
Gretchen Fagan, Mayor

ATTEST:

_____
Doris Speer, City Secretary

CITY OF TOMBALL, TEXAS

TAX ABATEMENT POLICY

AUGUST 6, ~~2018~~
2020

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TAX ABATEMENT GUIDELINES SUMMARY

TERMS	Up to 100% abatement for a period not to exceed 10 years. Each project is reviewed on a case-by-case basis. The amount of the abatement will be determined based on the merits of the project, including, but not limited to, location of the project, its size, total capital investment value, the number of temporary and permanent jobs created, the costs and benefits for the City, and the project's impact on Tomball's economy.
FACILITIES THAT QUALIFY	Corporate Headquarters Facility Manufacturing Facility Research Facility Regional Distribution Facility Regional Service Facility Regional Entertainment/Tourism Facility Other Basic Industry Facilities
AUTHORIZED INVESTMENTS	New Facilities Expansions Modernizations
ABATED	Buildings, structures, fixed machinery, equipment, personal property, site improvements, and related office space
ECONOMIC CRITERIA	**New business:** Minimum two million dollar ($2,000,000) investment; create a minimum of twenty-five (25) jobs. **Expansions:** Minimum one million dollar ($1,000,000) investment; must prevent the loss of payroll or retain, increase, or create payroll on a permanent basis in the City of Tomball.

CITY OF TOMBALL, TEXAS TAX ABATEMENT POLICY

SECTION 1: GENERAL PURPOSE AND OBJECTIVES

The City of Tomball is committed both to the promotion of high quality development within the City and to the improvement in the quality of life of its citizens. In order to meet these goals, the City will, on a case-by-case basis, give consideration to providing tax abatement within designated reinvestment zones as stimulation for economic development in the City. Texas Tax Code Chapter 311. The purpose of this tax abatement policy is to encourage the growth and establishment of industry and commercial enterprise in the City. Growth is measured by the capital investment in the City for buildings, machinery, and other capital goods that increases the Tomball workforce.

The City of Tomball will consider tax abatement for qualified business and property owners in accordance with the procedures and criteria outlined in this document. Nothing herein shall imply or suggest that the City is under any obligation to provide any incentive to any applicant. All applications shall be considered on a case-by-case basis.

All applications for tax abatement must be for commercial and/or industrial improvements. Tax abatement is available for both new facilities and for the expansion and modernization of existing facilities. No residential developments will be considered for tax abatement. Tax abatement will not be ordinarily considered for projects that would be developed without such incentives unless it is demonstrated that higher development standards or other community development goals will be achieved through the use of abatement.

SECTION 2: DEFINITIONS

(a) Abatement means the full or partial exemption from ad valorem taxes of certain new improvements of real and/or personal property in a reinvestment zone designated for economic development purposes.

(b) Agreement means a contractual agreement between the City of Tomball and a property owner and/or lessee for the purpose of tax abatement.

(c) Base Year Value means the assessed value of eligible property on January 1 preceding the execution of the Agreement plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the Agreement.

(d) Corporate Headquarters Facility means the facility or portion of a facility where corporate staff employees are physically employed and where the majority of the company's financial, personnel, legal, planning or other headquarters related functions are handled either on a national, regional or division basis.

(e) Deferred Maintenance means improvements necessary for continued operations, which do not improve productivity or alter the process technology.

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(f) Economic life means the number of years a property improvement is expected to be in service in a facility. Provided, however, that in no circumstance shall the number of years exceed the depreciation allowance specified in the United States Internal Revenue Code.

(g) Effective Date of Abatement means the first (1st) day of January immediately following the date the Agreement is approved by the City Council of Tomball or at any other date specifically authorized by City Council.

(h) Eligible Jurisdiction means the City of Tomball, Harris County and any school district or college district which levies ad valorem taxes upon, and provides services to, property located within the proposed or existing reinvestment zone.

(i) Expansion means the addition of buildings, structures, fixed machinery, equipment, and personal property for the purpose of increasing production capacity.

(j) Facility means property improvements completed or m the process of construction which together comprise an integral whole.

(k) Manufacturing Facility means buildings, structures, fixed machinery, equipment and personal property, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.

(l) Modernization means the upgrading of existing facilities, which increases the productive input or output, updates the technology or substantially lowers the unit cost of the operation; modernization may result from the construction, alternation, or installation of buildings, structures, fixed machinery, equipment and personal property. It shall not be for the purpose of reconditioning, refurbishing or repairing.

(m)New Facility means a property, previously undeveloped, that is placed into service by means other than or in conjunction with expansion or modernization.

(n) New Machinery and Equipment means tangible machinery, equipment, or personal property that is securely placed or fastened and stationary within a building or structure or permanently resides in the City of Tomball.

(o) Other Basic Industry Facility means buildings and structures including fixed machinery, equipment, and personal property not elsewhere described, used or to be used for the production of products or services which primarily serve a market outside the City of Tomball and result in the creation of new permanent jobs and bring new wealth in to the City.

(p) Real Property: The land on which a facility is placed.

(q) Regional Distribution Facility means buildings and structures including fixed machinery, equipment, and personal property used or to be used primarily to receive, store, service or distribute goods or materials owned by the facility, from which a

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majority of revenues generated by the activity at the facility are derived from outside the City of Tomball.

(r) Regional Entertainment/Tourism Facility means buildings and structures, including fixed machinery, equipment, and personal property used or to be used to provide entertainment and/or tourism related services, from which a majority of revenues generated by activity at the facility are derived from outside the City of Tomball.

(s) Regional Service Facility means buildings and structures, including fixed machinery, equipment, and personal property used or to be used to provide a service, from which a majority of revenues generated by activity at the facility are derived from outside the City of Tomball.

(t) Research Facility means buildings and structures, including fixed machinery, equipment, and personal property used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.

SECTION 3: GUIDELINES AND CRITERIA

Minimum Standards for Tax Abatement

(a) The project shall not have any negative environmental impacts on the community (e.g., significant pollution or hazardous waste).

(b) The project should stimulate local employment and/or commercial activity and benefit existing business and not compete with existing businesses to the extent of being a detriment to the local economy as a whole.

(c) **New Facilities**: The project will establish and maintain at least twenty-five (25) jobs in the City of Tomball and have a minimum capital investment of two million ($2,000,000). *(The acquisition cost of the real property is not included in the project investment).*

(d) **Expansion/Modernization**: The project must prevent the loss of payroll or retain, increase or create payroll on a permanent basis in the City of Tomball and have a minimum capital investment of one million ($1,000,000). *(The acquisition cost of the real property is not included in the project investment).*

(e) The City of Tomball may consider tax abatement for an investment less than the minimum amount required based upon City evaluation of economic development factors, including but not limited to:
(a) the location of taxable inventory on the property;
(b) the amount of sales tax that the project will generate for the City.

(f) Tax abatement may only be granted for the additional tax value resulting from any of the following:
(a) construction of a new facility of any type as herein defined;

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(b) expansion of existing facilities of any type as herein defined; or
(c) modernization of existing facilities of any type as herein defined.

(g) The project should have high visibility and image impact, or be a significantly higher level of development quality.

(h) The project will serve as a catalyst or magnet to attract or retain other high quality industrial/business development.

(i) The project will not solely and primarily have the effect of transferring employment from one part of the city to another.

(j) The development must conform to the City's zoning ordinance.

(k) The costs of city services required for the development should not exceed the amount of taxes generated if abatement is provided.

SECTION 4: ABATEMENT AUTHORIZED

(a) Authorized Tax Abatement Categories. A facility may be eligible for tax abatement if it is a:

Corporate Headquarters Facility
Manufacturing Facility
Research Facility
Regional Distribution Facility
Regional Service Facility
Regional Entertainment/Tourism Facility, or
Other Basic Industry Facility

(b) Authorized Date: A facility shall be eligible for tax abatement if it has applied for such abatement prior to the commencement of construction.

(c) Creation of New Value: Abatement may only be granted for the additional value of eligible property improvement made subsequent to and in an abatement agreement between the City of Tomball and the property owner and/or lessee, subject to such limitations as the City Council may require.

(d) Eligible Property: Abatement may be extended to the value of buildings, structures, fixed machinery, equipment, personal property, site improvements plus that office space and related fixed improvements necessary to the operation and administration of the facility. The value of all property shall be the appraised value for each year, as finally determined by the applicable appraisal district.

(e) Ineligible Property: The following types of property shall be generally be fully taxable and ineligible for abatement: land; inventories; supplies; tools; furnishings; and other forms of movable personal property; vehicles; vessels; aircraft; housing; hotel

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accommodations; deferred maintenance investments; property to be rented or leased except as provided below; improvements for the generation or transmission of electrical energy not wholly consumed by a new facility or expansion; any improvements, including those to produce, store or distribute natural gas, fluids or gases, which are not integral to the operation of the facility; property which has an economic life of less than fifteen (15) years; property owned or used by the State of Texas or its political subdivision or by any organization owned, operated or directed by a political subdivision of the State of Texas, or any property exempted by local, state or federal law; and property owned or leased by a member of city council or a member of a zoning or planning commission of the City.

(f) Leased Facilities: If a leased facility is granted abatement, the agreement shall be executed with the lessor and the lessee.

(g) Value and Term of Abatement: Abatement shall be granted effective with the January 1 valuation date immediately following the date of execution of the agreement or at such other date specifically authorized by City Council. The value of the abatement will be determined based on the merits of the project, including, but not limited to, total capital investment value and added employment. Up to one hundred percent of the value of new eligible properties may be abated for a total term of abatement not to exceed ten years. However, a project must provide an extraordinary economic benefit to the City to be considered for one hundred percent abatement.

If a modernization project includes facility replacement, the abated value shall be the value of the new unit(s) less the value of the old unit (s).

(h) Taxability: From the execution of the abatement to the end of the agreement, taxes shall be payable as follows:

(1) The value of ineligible property as provided in Section 4(e) shall be fully taxable;

(2) The base year value of existing eligible property as determined each year shall be fully taxable; and,

(3) The additional value of new eligible property shall be taxable at the end of any abatement period.

SECTION 5: APPLICATION

(a) Any present or potential owner of taxable property in the City of Tomball may request the creation of a reinvestment zone or tax abatement by filing a written application with the City Secretary of the City of Tomball.

(b) The application shall consist of a completed application form accompanied by: a general description of the project/new improvements to be undertaken; a descriptive list of the improvements for which an abatement is requested; a list of the kind, number and location of all proposed improvements of the property; a list of the estimated value of

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inventory and the location where the inventory will be stored; the projected employment number at the proposed facility and the estimated average salary; the estimated amount of annual sales subject to State Sales & Use Tax; a map and property description; and a time schedule for undertaking and completing the proposed improvements. The applicant shall also include information pertaining to the reasons the abatement is necessary in order to have the project undertaken in the City of Tomball. In the case of modernization, a statement of the assessed value of the facility separately stated for real and personal property shall be given for the tax year immediately preceding the application. The application form may require such financial and other information as the Tomball City Council deems appropriate for evaluating the financial capacity and other factors of the applicant.

(c) The applicant must certify that the applicant does not employ nor will it employ any undocumented workers (an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or, authorized under law to be employed in that manner in the United States). The applicant must agree that if it is convicted of a violation under 8 U.S.C. Section 1324a(f) after receiving a tax abatement, applicant shall repay the amount of the tax abatement with interest, at the rate of 12% per annum, within 120 days after the City notifies the applicant of the violation. The City shall have the authority to bring a civil action to recover any amounts which the applicant must repay the City under this provision, and in such action may recover court costs and reasonable attorneys' fees.

(d) The City of Tomball may request additional information as deemed appropriate for evaluating the financial capacity of the applicant and compatibility of the proposed improvements with these guidelines and criteria.

(e) Upon receipt of a completed application, the Mayor of the City of Tomball shall notify in writing the presiding officer of the governing body of each eligible jurisdiction.

(f) After receipt of a completed application, the City Council through its City Manager shall determine whether the application qualifies for abatement under the terms of these guidelines and criteria.

(g) The City Manager shall prepare a fiscal impact analysis setting out the impact of the proposed reinvestment zone and tax abatement. The impact analysis study shall include, but not limited to, an estimate of the economic effect of the creation of the zone and the abatement of taxes and the benefit to the City of Tomball and the property to the included in the zone. The cost of city services to the development should not exceed the amount of taxes generated by the development

(h) The City Council shall not establish a reinvestment zone or enter into an abatement agreement if it finds that the request for the abatement was filed after the commencement of construction, alteration, or installation of improvements related to a proposed new facility, expansion, or modernization. An applicant is ineligible for abatement if a decision to commence a new facility, expansion or modernization in the City of Tomball has been formally announced on or before the date of adoption of these guidelines.

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SECTION 6: PUBLIC HEARING AND APPROVAL

(a) The City Council may not adopt an ordinance designating a reinvestment zone until it has held a public hearing at which interested persons are entitled to speak and present evidence for or against the designation. TEXAS TAX CODE § 312.201. Notice of the hearing must be published at least 7 days before the hearing in a newspaper of general circulation in the City. Id. The presiding officers of eligible jurisdictions shall be notified in writing at least 7 days prior to the hearing. Id.

(b) ~~Prior to entering into an tax abatement agreement, the City Council, may, at its option, hold a public hearing at which interested persons shall be entitled to speak and present written materials for or against the approval of the agreement.~~ Before the ~~governing body~~City Council ~~of a taxing unit~~ may adopt, amend, repeal, or reauthorize guidelines and criteria, the ~~body~~City Council must hold a public hearing regarding the proposed adoption, amendment, repeal, or reauthorization at which members of the public are given the opportunity to be heard.

(c) The agreements that are being considered must be published at least 30 days before the scheduled meeting date. The publication must include the name of the owner, the name/location of the reinvestment zone where the property will be, the nature of the improvements or repairs covered by the proposed agreement, and the estimated cost of the improvements or repair.

(d) The City of Tomball will post the current version of the guidelines of the tax abatement.

~~(b)~~

~~(c)~~(c) In order to enter into a tax abatement agreement, the City Council must find that the terms of the proposed agreement meet these GUIDELINES AND CRITERIA and that:

(1) There will be no substantial adverse effect on the provision of the City of Tomball's services or tax base; and

(2) The planned use of the property will not constitute a hazard to public safety, health or morals.

SECTION 7: AGREEMENT

(a) After approval of a tax abatement application within a designated reinvestment zone, the Tomball City Council shall formally pass a resolution and execute an agreement with the owner of the facility and lessee as required, which shall include:

(1) Estimated value to be abated and the base year value;

(2) Percent of value to be abated each year;

(3) The commencement date and the termination date of abatement;

(4) The proposed use of the facility, nature of construction, time schedule for

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completion of the project, map, property description and improvement list;

(5) The contractual obligation in the event of default, violation of terms or conditions, delinquent taxes, recapture, administration and assignment, or other provisions that may be required for uniformity or compliance with state law;

(6) Amount of investment, increase in assessed value and average number of job involved; and

(7) A requirement that the applicant annually submit to the City, a January employee count of the abated facility which corresponds to the employment counts reported in the facility's Employer's Quarterly Report to the Texas Workforce Commission, and a separate notarized letter certifying the number of jobs created

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or retained as a direct result of the abated improvements and the number of employees in other facilities located within the City of Tomball. Submission shall be used to determine abatement eligibility for that year and shall be subject to audit if requested by the governing body. Failure to submit may result in the ineligibility to receive an abatement for that year and the termination of the tax abatement agreement and subject any abated taxes to recapture pursuant to Section 8 hereof.

Such agreement shall normally be executed within 60 days after the applicant has forwarded all necessary information and documentation to the Tomball City Council.

(b) The City Council may impose any other conditions in a tax abatement agreement that the City Council deems necessary to promote the purpose of these guidelines.

SECTION 8: RECAPTURE

(a) In the event that the facility is completed and begins producing product or service, but subsequently discontinues producing product or service for any reason excepting fire, explosion or other casualty or accident or natural disaster for a period of one (1) year during the abatement period, then the agreement shall terminate and so shall the abatement of the taxes for the calendar year during which the facility no longer produces. The taxes otherwise abated for that calendar year shall be paid to the City of Tomball within sixty (60) days from the date of termination.

(b) Should the City Council determine that the company or individual is in default according to the terms and conditions of its agreement, the City of Tomball shall notify the company or individual in writing at the address stated in the agreement, and if such is not cured within sixty (60) days from the date of such notice (the Cure Period), then the agreement may be terminated.

(c) In the event that the company or individual allows its ad valorem taxes owed the City of Tomball to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest, or violates any of the terms and conditions of the abatement agreement and fails to cure during the Cure Period, then the City may terminate the agreement and all taxes previously abated by virtue of the agreement will be recaptured and paid within sixty (60) days of the termination.

SECTION 9: ADMINISTRATION

(a) Each year, the company or individual receiving abatement shall furnish the Chief Appraiser and the City of Tomball with such information as may be necessary for the abatement.

~~(b)~~ The agreement shall stipulate that employees and/or designated representatives of the City of Tomball will have access to the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after the giving of twenty-

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four (24) hours prior notice and will only be conducted in such manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the company or individual and in accordance with its safety standards.

~~(c)~~(b) Upon completion of construction, the jurisdiction which created the zone shall annually evaluate each facility receiving abatement to ensure compliance with the agreement and report possible violations of the agreement to the City of Tomball and its attorney.

~~(d)~~(c) All documents related to tax abatements, including the annual certifications, will be kept on file with the City Secretary.

SECTION 10: ASSIGNMENT

An abatement may be assigned by the holder to a new owner or lessee of the same facility with the written consent of the Tomball City Council, which consent shall not be unreasonably withheld. Any assignment shall provide that the assignee shall irrevocably and unconditionally assume all the duties and obligations of the assignor upon the same terms and conditions as set out in the agreement. Any assignment of a tax abatement agreement shall be to an entity that contemplates the same improvements or repairs to the property, except to the extent such improvements or repairs have been completed. No assignment shall be approved if the assignor or the assignees are indebted to the City of Tomball for ad valorem taxes or other obligations.

SECTION 11: CONFIDENTIALITY OF PROPRIETARY INFORMATION

Subject to the provisions and limitations of Chapter 552 of the Texas Government Code, information that is provided to the City of Tomball in connection with an application or request for the creation of a reinvestment zone for the purposes of tax abatement in accordance with the above criteria and guidelines and which describes the specific process or business activities to be conducted or equipment or other property to be located on the property for which the tax abatement is sought is confidential and not subject to public disclosure until the tax abatement agreement is executed. Texas Tax Code § 312.003. The information in the custody of the City of Tomball after the agreement is executed will be treated as confidential to the extent allowed by law.

SECTION 12: SUNSET PROVISION

These GUIDELINES AND CRITERIA are effective upon the date of their adoption and will remain in force for two (2) years, at which time all reinvestment zones and tax abatement contracts created pursuant to its provisions will be reviewed by the Tomball City Council to determine whether the goals have been achieved. Based on that review, the GUIDELINES AND CRITERIA will be modified, renewed or eliminated.

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Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve Resolution No. 2020-25, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 13th Annual Homecoming Parade and Community Rally, to be held at the Tomball Depot, Sponsored by the Tomball Independent School District and the Tomball High School Student Council, in October 2020

Background:
Tomball High School would like to host their 13th Annual Homecoming Parade and Pep Rally. The date will be pushed into October but unknown at this time. The representatives are aware that the pep rally may be omitted due to gathering restrictions.

Tomball High School respectfully requests the opportunity to host its 13th Annual Homecoming Parade & Community Rally on Wednesday, September 16, 2020, beginning at 6:00 pm and ending at 8:00 pm. Participants in this event will include the 9th-12th grade students, faculty, and staff of Tomball High School as well as students, faculty, and staff affiliated with the schools in the THS feeder pattern. It is a well publicized community event that is open to the public and is free to attend.

This event begins with a parade that starts at Tomball Intermediate School and proceeds east down Main Street entering the park area by The Train Depot at S. Elm Street. This event will culminate in a community pep rally that takes place on the pad site immediately in front of The Depot and will include special introductions of TISD Administration and Executive Team, the 2019 Homecoming Court, and the various teams representing THS fall sports.

We would like to request that set up begin as early as 3:30 and that clean up be allowed until 9 pm. No goods and services will be sold on location, but we would like to request permission to place tents around the park's perimeter for fall sports teams to gather prior to the rally.

Origination:
Denise Fiore

Recommendation:
Approve

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

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2020-25
THS Parade Proposal
THS Insurance Waiver
THS Parade Application

RESOLUTION NO. 2020-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, SUPPORTING THE 13TH ANNUAL HOMECOMING PARADE AND COMMUNITY RALLY, TO BE HELD AT THE TOMBALL DEPOT, SPONSORED BY THE TOMBALL INDEPENDENT SCHOOL DISTRICT AND THE TOMBALL HIGH SCHOOL STUDENT COUNCIL, IN OCTOBER 2020

* * * * * * * * *

WHEREAS the Tomball Independent School District and the Tomball High School Student Council will undertake the 13th Annual Homecoming Parade and Community Rally, to be held in the City of Tomball in October 2020, from 6:00 p.m. until 8:00 p.m.; and

WHEREAS the parade will form at Tomball Intermediate School and proceed down Main Street (FM 2920) to the Depot; and

WHEREAS a community-wide rally that will include the Cougar Pride Band, Cougar Charms Drill Team, and Cheerleaders will be held at the Depot immediately following the parade, during which the Homecoming Court will be announced; and

WHEREAS the Tomball Independent School District and the TISD Student Council desire and request the support and endorsement of the City of Tomball, including use of the Depot, in this community-wide effort;

NOW, THEREFORE, BE IT RESOLVED that the City of Tomball and its governing body endorses and supports the efforts of the Tomball Independent School District and the TISD Student Council in promoting and undertaking the Homecoming Parade and Pep Rally and pledge to encourage this effort.

PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE 3RD DAY OF AUGUST 2020.

_____
GRETCHEN FAGAN, Mayor

ATTEST:

_____
DORIS SPEER, City Secretary

Tomball High School's
13th Annual Homecoming Parade
& Community Rally Proposal

Tomball High School respectfully requests the opportunity to host its 13th Annual Homecoming Parade & Community Rally on Wednesday, September 16, 2020, beginning at 6:00 pm and ending at 8:00 pm. Participants in this event will include the 9th-12th grade students, faculty, and staff of Tomball High School as well as students, faculty, and staff affiliated with the schools in the THS feeder pattern. It is a well publicized community event that is open to the public and is free to attend. This event begins with a parade that starts at Tomball Intermediate School and proceeds east down Main Street entering the park area by The Train Depot at S. Elm Street. This event will culminate in a community pep rally that takes place on the pad site immediately in front of The Depot and will include special introductions of TISD Administration and Executive Team, the 2019 Homecoming Court, and the various teams representing THS fall sports. We would like to request that set up begin as early as 3:30 and that clean up be allowed until 9 pm. No goods and services will be sold on location, but we would like to request permission to place tents around the park's perimeter for fall sports teams to gather prior to the rally.

SPECIAL EVENT GUIDELINES & APPLICATION

CITY OF TOMBALL, TEXAS
Effective Date:

INTRODUCTION: Any organized activity or event and open to the general public that involves the use of, or having an impact upon, public property, facilities, public parks, sidewalks, or street areas in the City of Tomball require prior approval and must meet certain requirements for consideration.

PROCEDURES: Several procedures and guidelines must be followed before any non-city staged event may take place. Those include, but are not limited to, the following:

1. A completed Special Event application must be submitted to the Tomball Department of Marketing & Tourism at least 180 days prior to any proposed festival or event. Tomball City Council approval is required if event meets one of the following criteria: sale of alcohol, street closures or contains a request for in-kind donations from the City of Tomball.
2. A written proposal must accompany the application. The proposal should include the overall event concept, a detailed site map, a list of planned activities, hours of operation, proposed vendors, food and beverage, entertainment and any other relevant aspects of the event.
3. If a charity is involved, or is the beneficiary of funds raised, information about the charity needs to be included as a part of the application process, as well as proof of non-profit status. If requesting in-kind services, preference will be given to organizations providing donations to agencies within the city limits of Tomball.
4. A fee equal to the actual cost of city services to host the event will be required of for-profit event planners to be paid no less than ten business days before the event. Non-profit organizations may request city services as an in-kind donation.
5. A meeting will be scheduled with the Tomball Events Team (representatives of Tomball Police, Fire, Public Works, Marketing and Northwest EMS) to discuss the merits and feasibility of the proposed event. The applicant is required to be at this meeting to answer questions regarding the application. Failure to attend will result in the event being cancelled by the City of Tomball.
6. If approved by the Tomball Events Team, the proposed event will be presented to City Council for final approval. The applicant is required to be at this meeting to answer questions regarding the application if necessary.
7. Ten days prior to the event, proof of general liability insurance ($1,000,000 minimum) must be provided by the event organizer naming the City of Tomball as additional insured.
8. Event coordinators must provide their own volunteers or staff; oversee food and beverage permits, vendors, site clean-up and other aspects of staging a festival/special event.
9. Failure to comply with the guidelines listed above will preclude applicant from staging future events.

For additional information, or to submit an event application, please contact:
Denise Fiore - Community Events Coordinator
401 Market Street
Tomball, Texas 77375
281-351-5484 | Email - dfiore@tomballtx.gov

SPECIAL EVENT APPLICATION

CITY OF TOMBALL, TEXAS | 401 Market Street | Tomball, Texas 77375 | 281-351-5484

An application to stage an event within the City of Tomball shall be filed with the Community Events Coordinator at least 180 days prior to the event. This application is not to be construed as authorizing or agreeing to any event until formally approved by Tomball City Council.

Date: 6/11/2020 Is this event Co-City sponsored? Yes ____ No _X__

Request for permission to use a public venue for the following type of event (please check one):

Festival ___ Community Event X__ Arts & Crafts Event ___ Music Event ___ Other (specify) ____

_____

1. Event title: 13th Annual Homecoming Parade & Community Pep Rally
2. Sponsoring entity: Tomball High School Student Council
3. Is this organization based in Tomball: Yes _X__ No ___
4. Is this organization *non-profit* _X_ or *for-profit* ___ *Attach 501 (c) (3) tax exemption if applicable
5. Contact: __Tammy Baker Phone: _980-939-2522
6. Contact address: _Tomball High School, 30330 Quinn Road, Tomball, TX 77375
7. Contact email: tamarabaker@tomballisd.net
8. Event date: Wednesday, September 16, 2020
9. Event times: Start _6:00pm Finish _8:00pm___ Set-up _3:30pm____ Breakdown _9:00 pm___
10. Is this event for charity? Yes ___ No _X_
11. If yes, what charity? _N/A Tax ID _____
12. If yes, what percentage of net proceeds will be donated to the charity? ____
13. On-site contact: _Tammy Baker Mobile Phone: 980-939-2522___
14. Estimated number of attendees: 2000
15. Detailed site map in attached: Yes _X__ No ___
16. Is this event open to the public: Yes _X__ No ___
17. Admission fee: $_____ Free _X__
18. Time at which event staff will begin to arrive: 3:30pm
19. The applicant will defend and hold harmless the City of Tomball from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of the conduct of the activity authorized by such application including attorney fees and expenses. Initial__TB____
20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured. Initial____TB__
21. Name of insurance carrier: __TASB Risk Management Fund
22. Organization has secured date with the Public Works Dept. and has paid deposit. __N/A_
23. Signature: __Tammy Baker

FOR OFFICIAL USE - Fee required: Yes ___ No ___ Amount Due: $_____

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Presentation of the Annual Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2019

Background:
The firm of BKD, LLP has completed the audit of our financial statements for the fiscal year ending September 30, 2019.

Amanda Eaves, CPA, Partner, will be at the meeting via Zoom to present the summary of the CAFR.

Origination:
Finance

Recommendation:
N/A - Receipt only of the Report by the Council

Party(ies) responsible for placing this item on agenda:
Glenn Windsor, CPA, Finance Director

ACTION TAKEN

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

ATTACHMENTS:

9/30/2019 CAFR

City of Tomball, Texas

Comprehensive Annual Financial Report

Year Ended September 30, 2019

City Manager

Robert S. Hauck

Prepared by

Glenn Windsor, CPA, CGFO
Finance Director

City of Tomball, Texas
September 30, 2019

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Introductory Section (Unaudited)

July 9, 2020

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

It is with great pleasure that we present to you a copy of the Comprehensive Annual Financial Report (CAFR) of the City of Tomball, Texas (the City) for the fiscal year ended September 30, 2019. The responsibility for both the accuracy of the presented information and the completeness and fairness of the presentation of the data, including all disclosures, rests with the City. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the results of operations of the various funds of the City, as well as the fund balances. All disclosures necessary to enable the reader to gain an understanding of the City's financial activities have been included.

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

The MD&A immediately follows the independent auditor's report and provides a narrative introduction, overview and analysis of the basic financial statements. MD&A complements this letter and should be read in conjunction with it.

Profile of the Government

The City, incorporated on July 18, 1933, is located northwest of Houston, Texas, in a rapidly growing area of Harris County. The City currently occupies a land area of 12.34 square miles and serves an estimated population of 11,761. The City of Tomball is empowered to levy a property tax on both real and personal properties located within its boundaries. It also is empowered by state statute to extend its corporate limits by annexation, which occurs when deemed appropriate by the governing council.

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

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

The annual budget serves as the foundation for the City's financial planning and control. All departments of the City are required to submit requests for appropriation to the Finance Director. These requests serve as a starting point for developing a proposed budget. The Finance Director provides the information to the City Manager, who then presents this proposed budget to the Council for review. The Council is required to hold public hearings on the proposed budget and to adopt a final budget no later than September 30, the close of the City's fiscal year. The appropriated budget is prepared by fund, function and department. Department heads may make requests to the City Manager for transfers of appropriations within a department. Transfers of appropriations between departments, however, require the approval of the City Council. Budget-to-actual comparisons are provided in this report for each individual governmental fund for which an appropriated annual budget has been adopted. For the general fund, this comparison is presented on Page 62 as part of required supplementary information. For governmental funds, other than the general fund, with appropriated annual budgets, this comparison is presented in the non-major governmental fund subsection of this report, which starts on Page 64.

Factors Affecting Financial Condition

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

Local Economy

The City is located approximately 32 miles northwest of Houston and is primarily surrounded by various taxing districts, making it one of the only incorporated areas in this portion of Harris County. As a result, the City has evolved into the area's principal commercial center. Assessed values for fiscal 2019 reflect an increase of 10.9 percent to $2.07 billion. This property value increase is the result of continued commercial development within the City including both residential and commercial. New single-family residential development continues with the addition of several Public Improvement Districts.

Sales tax revenues increased .63 percent during fiscal year 2019. The City had anticipated this revenue source remaining level when the budget was adopted. At this writing, for fiscal year 2020, sales taxes are down by 4.26 percent for the first eight months. However, new residential and commercial development continues to increase throughout the City and the surrounding area. At the current time, the City has 2,000 residential properties under development.

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

Long-term Financial Planning

The City issued $20,240,000 Certificates of Obligation in 2016 for the construction of Medical Complex Drive, Section 4B and the extension of Persimmon Street. These projects are under construction with substantial completion expected near the end of fiscal 2021. Construction also continued on the M121 drainage channel with completion expected near the end of fiscal 2021. This project is being funded from the 2012 Certificates of Obligations which totaled $14,500,000.

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

Major Initiatives

The largest revenue source in the General Fund is sales tax. The City has experienced significant commercial and retail growth over the last several years however a conservative approach in budgeting sales tax revenues continued. For fiscal year 2019, sales tax revenues were projected at $11,900,000. Because of significant increases in this major revenue source during 2019, the projection of $12,000,000 was made for fiscal year 2020.

The Capital Project Fund includes major funding for park improvements, streets, sidewalks and infrastructure for fiscal year 2020.

Financial Information

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

Budgeting Controls

The City maintains budgetary controls to ensure compliance with legal provisions embodied in the annual appropriated budget approved by the City Council. Activities of the General Fund, Debt Service Fund, Special Revenue Funds, Utility Fund and Internal Service Funds are included in the annual operating budget. The TEDC, a component unit of the City, is budgeted separately. A capital improvement plan is approved each year by the City Council and funded through a separate capital projects fund. The level of budgetary control (*i.e.*, the level at which expenditures cannot legally exceed the appropriated amount) is established at the Department level within an individual fund. The City maintains an encumbrance accounting system as a means of accomplishing budgetary controls and a technique of budgetary "lock out" which will prevent a transaction from exceeding legally appropriated budgetary amounts. As demonstrated by the statements and schedules included in the financial section of this report, the City continues to meet its responsibility for sound financial management.

Debt Administration

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

Independent Audit

The City Charter requires an independent audit of the accounts of the City by an independent auditor. The firm of BKD, LLP, Certified Public Accountants, has issued unmodified (clean) opinions on the City of Tomball's financial statements for the years ended September 30, 2017 and 2018. The independent auditor's report for the year ended September 30, 2019 is located at the front of the financial section of this report.

Awards

The Government Finance Officers' Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City for its Comprehensive Annual Financial Report for the fiscal year ended September 30, 2018. This was the 29th consecutive year that the City has received this award. In order to be awarded the Certificate of Achievement, the City published an easily readable and efficiently organized Comprehensive Annual Financial Report. This report satisfies both generally accepted accounting principles and applicable legal requirements. The Certificate of Achievement is held for a period of one year only. Our current Comprehensive Annual Financial Report continues to meet the Certificate of Achievement requirements, and will be submitted to GFOA to determine its eligibility for another certificate.

The City also received the Distinguished Budget Presentation Award for the fiscal year beginning October 1, 2019. This is the eleventh consecutive year that the City has received this award from the GFOA. The award is made to those cities whose budget presentations meet very stringent presentation guidelines. The budget document must be of the very highest quality that reflects both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's recommended practices on budgeting.

Three years ago, the State Comptroller's office revised their transparency program award to what is now called the "Five Star Rating Designation" for transparency. This program involves publishing financial information such as CAFRs, budgets, and check registers to demonstrate transparency to both the citizens and other members of the public. The City has received the Star Award for Traditional Finances and Debt Obligations and is currently working on Public Pensions and Economic Development.

Acknowledgements

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

Respectfully submitted,



Glenn Windsor, CPA, CFE, CGFO
Finance Director

City of Tomball, Texas

Principal Officials

As of September 30, 2019

City Officials	Elected Position	Term Expires
Gretchen Fagan	Mayor	2022
John F. Ford	Councilman Position 1	2023
Mark Stoll	Councilman Position 2 Mayor Pro Tem	2021
Chad Degges	Councilman Position 3	2022
Derek Townsend, Sr.	Councilman Position 4	2021

Department Heads	Appointive Position
Robert S. Hauck	City Manager
David Esquivel	Assistant City Manager
Doris Speer	City Secretary
Skip Oliver	Chief of Police
Beth Jones	Director of Public Works
Randall Parr	Fire Chief
Craig Meyers	Director of Community Development
Glenn Windsor	Finance Director
Lisa Coe	Director of Human Resources
Doug Tippey	Information Technology
Mike Baxter	Marketing Director



Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Tomball

Texas

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2018

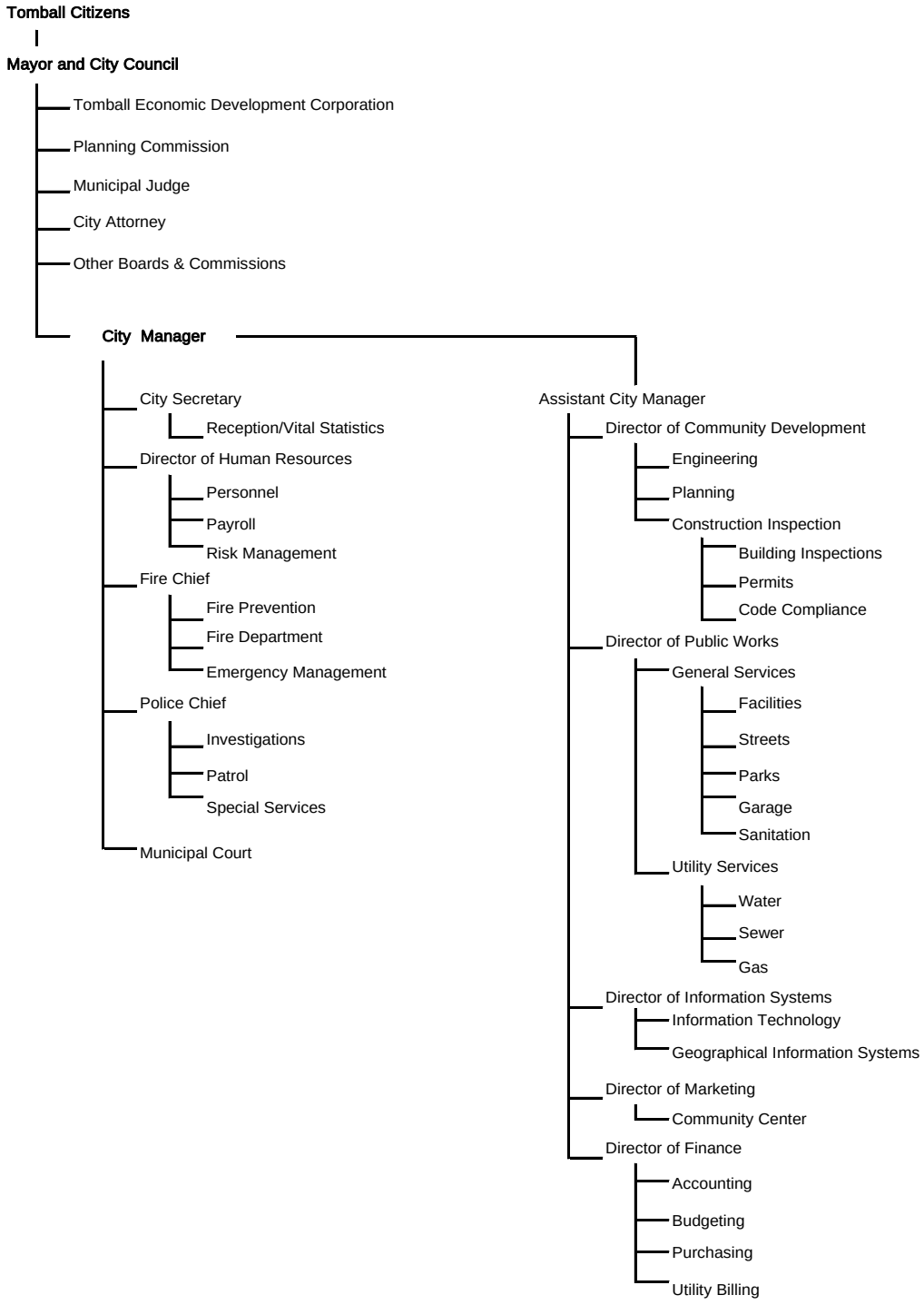
Christopher P. Morrill

Executive Director/CEO

City of Tomball, Texas

Staff Organizational Chart

As of September 30, 2019



Financial Section

BKD
CPAs & Advisors

2700 Post Oak Boulevard, Suite 1500 | Houston, TX 77056-5829
713.499.4600 | Fax 713.499.4699 | bkd.com

Independent Auditor's Report

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

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund and the aggregate remaining fund information of the City of Tomball, Texas (the City), as of and for the year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditor's Responsibility

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

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

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

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Tomball, Texas, as of September 30, 2019, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the general fund budgetary comparison schedule, and pension and other postemployment benefit information as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

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

The combining and individual fund statements and schedules are the responsibility of management, and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the

basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund statements and schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

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

BKD, LLP

Houston, Texas
July 29, 2020

City of Tomball, Texas
Management's Discussion and Analysis
Year Ended September 30, 2019

As Management of the City of Tomball, Texas (the City), we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2019. This information is not intended to be a complete statement of the City's financial condition. We recommend and encourage readers to consider the information presented here in conjunction with the additional information presented in the accompanying transmittal letter (Pages i-iv of this report), and the statistical section (Pages 82-104 of this report), as well as the annual budget found on the City's website at http://www.ci.tomball.tx.us/.

Financial Highlights

- The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by $107,127,488 (net position). Included in this amount is the City's net investment in capital assets of $76,480,189. The net position restricted for specific purposes totals $6,024,527. The remaining $24,622,772 is unrestricted net position which may be used to meet the City's ongoing obligations to citizens and creditors in accordance with the City's fiscal policies.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of $58,623,706 an increase of $4,082,597 from the prior year. The majority of the increase consists of inter-fund transfers to the capital projects fund for the "cash funding" of major infrastructure projects and an increase in the transfer to the general fund as a reimbursement for administrative costs. Approximately 72 percent of governmental fund balance, or $42,382,622 is restricted by specific legal requirements such as bond instruments and related debt covenants and 28 percent of this amount, or $16,040,036 is available for spending at the government's discretion (unassigned fund balance).
- The City's debt decreased by $4,281,688 due to existing debt retirements.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise four components: 1) government-wide financial statements, 2) fund financial statements, 3) notes to the financial statements and 4) required supplementary information which includes this management's discussion and analysis, information related to the City's pension plan and retiree health plans and budgetary comparison information. This report also contains other supplementary information as listed in the table of contents in addition to the basic financial statements themselves.

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

The statement of net position presents information on all of the City's assets plus deferred outflows of resources, and liabilities plus deferred inflows of resources, with the difference reported as net position. Over time, increases or decreases in net position serve as useful indicators of whether the financial

position of the City is improving or deteriorating. This statement combines and consolidates governmental funds' current financial resources (short-term spendable resources) with capital assets and long-term obligations. Other non-financial factors should also be taken into consideration, such as changes in the City's property tax base and the condition of the City's infrastructure (*i.e.*, roads, drainage improvements, storm sewer, gas distribution, water distribution and sewer collection lines, etc.), to assess the overall financial condition of the City.

The statement of activities presents information showing how the City's net position changed during the fiscal year. All changes in net position are reported when the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (*e.g.*, uncollected taxes and earned but not used compensated absences). Both the statement of net position and the statement of activities are prepared utilizing the accrual basis of accounting as opposed to the modified accrual basis used in the governmental fund statements.

The government-wide financial statements include not only the City of Tomball itself (known as the primary government), but also a legally separate economic development corporation for which the City is financially accountable. Financial information for this component unit is reported separately from the financial information presented for the primary government itself.

The government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from functions that are intended to recover all or a significant portion of their costs through user fees (business-type activities). The governmental activities include most of the City's basic services, (general government, public safety, public works and community development). Property taxes, sales taxes and franchise fees primarily finance these activities. The business-type activities include the City's water, sewer and gas system. Charges for services cover all or most of the costs for these services. Component unit activities include activities of The Tomball Economic Development Corporation.

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

Governmental Funds – Governmental funds are used to account for similar functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental funds focus on current sources and uses of spendable resources. The governmental fund statements provide a detailed short-term view of the City's general government operations and help you to determine whether resources are available in the near future to finance City programs. Comparing the information presented for governmental funds with the information presented for governmental activities in the government-wide financial statements will help the reader to better understand the long-term impact of the government's near-term financing decisions.

The governmental funds balance sheet and statement of revenues, expenditures and changes in fund balances include a reconciliation to provide such comparison.

The City maintains 11 governmental funds. Information is presented separately in the governmental funds balance sheet and the governmental fund statement of revenues, expenditures and changes in fund balances for the general fund, the debt service fund and the capital projects fund; these funds are considered to be major funds. The other eight funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining statements found in this report.

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

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

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

Other Information – In addition to the basic financial statements and accompanying notes, the basic financial statements contain required supplementary information including this discussion and analysis and information concerning the City's progress in funding its obligations to provide pension and retiree health benefits to its employees.

The combining statements referred to earlier in connection with nonmajor governmental funds and internal service funds are presented immediately following the required supplementary information on pensions and other post-employment benefits (OPEB) and the general fund budget to actual schedule. Combining and individual fund statements and schedules can be found on Pages 64-81 of this report.

Government-wide Financial Analysis

As noted earlier, net position over time, may serve as a useful indicator of a government's financial position. In the case of the City, assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by $107,127,488 at the close of the most recent fiscal year.

	Net Position					
	Governmental Activities		Business-type Activities		Total	
	2019	2018	2019	2018	2019	2018
Current and other assets	$ 63,760,884	$ 61,814,289	$ 9,034,150	$ 12,744,995	$ 72,795,034	$ 74,559,284
Capital assets	52,387,435	50,159,249	38,457,745	37,167,047	90,845,180	87,326,296
Total assets	116,148,319	111,973,538	47,491,895	49,912,042	163,640,214	161,885,580
Deferred outflows of resources	3,076,496	1,547,464	600,025	322,804	3,676,521	1,870,268
Noncurrent liabilities	48,334,658	48,867,775	3,219,765	3,304,299	51,554,422	52,172,074
Other liabilities	6,054,812	7,143,005	2,216,100	2,059,813	8,270,912	9,202,818
Total liabilities	54,389,470	56,010,780	5,435,864	5,364,112	59,825,334	61,374,892
Deferred inflows of resources	301,036	874,003	62,877	157,620	363,913	1,031,623
Net position:						
Net investment in capital assets	39,717,999	38,896,658	36,762,190	34,874,499	76,480,189	73,771,157
Restricted	6,024,527	4,303,114	-	-	6,024,527	4,303,114
Unrestricted	18,791,783	13,436,447	5,830,989	9,838,615	24,622,772	23,275,062
Total net position	$ 64,534,309	$ 56,636,219	$ 42,593,179	$ 44,713,114	$ 107,127,488	$ 101,349,333

The largest portion of the City's net position (71 percent) reflects its investments in capital assets (*e.g.*, land, buildings, equipment, improvements, construction in progress and infrastructure), less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide

services to citizens; therefore, these assets are not available for future spending. It should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the City's net position (6 percent) represents resources that are subject to external restrictions on how they may be used. The remaining balance of $24,622,772 is unrestricted and may be used to meet the government's ongoing obligations to its citizens and creditors.

At the end of the current fiscal year, the City is able to report positive balances in all reported categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities. The same situation held true for the prior fiscal year.

Combined governmental and business-type activities increased the City's net position by $5,778,155 in 2019. The following table provides a summary of the City's operations for the year ended September 30, 2019. Governmental activities increased the City of Tomball's net position by $7,898,090. This is the result of increases in revenues such as sales tax and investment income however the majority of the increase is from transfers to the Capital Projects Fund for the construction of infrastructure capital assets. Business-type activities decreased the City's net position by $2,119,935. This decrease was related primarily to transfers that will fund system-wide infrastructure capital assets.

Changes in Net Position						
	Governmental Activities		Business-type Activities		Total	
	2019	2018	2019	2018	2019	2018
Revenues						
Program revenues:						
Charges for services	$ 4,412,612	$ 4,003,902	$ 12,011,055	$ 12,228,559	$ 16,423,667	$ 16,232,461
Operating grants and contributions	839,316	1,012,028	-	558,148	839,316	1,570,176
General revenues:						
Property taxes	6,241,709	6,519,413	-	-	6,241,709	6,519,413
Sales tax	12,523,084	12,427,660	-	-	12,523,084	12,427,660
Franchise taxes	1,300,064	1,270,927	-	-	1,300,064	1,270,927
Other taxes	798,623	711,245	-	-	798,623	711,245
Gain on sale of capital assets	-	-	38,462	-	38,462	-
Contributions	536,112	-	558,148	-	1,094,260	-
Investment income	1,234,387	920,613	266,639	154,619	1,501,026	1,075,232
Other	184,901	376,266	-	4,417	184,901	380,683
Total revenues	28,070,808	27,242,054	12,874,304	12,945,743	40,945,112	40,187,797
Expenses						
General government	5,944,428	5,107,870	2,938,276	2,876,373	8,882,704	7,984,243
Public safety	10,435,902	10,000,655	-	-	10,435,902	10,000,655
Public works	7,074,104	8,912,367	-	-	7,074,104	8,912,367
Community development	430,360	431,157	-	-	430,360	431,157
Water	-	-	3,793,224	3,356,893	3,793,224	3,356,893
Sewer	-	-	1,448,029	1,239,276	1,448,029	1,239,276
Gas	-	-	1,774,315	1,529,924	1,774,315	1,529,924
Interest on long-term debt	1,328,319	1,452,252	-	-	1,328,319	1,452,252
Total expenses	25,213,113	25,904,301	9,953,844	9,002,466	35,166,957	34,906,767
Increase in Net Position Before Transfers	2,857,695	1,337,753	2,920,460	3,943,277	5,778,155	5,281,030
Transfers	5,040,395	836,473	(5,040,395)	(836,473)	-	-
Change in Net Position	7,898,090	2,174,226	(2,119,935)	3,106,804	5,778,155	5,281,030
Net Position, Beginning	56,636,219	54,461,993	44,713,114	41,606,310	101,349,333	96,068,303
Net Position, Ending	$ 64,534,309	$ 56,636,219	$ 42,593,179	$ 44,713,114	$ 107,127,488	$ 101,349,333

Financial Analysis of the Government's Funds

Governmental Funds – The focus of the City's governmental funds is to provide information on near-term inflows, outflows and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure

of a government's net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the City itself, or a group or individual that has been delegated authority to assign resources for use for particular purposes by the City's Council.

At the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of $58,623,706. Approximately 28 percent of this amount, or $16,040,036 is unassigned fund balance and $160,021 is assigned. Additionally, $42,423,649 is non-spendable or restricted as follows:

Non-spendable (.07%):		
Prepaid items	$	41,027
Restricted (72%):		
Debt service	$	4,638,310
Construction		36,358,095
Enabling legislation		1,386,217

The general fund is the chief operating fund of the City. At the end of the current fiscal year, unassigned fund balance of the general fund was $16,040,036, while total fund balance was $16,081,063. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total general fund expenditures. Unassigned and total fund balance represent approximately 78 percent of total general fund expenditures. In the general fund, fund balance increased by $1,330,512. This increase is primarily due to some increases in revenues (1.4 percent) over the previous year, offset by an increase in expenditures (4.3 percent) and net transfers of $1,077,073. The charter requires a "reserve" balance of 25 percent of annual expenditures and the general fund currently exceeds that level.

The debt service fund balance, a major fund, decreased by $121,169 primarily from a decrease in property tax revenues. This decrease was temporary as the taxable values for the following fiscal year increased $200 million.

The capital projects fund, a major fund, had a $2,577,727 increase in fund balance during the current fiscal year due to transfers in of ($3,684,686) to "cash fund" a portion of the expenditures on capital projects resulting in an ending fund balance of $36,358,095 as of September 30, 2019.

Proprietary Fund – The City proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail.

Unrestricted net position of the enterprise fund is $5,605,561 and unrestricted net position of the internal service fund is $2,064,455 at September 30, 2019. The net position of the enterprise fund decreased $2,146,725 primarily because of a transfer to the capital projects fund to cash fund major infrastructure capital assets. Net position of the internal service fund decreased because of a decrease in the amount of the transfer in to the fleet replacement fund. Additionally, there was a 10 percent increase in the amount paid for group health insurance.

General Fund Budgetary Highlights – The City budgeted a net decrease in fund balance of the general fund of $532,863 for the year ended September 30, 2019. The actual increase in the general fund ending fund balance for the year ended September 30, 2019, was $1,330,512, a favorable variance of $1,863,375. This significant variance relates to most departments having less expenditures than final appropriations.

Capital Assets

The City of Tomball's investment in capital assets (net of accumulated depreciation) for its governmental and business-type activities as of September 30, 2019, is $76,480,189. The investment in capital assets includes land, buildings and improvements, equipment, infrastructure and construction in progress.

	Capital Assets					
	Governmental Activities		Business-type Activities		Total	
	2019	2018	2019	2018	2019	2018
Land	$ 7,255,744	$ 7,255,744	$ 1,897,333	$ 1,897,333	$ 9,153,077	$ 9,153,077
Buildings and improvements	6,744,869	6,759,165	-	-	6,744,869	6,759,165
Gas system	-	-	2,894,903	2,998,347	2,894,903	2,998,347
Water and sewer system	-	-	25,757,312	26,793,537	25,757,312	26,793,537
Equipment	1,204,464	1,163,816	2,291,152	2,408,078	3,495,616	3,571,894
Vehicles	2,349,340	1,071,933	-	-	2,349,340	1,071,933
Infrastructure	26,195,656	26,173,430	-	-	26,195,656	26,173,430
Construction in progress	8,637,362	7,735,161	5,617,045	3,069,752	14,254,407	10,804,913
Total capital assets	$ 52,387,435	$ 50,159,249	$ 38,457,745	$ 37,167,047	$ 90,845,180	$ 87,326,296

Additional information on the City's capital assets can be found in the notes on Pages 38 through 41 of this report.

Debt Administration

At the end of the current fiscal year, the City had a total bonded debt, equipment finance contract liability and capital lease obligations of $40,654,868.

	Outstanding Debt					
	Governmental Activities		Business-Type Activities		Total	
	2019	2018	2019	2018	2019	2018
General obligations	$ 3,603,000	$ 4,603,250	$ 1,672,000	$ 2,246,750	$ 5,275,000	$ 6,850,000
Certificates of obligation	34,210,000	36,200,000	-	-	34,210,000	36,200,000
Public property finance contract obligations	1,169,868	1,300,000	-	-	1,169,868	1,300,000
Capital leases	-	586,556	-	-	-	586,556
Total	$ 38,982,868	$ 42,689,806	$ 1,672,000	$ 2,246,750	$ 40,654,868	$ 44,936,556

The City's debt decreased by $4,281,688, primarily due to existing debt retirements.

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

	Standard & Poor's	Moody's
General obligation bonds	AA+	
Certificates of obligation	AA+	Aa3

Additional information on the City's outstanding debt can be found on Pages 41 through 43 of this report.

Economic Factors and Next Year's Budgets and Rates

Tomball continues to experience growth, both within the corporate City limits and the surrounding area. The City's current population is estimated to be 11,761. However, within a three-mile radius it is estimated to be approximately 16,000. Within a five-mile radius, the estimate rises to approximately 78,000.

The City is continuing to focus on economic development initiatives, including the revitalization of the historic downtown area and the continuing development of two major retail developments on the west side of the City. There was significant development within the City's industrial development park with the addition of two major employers. Residential development continues throughout the City with the addition of three additional Planned Improvement Districts (PIDs). Active single family residential development at year end exceeded 1,500 new homes.

The City's largest source of revenue continues to be sales taxes. During the fiscal year, the City experienced a small increase in this resource of .63 percent. This will continue to be the major financial resource for the city. City management will continue to closely monitor this major resource and will budget accordingly to ensure that financial goals and objectives are achieved.

Additional development continues within the City and is expected to continue with the growth that is taking place in the Tomball area. At September 30, 2019, development continues in several of the existing PID developments with construction beginning in the newest PIDs, Copper Cove, Grand Junction and Timber Trails. Three additional PID developments are being presented after year-end.

The City's largest taxpayer is now HCA Houston Healthcare Tomball (North Houston Trmc, LLC) which encompasses the medical center in the center of the City. Growth in this area is expected to continue in fiscal year 2020.

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

For fiscal year 2020, the City expects continued growth in sales tax revenues and no changes to the existing property tax rates. A comprehensive rate analysis was completed during the year and increases in user fees are expected in the next few years to fund required infrastructure improvements.

Construction continues on several capital projects, including the extension of Medical Complex Drive Section 4B, and the M-121 drainage channel.

Contacting the City's Financial Management

This financial report is designed to provide our citizens, customers, investors and creditors with a general overview of the City's finances and to show the City's accountability for the resources it receives. Questions concerning this report or requests for additional financial information should be directed to: Finance Department, 501 James Street, Tomball, Texas, 77375, telephone 281.290.1417, or for general City information, please visit the City's website at http://www.tomballtx.gov.

Basic Financial Statements

City of Tomball, Texas
Statement of Net Position
September 30, 2019

	Primary Government			Component Unit
	Governmental Activities	Business-type Activities	Total	Tomball Economic Development Corporation
Assets				
Cash and cash equivalents	$ 1,110,052	$ -	$ 1,110,052	$ 328,464
Investments	29,333,558	6,079,132	35,412,690	21,061,836
Receivables (net of allowance for uncollectibles, where applicable)	2,443,316	1,719,756	4,163,072	667,287
Due from other government	526,372	-	526,372	-
Due from component unit	208,327	-	208,327	-
Internal balances	(225,428)	225,428	-	-
Inventories	-	96,481	96,481	-
Prepaids	41,027	-	41,027	-
Cash and cash equivalents and investment restricted for:				
Construction	26,630,034	-	26,630,034	-
Debt service	3,647,311	-	3,647,311	-
Deposits	46,315	913,353	959,668	-
Capital assets:				
Nondepreciable	15,893,106	7,514,378	23,407,484	3,594,811
Depreciable, net	36,494,329	30,943,367	67,437,696	-
Total assets	116,148,319	47,491,895	163,640,214	25,652,398
Deferred Outflows of Resources				
Deferred charge on refunding	97,481	-	97,481	-
OPEB	186,908	42,427	229,335	-
Pensions	2,792,107	557,598	3,349,705	-
Total deferred outflows of resources	3,076,496	600,025	3,676,521	0
Liabilities				
Accounts payable and other accrued liabilities	2,081,968	636,767	2,718,735	200,204
Accrued interest payable	175,893	6,405	182,298	-
Deposits payable	46,315	913,353	959,668	-
Due to primary government	-	-	-	208,327
Noncurrent liabilities:				
Due within one year	3,750,636	659,575	4,410,211	-
Due in more than one year	48,334,658	3,219,765	51,554,422	-
Total liabilities	54,389,470	5,435,864	59,825,334	408,531
Deferred Inflows of Resources				
OPEB	112,151	25,458	137,609	-
Pensions	188,885	37,419	226,304	-
Total deferred inflows of resources	301,036	62,877	363,913	0
Net Position				
Net investment in capital assets	39,717,999	36,762,190	76,480,189	3,594,811
Restricted for:				
Debt service	4,638,310	-	4,638,310	-
Enabling legislation	1,386,217	-	1,386,217	-
Unrestricted	18,791,783	5,830,989	24,622,772	21,649,056
Total net position	$ 64,534,309	$ 42,593,179	$ 107,127,488	$ 25,243,867

City of Tomball, Texas
Statement of Activities
Year Ended September 30, 2019

Functions/Programs:		Program Revenues	
Primary Government:	**Expenses**	**Charges for Services**	**Operating Grants and Contributions**
Governmental activities:			
General government	$ 5,944,428	$ -	$ 193,987
Public safety	10,435,902	1,899,018	387,009
Public works	7,074,104	1,954,602	258,320
Community development	430,360	558,992	-
Interest	1,328,319	-	-
Total governmental activities	25,213,113	4,412,612	839,316
Business-type activities:			
Utility administration	2,938,276	934,852	-
Water	3,793,224	5,494,083	-
Wastewater	1,448,029	2,310,252	-
Gas	1,774,315	3,271,868	-
Total business-type activities	9,953,844	12,011,055	0
Total primary government	35,166,957	16,423,667	839,316
Component unit:			
Tomball Economic Development Corporation	2,430,080	0	5,500
General revenues:			
Property taxes			
Sales taxes			
Franchise taxes			
Other taxes			
Gain on sale of capital assets			
Contributions			
Unrestricted investment earnings			
Other			
Transfers			
Total general revenues and transfers			
Change in net position			
Net position, beginning			
Net position, ending			

Net (Expense) Revenue and Changes in Net Position			
Primary Government			Component Unit
Governmental Activities	Business-type Activities	Total	Tomball Economic Development Corporation
$ (5,750,441)	$ -	$ (5,750,441)	$ -
(8,149,875)	-	(8,149,875)	-
(4,861,182)	-	(4,861,182)	-
128,632	-	128,632	-
(1,328,319)	-	(1,328,319)	-
(19,961,185)	0	(19,961,185)	0
-	(2,003,424)	(2,003,424)	-
-	1,700,859	1,700,859	-
-	862,223	862,223	-
-	1,497,553	1,497,553	-
0	2,057,211	2,057,211	0
(19,961,185)	2,057,211	(17,903,974)	0
0	0	0	(2,424,580)
6,241,709	-	6,241,709	-
12,523,084	-	12,523,084	4,168,199
1,300,064	-	1,300,064	-
798,623	-	798,623	-
-	38,462	38,462	2,596,223
536,112	558,148	1,094,260	-
1,234,387	266,639	1,501,026	551,967
184,901	-	184,901	-
5,040,395	(5,040,395)	-	-
27,859,275	(4,177,146)	23,682,129	7,316,389
7,898,090	(2,119,935)	5,778,155	4,891,809
56,636,219	44,713,114	101,349,333	20,352,058
$ 64,534,309	$ 42,593,179	$ 107,127,488	$ 25,243,867

City of Tomball, Texas
Balance Sheet – Governmental Funds
September 30, 2019

	General Fund	Debt Service Fund	Capital Projects Fund	Other Governmental Funds	Total Governmental Funds
Assets					
Cash and cash equivalents	$ 376,579	$ 408,531	$ -	$ 297,714	$ 1,082,824
Investments	13,919,996	498,465	10,428,455	1,441,785	26,288,701
Receivables (net of allowance for uncollectibles, where applicable)	2,407,572	7,847	24,497	3,400	2,443,316
Due from other governments	301,328	-	-	-	301,328
Due from component unit	132,171	76,156	-	-	208,327
Cash and cash equivalents and investments restricted for:					
Construction	-	-	26,630,034	-	26,630,034
Debt service	-	3,647,311	-	-	3,647,311
Deposits	46,315	-	-	-	46,315
Prepaid items	41,027	-	-	-	41,027
Total assets	$ 17,224,988	$ 4,638,310	$ 37,082,986	$ 1,742,899	$ 60,689,183
Liabilities					
Accounts payable	$ 645,210	$ -	$ 724,891	$ 186,428	$ 1,556,529
Accrued liabilities	452,400	-	-	10,233	462,633
Deposits payable	46,315	-	-	-	46,315
Total liabilities	1,143,925	0	724,891	196,661	2,065,477
Fund Balances					
Nonspendable, prepaid items	41,027	-	-	-	41,027
Restricted:					
Debt service	-	4,638,310	-	-	4,638,310
Construction	-	-	36,358,095	-	36,358,095
Enabling legislation	-	-	-	1,386,217	1,386,217
Assigned:					
Special revenue funds	-	-	-	160,021	160,021
Unassigned	16,040,036	-	-	-	16,040,036
Total fund balances	16,081,063	4,638,310	36,358,095	1,546,238	58,623,706
Total liabilities and fund balances	$ 17,224,988	$ 4,638,310	$ 37,082,986	$ 1,742,899	$ 60,689,183

City of Tomball, Texas

Reconciliation of the Balance Sheet – Governmental Funds to the Government-wide Statement of Net Position

September 30, 2019

Total fund balances - governmental funds			$ 58,623,706
Amounts reported for the governmental activities in the statement of net position are different because:			
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.			50,038,897
Deferred loss on issuance of refunding bonds is not recorded in the fund financial statements but is recorded as a deferred outflow of resources on the statement of net position.			97,481
The other post employment benefit liability and related deferred outflows and inflows of resources do not require current financial resources and, therefore, are not reported in the governmental funds balance sheet.			
	Total OPEB liability	$ (2,812,311)	
	Deferred outflows, OPEB	186,908	
	Deferred inflows, OPEB	(112,151)	(2,737,554)
The net pension liability and related deferred outflows and inflows of resources do not require current financial resources and, therefore, are not reported in the governmental funds balance sheet.			
	Net pension liability	(7,160,095)	
	Deferred outflows, pensions	2,792,107	
	Deferred inflows, pensions	(188,885)	(4,556,873)
Interest payable on long-term debt does not require current financial resources; therefore, interest payable is not reported as a liability in the governmental funds balance sheet.			(175,893)
Internal service funds are used by management to charge the cost of certain activities, such as fleet management, to individual funds. A portion of the assets and liabilities of the internal service funds are included in the governmental activities in the statement of net position.			4,187,565
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the fund financial statements.			
	Bonds payable	(37,813,000)	
	Landfill post closure costs	(345,375)	
	Compensated absences payable	(1,767,481)	
	Premiums received on issuance of bonds	(1,017,164)	(40,943,020)
Net position of governmental activities			$ 64,534,309

City of Tomball, Texas

Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds

Year Ended September 30, 2019

	General Fund	Debt Service Fund	Capital Projects Fund	Other Governmental Funds	Total Governmental Funds
Revenues					
Property tax	$ 2,046,480	$ 4,195,229	$ -	$ -	$ 6,241,709
Sales tax	12,594,274	-	-	-	12,594,274
Franchise and other taxes	1,300,074	-	-	727,423	2,027,497
Licenses and permits	580,397	-	-	-	580,397
Fines and forfeitures	510,671	-	-	191,793	702,464
Charges for services	2,944,374	-	-	-	2,944,374
Intergovernmental	555,996	-	258,320	-	814,316
Contributions from component unit	25,000	536,112	-	-	561,112
Investment earnings	282,968	103,329	816,827	31,263	1,234,387
Other	109,377	-	191,846	69,054	370,277
Total revenues	20,949,611	4,834,670	1,266,993	1,019,533	28,070,807
Expenditures					
Current:					
General government	5,781,637	-	-	82,539	5,864,176
Public safety	9,309,878	-	-	34,066	9,343,944
Public works	3,981,985	-	-	-	3,981,985
Parks and recreation	762,036	-	-	18,763	780,799
Tourism and arts	-	-	-	688,638	688,638
Community development	430,037	-	-	-	430,037
Debt service:					
Principal	-	3,576,806	-	-	3,576,806
Interest	-	1,367,451	-	-	1,367,451
Bond issuance costs	-	11,582	-	-	11,582
Capital outlay	430,599	-	2,373,952	-	2,804,551
Total expenditures	20,696,172	4,955,839	2,373,952	824,006	28,849,969
Excess (Deficiency) of Revenues Over Expenditures	253,439	(121,169)	(1,106,959)	195,527	(779,162)
Other Financing Sources (Uses)					
Transfers in	2,530,209	-	3,684,686	100,000	6,314,895
Transfers out	(1,453,136)	-	-	-	(1,453,136)
Total other financing sources (uses)	1,077,073	-	3,684,686	100,000	4,861,759
Net Change in Fund Balances	1,330,512	(121,169)	2,577,727	295,527	4,082,597
Fund Balances, Beginning of Year	14,750,551	4,759,479	33,780,368	1,250,711	54,541,109
Fund Balances, End of Year	$ 16,081,063	$ 4,638,310	$ 36,358,095	$ 1,546,238	$ 58,623,706

See Notes to Financial Statements

City of Tomball, Texas

Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds to the Government-wide Statement of Activities

Year Ended September 30, 2019

Net change in fund balances – total governmental funds		$ 4,082,597
Amounts reported for governmental activities in the statement of activities are different because:		
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays of $2,804,551 exceeded depreciation expense of $1,575,187 and write off of construction in progress of $332,412 in the current period.		896,952
The repayment of the principal of long-term debt consumes the current financial resources of governmental funds. The transaction, however, does not have any effect on net position. Also, governmental funds report the effect of bond premiums, discounts and similar items when debt is first issued, whereas the amounts are deferred and amortized in the statement of activities. The effect of these differences in the treatment of long-term		
Repayment of long-term debt	$ 3,576,806	
Amortization of premiums on bonds payable	85,873	
Amortization of deferred loss on refunding	(58,891)	3,603,788
Current year changes in other long-term liabilities do not require the use of current financial resources; therefore, are not reported as expenditures in governmental funds. The effect of these differences in the treatment of other long-term liabilities was:		
Compensated absences	(202,205)	
Landfill post-closure costs	90,125	(112,080)
Current year changes in accrued interest payable do not require the use of current financial resources; therefore, are not reported as an expenditure in the governmental funds.		12,149
The net change in the OPEB-related deferred outflows of resources and total OPEB liability do not require the use of current financial resources; therefore, are not reported as expenditures in the governmental funds.		(101,561)
The net change in the pension-related deferred outflows and inflows of resources and net pension liability do not require the use of current financial resources; therefore, are not reported as expenditures in the governmental funds.		(576,957)
An internal service fund is used by management to charge the cost of certain activities, such as fleet management, to individual funds. A portion of the change in net position of the internal service funds is included in governmental activities in the statement of activities.		93,202
Change in net position of governmental activities		$ 7,898,090

City of Tomball, Texas
Statement of Net Position – Proprietary Funds
September 30, 2019

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Current Assets		
Cash and cash equivalents	$ -	$ 27,228
Investments	6,079,132	3,044,857
Receivables (net of allowance for uncollectibles, where applicable)	1,719,756	-
Due from other government	-	225,044
Due from component unit	-	-
Inventories	96,481	-
Total current assets	7,895,369	3,297,129
Noncurrent Assets		
Restricted investments	913,353	
Capital assets		
Nondepreciable	7,514,378	-
Depreciable, net	30,943,367	2,348,538
Net capital assets	38,457,745	2,348,538
Total assets	47,266,467	5,645,667
Deferred Outflows of Resources		
OPEB	42,427	-
Pensions	557,598	-
Total deferred outflows of resources	600,025	0
Current Liabilities		
Accounts payable	553,797	62,806
Accrued liabilities	82,970	-
Accrued interest payable	6,405	-
Deposits payable	913,353	-
Bonds payable, current	563,750	-
Public property finance contract obligation, current	-	130,000
Compensated absences, current	72,345	-
Total current liabilities	2,192,620	192,806

City of Tomball, Texas
Statement of Net Position – Proprietary Funds (Continued)
September 30, 2019

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Noncurrent Liabilities		
Bonds payable, net of premium	$ 1,131,805	$ -
Public property finance contract obligation	-	1,039,868
Total OPEB liability	638,377	-
Net pension liability	1,256,029	-
Compensated absences	217,034	-
Total noncurrent liabilities	3,243,245	1,039,868
Total liabilities	5,435,864	1,232,674
Deferred Inflows of Resources		
OPEB	25,458	-
Pensions	37,419	-
Total deferred outflows of resources	62,877	0
Net Position		
Net investment in capital assets	36,762,190	2,348,538
Unrestricted	5,605,561	2,064,455
Total net position	42,367,751	$ 4,412,993
Adjustment to reflect the consolidation of internal services fund activities related to enterprise funds	225,428	
Net Position of Business-type Activities	$ 42,593,179	

City of Tomball, Texas

Statement of Revenues, Expenses and Changes in Net Position – Proprietary Funds

Year Ended September 30, 2019

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Operating Revenues		
Charges for sales and services:		
Water sales	$ 5,494,083	$ -
Sewer sales	2,310,252	-
Gas sales	3,271,868	-
Internal service fund charges to other funds and participants	-	3,212,473
Capital recovery fees	723,034	-
Miscellaneous	211,818	-
Total operating revenues	12,011,055	3,212,473
Operating Expenses		
Costs of sales and services	8,444,761	2,847,035
Depreciation	1,475,750	426,705
Total operating expenses	9,920,511	3,273,740
Operating Income (loss)	2,090,544	(61,267)
Nonoperating Revenues (Expenses)		
Investment earnings	266,639	51,127
Contributions from component unit	558,148	
Interest expense	(60,123)	(48,504)
Gain on disposal of property	38,462	-
Net nonoperating revenues	803,126	2,623
Income Before Transfers	2,893,670	(58,644)
Transfers in	-	178,636
Transfers out	(5,040,395)	-
Change in Net Position	(2,146,725)	119,992
Net Position, Beginning	44,514,476	4,293,001
Net Position, Ending	$ 42,367,751	$ 4,412,993
Reconciliation to government-wide statement of activities:		
Change in net position	$ (2,146,725)	
Adjustment for the net effect of the current year activity between the internal service funds and the enterprise funds	26,790	
Change in net position of business-type activities	$ (2,119,935)	

City of Tomball, Texas
Statement of Cash Flows – Proprietary Funds
Year Ended September 30, 2019

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Cash Flows from Operating Activities		
Receipts from customers	$ 12,081,948	$ -
Receipts from interfund charges for fleet management services	-	217,501
Receipts from interfund charges for health benefits services	-	2,863,167
Receipts from component unit for services	-	-
Payments to employees for salaries and benefits	(1,971,726)	-
Payments to suppliers and service providers	(6,205,339)	(2,852,965)
Net cash provided by operating activities	3,904,883	227,703
Cash Flows from Noncapital Financing Activity		
Transfers to other funds	(5,040,395)	-
Net cash used in noncapital financing activity	(5,040,395)	-
Cash Flows from Capital and Related Financing Activities		
Acquisition and construction of capital assets	(2,766,448)	(1,757,939)
Transfers from other funds for debt service	-	178,636
Receipts from component unit for debt service	558,148	
Gain on disposal of property	38,462	-
Principal paid on capital debt	(575,000)	(130,132)
Interest paid on capital debt	(75,711)	(48,504)
Net cash used in capital and related financing activities	(2,820,549)	(1,757,939)
Cash Flows from Investing Activities		
Interest on investments	266,639	51,127
Investment maturities	3,152,470	256,056
Net cash provided by investing activities	3,419,109	307,183
Decrease in Cash and Cash Equivalents	(536,952)	(1,223,053)
Cash and Cash Equivalents, Beginning of Year	536,952	1,250,281
Cash and Cash Equivalents, End of Year	$ 0	$ 27,228

City of Tomball, Texas
Statement of Cash Flows – Proprietary Funds (Continued)
Year Ended September 30, 2019

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Reconciliation of Operating Income to Net Cash Provided By Operating Activities		
Operating income (loss)	$ 2,090,544	$ (61,267)
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation	1,475,750	426,705
Changes in:		
Receivables, net	48,213	(189,633)
Accounts payable and accrued liabilities	143,440	51,898
Deposits payable	22,680	-
Compensated absences	9,365	-
Total OPEB liability	2,360	-
Net pension liability	484,495	-
OPEB deferred outflows	(4,764)	-
OPEB deferred inflows	25,458	-
Pension deferred outflows	(272,457)	-
Pension deferred inflows	(120,201)	-
Net cash provided by operating activities	$ 3,904,883	$ 227,703

Note 1: Nature of Operations and Summary of Significant Accounting Policies

Financial Reporting Entity

The City of Tomball, Texas (the City) was incorporated on July 18, 1933. The City has operated under a "Home Rule Charter," which provides for a Council-City Manager form of government, since 1987. The City Council is the principal legislative body of the City.

The City Manager is appointed by a majority vote of the City Council and is responsible to the Council for the administration of all the affairs of the City. The City Manager is responsible for the appointment and removal of department directors and employees, supervision and control of all City departments, and preparation of the annual budget.

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

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

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

Discretely Presented Component Unit

Tomball Economic Development Corporation – This Corporation was formed in 1994 pursuant to the *Development Corporation Act of 1979* (the Act), governed under Section 4B of the Act. It receives and utilizes the proceeds of a one-half cent sales tax to promote and assist in the economic development of the City. The seven directors of the Corporation are appointed by the

governing body of the City. Directors are removable by the governing body of the City at any time without cause. Financial information for the Tomball Economic Development Corporation may be obtained from the following address:

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

Blended Component Units

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

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

Government-wide and Fund Financial Statements

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

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

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

Governmental Funds

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

General Fund

The general fund is used to account for and report all financial resources not accounted for and reported in another fund. The principal sources of revenues include local property taxes, sales and franchise taxes, licenses and permits, fines and forfeitures, and charges for services. Expenditures include general government, public safety, public works, parks and recreation, and community development.

Special Revenue Funds

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

Debt Service Fund

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

Capital Projects Fund

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

Proprietary Funds

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

Enterprise Fund

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

Internal Service Funds

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

Measurement Focus and Basis of Accounting

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

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

The City uses the modified accrual basis of accounting in the governmental funds. Under the modified accrual basis of accounting, revenues are recognized in the accounting period when they are susceptible to accrual (*i.e.*, when they are measurable and available). Measurable means the

amount of the transaction can be determined, and available means collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues available if they are collected within 60 days of the end of the current period.

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

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

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

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

Deposits and Investments

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

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

The City has adopted a written investment policy regarding the investment of its funds as defined in the *Public Funds Investment Act*, Chapter 2256, Texas Governmental Code.

In summary, the City is authorized to invest in the following.

1. Obligations of the United States or its agencies and instrumentalities;

2. Direct obligations of the State of Texas or its agencies and instrumentalities;

3. Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;

4. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities;

5. Obligations of states, agencies, counties, cities and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than "A" or its equivalent;

6. Certificates of deposit, repurchase agreements and commercial paper that meet certain criteria; and

7. An eligible investment pool authorized by the governing body.

Property Taxes

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

Receivables

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

All accounts receivable are shown net of an allowance for uncollectable.

Inventory and Prepaid Items

Inventories include stock and parts that are on hand and will be utilized in conducting business within the next year. Inventories are accounted for using the consumption method (an expense is recorded when the inventory item is used). Certain payments to vendors reflect costs applicable to future accounting periods (prepaid expenditures), and are recognized as expenditures when utilized.

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure (*e.g.*, roads, bridges, sidewalks and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements and in the proprietary fund financial statement. Capital assets are defined by the government as assets with an initial, individual cost of more than $5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. Major outlays for capital assets and improvements are capitalized as projects are constructed.

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

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

Buildings and improvements	20-50 years
Machinery and equipment	3-10 years
Vehicles	4-7 years
Water, sewer and gas system	20-30 years
Infrastructure	40-50 years

Compensated Employee Absences

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

Long-term Obligations

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

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

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

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

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

Landfill Post-closure Care Costs

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

Pensions

For purposes of measuring the net pension liability, deferred outflows and inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's fiduciary net position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the

employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Defined Benefit Other Postemployment Benefit Plans

The City has two single-employer defined benefit other postemployment benefit (OPEB) plans (Plans). For purposes of measuring the total OPEB liability of each OPEB plan, deferred outflows of resources and deferred inflows of resources related to each OPEB plan, and OPEB expense have been determined on the same basis as they are reported by the Plans. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms for the Plans. Allocations of OPEB items to the City's enterprise fund is determined on the basis of full-time employee counts by department.

Deferred Inflows and Outflows of Resources

The City presents deferred outflows and inflows of resources in accordance with GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position* and GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities* (GASB 65), which establish accounting and financial reporting standards that reclassify, as deferred outflows and inflows of resources, certain items that were previously reported as assets and liabilities. Deferred inflows of resources represent an acquisition of resources that applies to a future reporting period and, therefore, will not be recognized as an inflow of resources (revenue or reduction of expense) until that time. Deferred outflows of resources represent a consumption of resources that applies to a future reporting period and, therefore, will not be recognized as an outflow of resources (expense/expenditure or reduction of liability) until that time. The City has the following items that qualify for reporting in these categories.

Government-wide

- Deferred charges on refundings – A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.
- Pension contributions after measurement date – These contributions are deferred and reported as a reduction in net pension liability in the year subsequent to their deferral.
- OPEB benefit and premium payments after measurement date – These benefit payments are deferred and reported as a reduction in total OPEB liability in the year subsequent to their deferral.
- Difference between projected and actual earnings on pension plan investments – This difference is deferred and amortized to pension expense over a closed five-year period.

- Difference in expected and actual experience (Pension) – This difference is deferred and recognized over the estimated average remaining lives of all members determined as of the beginning of the measurement period.
- Change of assumptions (Pension and OPEB) – This difference is deferred and recognized over the estimated average remaining lives of all members determined as of the beginning of the measurement period.

Fund Equity

Government-wide and Proprietary Fund Net Position

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

Net Investment in Capital Assets – This component of net position consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction or improvement of those assets, and adding back unspent proceeds.

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

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

Governmental Funds Fund Balance

Fund balances of governmental funds are classified as follows:

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

Restricted Fund Balance – Represents amounts that are constrained by external parties, constitutional provisions or by enabling legislation.

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

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

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

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

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

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

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

Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

Future Adoption of Accounting Pronouncements

The GASB has issued the following potentially significant statements which the City has not yet adopted and which require adoption subsequent to September 30, 2019.

Statement No.		Adoption Required
83	*Asset Retirement Obligations*	September 30, 2020
88	*Debt Disclosures*	September 30, 2020
84	*Fiduciary Activities*	September 30, 2021
90	*Majority Equity Interests – an amendment of GASB Statements No. 14 and No. 61*	September 30, 2021
87	*Leases*	September 30, 2022
91	*Conduit Debt Obligations*	September 30, 2023
92	*Omnibus*	September 30, 2023
93	*Reference Rate Reform*	September 30, 2023
94	*Public-Private Partnerships*	September 30, 2024
95	*Postponement of the Effective Dates of Certain Authoritative Guidance*	September 30, 2020
96	*Subscription-Based Information Technology Arrangements*	September 30, 2023
97	*Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans – an amendment of GASB Statements Nos 14 and 84, and a Supersession of GASB Statement No. 32*	September 30, 2022

Note 2: Stewardship, Compliance and Accountability

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

Excess of Expenditures Over Appropriations

General Fund:		
Legal	$	5,302
Non-departmental		216,057
Emergency management		3,603
Public works administration		1,241
Streets		6,868
Transfers out		178,636
Debt Service Fund:		
Principal	$	586,556
Interest		34,620
Special General Fund:		
General government	$	6,375

Note 3: Deposits and Investments

Cash and cash equivalents and investments as of September 30, 2019, are classified in the accompanying financial statements as follows:

Governmental activities	$	60,767,270
Business-type activities		6,992,485
Component unit		21,390,300
Total	$	89,150,055

Cash and cash equivalents and investments as of September 30, 2019, consist of the following:

	Primary Government	Component Unit	Total
Cash and cash equivalents with financial institutions (carrying value)	$ 3,076,611	$ 328,464	$ 3,405,075
Investments	64,683,144	21,061,836	85,744,980
Total	$ 67,759,755	$ 21,390,300	$ 89,150,055

Disclosures About Fair Value of Assets and Liabilities

Fair value is the price that would be received to sell an asset, or paid to transfer a liability, in an orderly transaction between market participants at the measurement date. Fair value measurements must maximize the use of observable inputs and minimize the use of unobservable inputs. There is a hierarchy of three levels of inputs that may be used to measure fair value.

Level 1 Quoted prices in active markets for identical assets or liabilities.

Level 2 Observable inputs other than Level 1 prices, such as quoted prices for similar assets or liabilities; quoted prices in markets that are not active; or other inputs that are observable or can be corroborated by observable market data for substantially the full term of the assets or liabilities.

Level 3 Unobservable inputs supported by little or no market activity and are significant to the fair value of the assets or liabilities.

The following table presents the fair value measurements of assets recognized in the accompanying financial statements measured at fair value on a recurring basis and the level within the fair value hierarchy in which the fair value measurements fall at September 30, 2019:

		Fair Value Measurements Using		
	Fair Value	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Investments by fair value level:				
Municipal bonds	$ 13,189,121	$ -	$ 13,189,121	$ -
U.S. agencies	1,499,487	-	1,499,487	-
Total investments by fair value level	14,688,608	$ 0	$ 14,688,608	$ 0
Investments measured at amortized cost:				
TexPool	35,736,985			
TexPool Prime	26,656,389			
Investments measured at net asset value:				
Texas CLASS	8,662,998			
	71,056,372			
Total investments	$ 85,744,980			

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

Investment Pools

The City is a voluntary participant in TexPool. The State Comptroller of Public Accounts exercises responsibility over TexPool. Oversight includes the ability to significantly influence operations, designation of management and accountability for fiscal matters. The State

Comptroller has established an advisory board composed of both participants in TexPool and others not otherwise associated. TexPool uses amortized cost rather than the fair value to report net position to compute share prices.

The City is invested in Texas Cooperative Liquid Assets Securities System (Texas CLASS) Trust. Texas CLASS was created as an investment pool for its participants pursuant to Section 2256.016 of the *Public Funds Investment Act*, Texas Government Code, or other laws of the State of Texas governing the investment of funds of a participant or funds under its control. Texas CLASS is administered by Public Trust Advisors, LLC with Wells Fargo Bank Texas, N.A., as the custodian and is supervised by a Board of Trustees who are elected by the participants. The fair value of the position of Texas Class is measured at net asset value and is designed to approximate the share value.

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

Custodial Credit Risk

In the case of deposits, this is the risk that in the event of a bank failure, the City's deposits may not be returned. State statutes require that all deposits in financial institutions be fully collateralized by U.S. Government obligations or its agencies and instrumentalities or direct obligations of Texas or its agencies and instrumentalities that have a fair value of not less than the principal amount of deposits. As of September 30, 2019, $1,533,105 of the City's deposits with financial institutions were fully collateralized with securities held by the pledging financial institution in the City's name or fully insured by the Federal Deposit Insurance Corporation, and $200,639 were uncollateralized and uninsured. The component unit's deposits were fully insured by the Federal Deposit Insurance Corporation.

Interest Rate Risk

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

The weighted average maturity of the City and component unit investment portfolios as of September 30, 2019, is shown below.

	Weighted Average	
	City	Component Unit
Fixed income:		
Municipal bonds	50	62
U.S. agencies	2	556
Investment pools:		
TexPool	34	34
TexPool Prime	32	32
Texas CLASS	50	50

Concentration of Credit Risk

The City's investment policy recognizes invested funds shall be diversified to minimize risk resulting from over-concentration of assets in a specific maturity, specific market sector or specific instruments.

Credit Risk

The City's investment policy limits investments in external investment pools to pools rated as to investment quality not less than "AAA" or "AAAm" or at an equivalent rating by at least one nationally recognized rating service. Obligations of states, agencies, counties, cities and other political subdivisions of any state must be rated as to investment quality by a nationally recognized investment rating firm not less than "A" or its equivalent. The City's investments as of September 30, 2019, were rated as follows:

Investment Type	Rating	Rating Agency
Municipal Bonds	A+ to AAA	Standard & Poor's
	Aa3 to AAA	Moody's Investors Service
	AAA	Fitch ratings
U.S. Agencies	AA+ or Not Rated	Standard & Poor's
TexPool	AAAm	Standard & Poor's
TexPool Prime	AAAm	Standard & Poor's
Texas CLASS	AAAm	Standard & Poor's

Note 4: Receivables

The following comprise receivable balances at year-end.

	General Fund	Debt Service Fund	Capital Projects Fund	Other Governmental Funds	Enterprise Fund
Property taxes	$ 102,620	$ 189,349	$ -	$ -	$ -
Sales taxes	2,001,860	-	-	-	-
Franchise and other taxes	119,973	-	-	3,400	-
Customer accounts	349,559	-	-	-	2,017,875
Other	43,523	7,847	24,497	-	88
Gross receivable	2,617,535	197,196	24,497	3,400	2,017,963
Less allowance for uncollectible accounts	(209,963)	(189,349)	-	-	(298,207)
Net receivable	$ 2,407,572	$ 7,847	$ 24,497	$ 3,400	$ 1,719,756

Note 5: Capital Assets

Changes in capital assets for governmental activities for the year ended September 30, 2019, are summarized as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated:				
Land	$ 7,255,744	$ -	$ -	$ 7,255,744
Construction in progress	7,735,161	2,259,933	1,357,732	8,637,362
Total capital assets, not being depreciated	14,990,905	2,259,933	1,357,732	15,893,106
Capital assets, being depreciated:				
Buildings and improvements	11,252,775	254,518	-	11,507,293
Machinery and equipment	6,444,754	219,313	39,967	6,624,100
Vehicles	5,421,284	1,676,956	159,601	6,938,639
Infrastructure	37,029,199	1,185,083	-	38,214,282
Total capital assets, being depreciated	60,148,012	3,335,870	199,568	63,284,314
Less accumulated depreciation:				
Buildings and improvements	(4,493,610)	(268,814)	-	(4,762,424)
Machinery and equipment	(5,280,938)	(170,672)	(31,974)	(5,419,636)
Vehicles	(4,349,351)	(399,549)	(159,601)	(4,589,299)
Infrastructure	(10,855,769)	(1,162,857)	-	(12,018,626)
Total accumulated depreciation	(24,979,668)	(2,001,892)	(191,575)	(26,789,985)
Total capital assets, net	35,168,344	1,333,978	7,993	36,494,329
Governmental activities capital assets, net	$ 50,159,249	$ 3,593,911	$ 1,365,725	$ 52,387,435

Changes in capital assets for business-type activities for the year ended September 30, 2019, are summarized as follows.

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated:				
Land	$ 1,897,333	$ -	$ -	$ 1,897,333
Construction in progress	3,069,752	2,547,293	-	5,617,045
Total capital assets, not being depreciated	4,967,085	2,547,293	0	7,514,378
Capital assets, being depreciated:				
Gas system	6,289,101	46,255	-	6,335,356
Water and sewer system	49,261,656	172,900	-	49,434,556
Machinery and equipment	4,600,395	-	-	4,600,395
Total capital assets, being depreciated	60,151,152	219,155	0	60,370,307
Less accumulated depreciation:				
Gas system	(3,290,754)	(149,699)	-	(3,440,453)
Water and sewer system	(22,468,119)	(1,209,125)	-	(23,677,244)
Machinery and equipment	(2,192,317)	(116,926)	-	(2,309,243)
Total accumulated depreciation	(27,951,190)	(1,475,750)	0	(29,426,940)
Total capital assets, net	32,199,962	(1,256,595)	0	30,943,367
Business-type activities, net	$ 37,167,047	$ 1,290,698	$ 0	$ 38,457,745

Depreciation was charged to governmental and business-type activities as follows:

Governmental activities:	
Public safety	$ 433,232
Public works	1,141,955
Internal service fund	426,705
Total depreciation expense	2,001,892
Business-type activities:	
Water and wastewater	1,326,051
Gas	149,699
Total depreciation expense	1,475,750
Total depreciation expense, primary government	$ 3,477,642

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

Project Description	Project Authorization	Expended Through September 30, 2019	Remaining Commitment
Governmental activities:			
Tomball Business Park	$ 42,521	$ 42,521	$ -
M121 Final Phase	11,362,332	5,840,876	5,521,456
Rudolph Road and utilities	211,135	171,092	40,043
Broussard Park	1,774,429	1,255,524	518,905
Wayne Stovall Sports Complex Improvement	461,908	72,656	389,252

Project Description	Project Authorization	Expended Through September 30, 2019	Remaining Commitment
Medical Complex Segment 4B	$ 18,029,295	$ 1,158,950	$ 16,870,345
Public Works Parking Lot	31,067	31,067	-
North Star Estates/Rigel Court	453,941	42,407	411,534
Theis Nature Preserve	31,874	22,269	9,605
Total governmental activities	32,398,502	8,637,362	23,761,140
Business-type activities:			
Rudolph Road	299,245	185,926	113,319
Wastewater Master Plan	192,587	192,587	-
Critical Needs Assessment	4,608,270	4,236,706	371,564
Medical Complex Drive Segment 4B	41,811	41,811	-
East Side Water Loop Line	1,252,342	705,205	547,137
Water Modeling	75,798	76,814	-
Utility Easement Survey and Clearing	57,150	2,900	54,250
DRI-PRIME System	31,430	2,196	29,234
Pine Street Ground Water Tank Rehab	172,900	172,900	-
Total business-type activities	6,731,533	5,617,045	1,115,504
Grand total projects	$ 39,130,035	$ 14,254,407	$ 24,876,644

Due to a change in management priorities and budget constraints, the City determined that certain construction projects previously recorded as construction in progress will not be completed in the foreseeable future. As a result, the City removed these assets from construction in progress in 2019 resulting in $332,412 reported in government type activities as public works expense.

Changes in capital assets for the component unit for the year ended September 30, 2019, are summarized as follows:

Component Unit	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated:				
Land	$ 1,529,875	$ -	$ 405,193	$ 1,124,682
Construction in progress	2,025,780	444,349	-	2,470,129
Total capital assets, not being depreciated	$ 3,555,655	$ 444,349	$ 405,193	$ 3,594,811

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

The component unit sold land during the year for proceeds of 3,001,418, resulting in a gain on sale of property of $2,596,223 as reported in the statement of activities.

Project Description	Project Authorization	Expended Through September 30, 2019	Remaining Commitment
Tomball Business Park and Technology Park	$ 2,664,518	$ 2,470,129	$ 194,389

Note 6: Long-term Liabilities

The following is a summary of changes in the City's total governmental and business-type long-term liabilities for the year ended September 30, 2019. In general, the City uses the general and debt service funds to liquidate governmental long-term liabilities and enterprise funds to liquidate business-type long-term liabilities.

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

	Beginning Balance	Increases	Decreases	Ending Balance	Amounts Due in One Year
Governmental Activities					
Certificates of obligation and bonds payable	$ 40,803,250	$ -	$ 2,990,250	$ 37,813,000	$ 3,016,250
Unamortized discount/premium	1,103,038	-	85,874	1,017,164	-
	41,906,288	-	3,076,124	38,830,164	3,016,250
Capital lease obligation	586,556	-	586,556	-	-
Public property finance contractual obligation	1,300,000	-	130,132	1,169,868	130,000
Total OPEB liability	2,801,916	10,395	-	2,812,311	103,441
Net pension liability	4,331,082	2,829,013	-	7,160,095	-
Compensated absences	1,565,276	930,418	728,213	1,767,481	441,870
Landfill postclosure costs	435,500	-	90,125	345,375	59,075
Total governmental activities long-term liabilities	$ 52,926,618	$ 3,769,826	$ 4,611,150	$ 52,085,294	$ 3,750,636
Business-type Activities					
Bonds payable	$ 2,246,750	$ -	$ 574,750	$ 1,672,000	$ 563,750
Unamortized discount/premium	35,331	-	11,776	23,555	-
	2,282,081	-	586,526	1,695,555	563,750
Total OPEB liability	636,017	2,360	-	638,377	23,480
Net pension liability	771,534	484,495	-	1,256,029	-
Compensated absences	280,013	164,146	154,781	289,378	72,345
Total business-type activities long-term liabilities	$ 3,969,645	$ 651,001	$ 741,307	$ 3,879,339	$ 659,575

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

Certificates of Obligation and General Obligation Bonds

	Interest Rates	Final Maturity	Original Issue	Governmental Activities	Business-type Activities
Certificates of obligation:					
Series 2012	3-4.25%	2032	$ 14,500,000	$ 10,315,000	$ -
Series 2013	2-3%	2033	8,500,000	6,405,000	-
Series 2016	3-5%	2037	20,240,000	17,490,000	-
				34,210,000	0
General obligation bonds:					
Series 2011	2-4%	2022	8,650,000	1,368,000	1,672,000
Series 2013	1-1.65%	2023	6,370,000	2,235,000	-
				3,603,000	1,672,000
Total bonds and certificates of obligation				$ 37,813,000	$ 1,672,000

Annual debt service requirements to maturity for certificates of obligation and general obligation bonds at year-end were as follows:

	Governmental Activities		Business-type Activities	
Fiscal Year	Principal	Interest	Principal	Interest
2020	$ 3,016,250	$ 1,239,564	$ 563,750	$ 75,501
2021	3,046,750	1,147,348	558,250	55,605
2022	3,080,000	1,048,748	550,000	33,165
2023	2,680,000	952,673	-	11,000
2024	2,135,000	868,175	-	-
2025-2029	11,215,000	313,600	-	-
2030-2034	9,730,000	1,234,038	-	-
2035-2037	2,910,000	157,625	-	-
	$ 37,813,000	$ 6,961,771	$ 1,672,000	$ 175,271

Public Property Finance Contractual Obligation

The City issued Public Property Finance Obligations to finance acquisition of equipment for the Fire Department as described below:

Governmental Activities

$1,300,000 Public Property Finance Act Contract, payable in annual installments of $130,000, including principal and interest, through November 1, 2028, interest at 3.65 percent through November 1, 2023, and at a fixed rate equal to the Wall Street Journal Prime Rate minus 1.35 percent per annum from November 1, 2023 through 2028.

Fiscal Year	Governmental Activities	
	Principal	Interest
2020	$ 130,000	$ 42,705
2021	130,000	34,960
2022	130,000	33,215
2023	130,000	28,470
2024	130,000	23,725
2025-2029	519,868	47,450
	$ 1,169,868	$ 210,525

Federal Arbitrage

The *Tax Reform Act of 1986* instituted certain arbitrage restrictions consisting of complex regulations with respect to issuance of tax-exempt bonds after August 31, 1986. Arbitrage regulations deal with the investment of tax-exempt bond proceeds at an interest yield greater than the interest yield paid to bondholders. Generally, all interest paid to bondholders can be retroactively rendered taxable if applicable rebates are not reported and paid to the Internal Revenue Service at least every five years for applicable bond issues. Accordingly, there is the risk that if such calculations are not performed or are not performed correctly, a substantial liability to the City could result. The City periodically engages an arbitrage consultant to perform the calculations in accordance with the Internal Revenue Service's rules and regulations. The City owed no arbitrage liability as of September 30, 2019.

Note 7: Commitments and Contingencies

Risk Management

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

Contingent Liabilities

The City is a party to various legal actions. Although the outcome is not presently determinable, it is the opinion of the City's management that resolution of these matters will not have a material adverse effect on the financial condition of the City. Liabilities are reported when it is probable that a loss has occurred, and the amount of the loss can be reasonably estimated.

Note 8: Interfund Transfers

Interfund transfers in and transfers out for the year ended September 30, 2019, are as follows:

	Transfers Out			
	Governmental Funds		Proprietary Funds	
Transfers In	General Fund	Debt Service Fund	Enterprise Fund	Total
General fund	$ -	$ -	$ 2,530,209	$ 2,530,209
Capital projects fund	1,174,500	-	2,510,186	3,684,686
Other governmental funds	100,000	-	-	100,000
Enterprise Fund				
Internal Service Fund	178,636		-	178,636
	$ 1,453,136	$ 0	$ 5,040,395	$ 6,493,531

Transfers are primarily used to move funds from:

- The general fund to the capital projects fund to fund projects.
- The general fund to other governmental funds to fund projects.
- The general fund to the internal service fund to pay principal and interest related to the purchase of a fire truck.
- The enterprise fund to the general fund to fund indirect costs for administrative expenses.
- The enterprise fund to the capital projects fund to fund projects.

Note 9: Pension Plan

Plan Description

The City participates as one of 883 plans in the nontraditional, joint contributory, hybrid agent multiple-employer defined benefit pension plan administered by the TMRS. TMRS is an agency created by the State of Texas and administered in accordance with the *TMRS Act*, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the system with a six-member Board of Trustees. Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not

fiscally dependent on the State of Texas. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401(a) of the Internal Revenue Code. TMRS issues a publicly available comprehensive annual financial report (CAFR) that can be obtained at www.tmrs.com.

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

Benefits Provided

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

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

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

	Plan Year 2018	Plan Year 2019
Employee deposit rate	7.00%	7.00%
Matching ratio (city to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service requirement eligibility (expressed as age/years of service)	60/5, 0/20	60/5, 0/20
Updated service credit	100% Repeating, Transfers	100% Repeating, Transfers
Annuity increase (to retirees)	70% of CPI Repeating	70% of CPI Repeating

Employees Covered by Benefit Terms

At the December 31, 2018, valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	86
Inactive employees entitled to but not yet receiving benefits	80
Active employees	174
Total	340

Contributions

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

Employees for the City were required to contribute 7 percent of their annual gross earnings during the fiscal year. The contribution rates for the City were 13.42 percent and 13.49 percent in calendar years 2018 and 2019, respectively. The City's contributions to TMRS for the year ended September 30, 2019, were $1,542,211, and were equal to the required contributions.

Net Pension Liability

The City's Net Pension Liability (NPL) was measured as of December 31, 2018, and the Total Pension Liability (TPL) used to calculate the NPL was determined by an actuarial valuation as of that date.

Actuarial Assumptions

The TPL in the December 31, 2018, actuarial valuation was determined using the following actuarial assumptions.

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

Salary increases were based on a service-related table. Mortality rates for active members, retirees and beneficiaries were based on the gender-distinct RP2000 Combined Healthy Mortality Tables with Blue Collar Adjustment, with male rates multiplied by 109 percent and female rates multiplied by 103 percent. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements.

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

Actuarial assumptions used in the December 31, 2018, valuation were based on the results of actuarial experience studies. This experience study was for the period December 31, 2010 through December 31, 2014. Healthy post-retirement mortality rates and annuity purchase rates were updated based on a Mortality Experience Investigation Study covering 2009 through 2011, and dated December 31, 2013. In conjunction with these changes first used in the December 31, 2013 valuation, the System adopted the Entry Age Normal actuarial cost method and a one-time change to the amortization policy.

Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income in order to satisfy the short-term and long-term funding needs of TMRS.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. In determining their best estimate of a recommended investment return assumption under the various alternative asset allocation portfolios, the actuary focused on the area between (1) arithmetic mean (aggressive) without an adjustment for time (conservative) and (2) the geometric mean (conservative) with an adjustment for time (aggressive).

The target allocation and best estimates of real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-term Expected Real Rate of Return (Arithmetic)
Domestic equity	17.50%	4.30%
International equity	17.50%	6.10%
Core fixed income	10.00%	1.00%
Non-core fixed income	20.00%	3.39%
Real return	10.00%	3.78%
Real estate	10.00%	4.44%
Absolute return	10.00%	3.56%
Private equity	5.00%	7.75%
Total	100.00%	

Discount Rate

The discount rate used to measure the TPL was 6.75 percent. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's Fiduciary Net Position

was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the TPL.

Changes in the NPL

	TPL (a)	Plan Fiduciary Net Position (b)	NPL (a) - (b)
Balances at October 1, 2018	$ 41,524,424	$ 36,421,808	$ 5,102,616
Changes for the year:			
Service cost	1,799,563	-	1,799,563
Interest	2,801,748	-	2,801,748
Difference between expected and actual experience	(223,279)	-	(223,279)
Contributions – employer	-	1,431,544	(1,431,544)
Contributions – employee	-	746,707	(746,707)
Net investment income	-	(1,091,540)	1,091,540
Benefit payments, including refunds of employee contributions	(1,833,649)	(1,833,649)	-
Administrative expenses	-	(21,086)	21,086
Other	-	(1,101)	1,101
Net changes	2,544,383	(769,125)	3,313,508
Balances at September 30, 2019	$ 44,068,807	$ 35,652,683	$ 8,416,124

Sensitivity of the NPL to Changes in the Discount Rate

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

	1% Decrease 5.75%	Current Single Rate Assumption 6.75%	1% Increase 7.75%
Net Pension Liability (Asset)	$ 15,172,955	$ 8,416,124	$ 2,963,459

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in a separately-issued TMRS financial report. That report may be obtained at www.tmrs.com.

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

For the year ended September 30, 2019, the City recognized pension expense of $2,190,738.

At September 30, 2019, the City reported deferred outflows and inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual pension experience	$ 295,503	$ 226,304
Changes of actuarial assumptions	27,323	-
Difference between projected and actual pension plan investment earnings	1,889,129	-
Contributions subsequent to the measurement date	1,137,750	-
Total	$ 3,349,705	$ 226,304

$1,137,750 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the NPL for the year ending September 30, 2020. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending September 30,	
2020	$ 715,958
2021	300,952
2022	296,724
2023	672,017
Total	$ 1,985,651

Note 10: Postemployment Benefits Other Than Pensions

The City offers two other postemployment benefit (OPEB) plans; the Retiree Health Care Plan and the TMRS-Supplemental Death Benefits Fund as discussed below. OPEB items for the two plans are as follows.

	Retiree Health Care Plan	TMRS - Supplemental Death Benefits Fund	Total
Total OPEB Liability	$ 3,008,781	$ 441,907	$ 3,450,688
Deferred outflows of resources	203,668	25,667	229,335
Deferred inflows of resources	(110,555)	(27,054)	(137,609)
OPEB expense	250,400	39,790	290,190

Note 11: Retiree Health Care Plan

Plan Description

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

In order to be eligible for this benefit, the retiree must be vested, age 55 or older and a current recipient of retirement benefits from the TMRS, have been a full-time employee of the City for ten consecutive years immediately prior to retirement, and satisfy the applicable plan requirements for the extension of retiree coverage under the medical and dental insurance benefit plan offered by the City at the time of retirement. The City's retiree healthcare benefit is only provided to employees who were hired prior to October 1, 2014.

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

Benefit continuation of medical, dental and life insurance coverage provided at the City's expense to retirees ends when the retiree is eligible for Medicare coverage. Retirees who are eligible for Medicare coverage may, at their sole expense, continue to purchase coverage for themselves and

their eligible dependents as provided under the applicable terms of the City's policies. A separate postemployment benefit plan report is not available for the City of Tomball Retirement Health Care Plan.

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

As of December 31, 2018, the measurement date, the following employees were covered by the benefit terms:

Retirees and beneficiaries	26
Active employees	109
Total	135

Funding Policy

The benefit levels and contribution rates are approved annually by the City management and the City Council as part of the budget process. By the City not contributing anything toward this plan in advance, the City employs a pay-as-you-go method through ensuring the annual retiree contributions are equal to the benefits that are paid on behalf of the retirees.

Actuarial Methods and Assumptions

Significant methods and assumptions used in the December 31, 2018, actuarial valuation are as follows:

Actuarial Cost Method	Individual Entry-Age
Discount Rate	3.71 percent as of December 31, 2018 (3.31 percent in prior year) Source: Fixed-income municipal bonds with 20 years to maturity that include only federally tax-exempt municipal bonds as reported in the Fidelity "20-Year Municipal GO AA Index" as of December 31, 2018.
Inflation	2.50 percent per annum
Salary Increases	3.50 percent to 10.50 percent, including inflation
Demographic Assumption	Based on the experience study covering the four-year period ending December 31, 2014, as conducted for the Texas Municipal Retirement System (TMRS)

Actuarial Cost Method	Individual Entry-Age
Mortality	For healthy retirees, the gender-distinct RP2000 Combined Healthy Mortality Tables with Blue Collar Adjustment are used with male rates multiplied by 109 percent and female rates multiplied by 103 percent. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements.
Health Care Trend Rates	7.50 percent decreasing to an ultimate rate of 5.50 percent over 9 years.
Participation Rates	It was assumed that retirees would choose to receive retiree health care benefits through the City as follows:

Years of City Service	Participation Assumption
< 10	0%
10 – 15	25%
15 – 20	45%
20 – 25	65%
25 +	85%

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

Total OPEB Liability

The total OPEB liability of $3,008,781 was measured as of December 31, 2018, and was determined by an actuarial valuation as of that date.

The total OPEB liability and related information are as follows at September 30, 2019:

	Total OPEB Liability
Balance as of October 1, 2018	$ 2,999,689
Changes for the year:	
Service cost	145,528
Interest on total OPEB liability	99,651
Differences between expected and actual experience	14,732
Change of assumptions (discount rate change)	(127,098)
Benefit payments	(123,721)
Balance as of September 30, 2019	$ 3,008,781

OPEB Expense and Deferred Outflows of Resources Related to OPEB

For the year ended September 30, 2019, the City recognized OPEB expense of $250,400. At September 30, 2019, the City reported deferred outflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between expected and actual experience	$ 12,815	$ -
Changes of assumptions	112,790	110,555
Benefit payments subsequent to the measurement date	78,063	-
Total	$ 203,668	$ 110,555

Deferred outflows of resources related to OPEBs resulting from benefit payments subsequent to the measurement date of $78,063 will be recognized as a reduction of the total OPEB liability for the year ending September 30, 2020.

Other amounts reported as deferred outflows related to OPEBs will be recognized in OPEB expense as follows:

Year Ending September 30	
2020	$ 5,221
2021	5,221
2022	5,221
2023	5,221
2024	5,221
Thereafter	(11,055)
Total	$ 15,050

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability calculated using the discount rate of 3.71 percent, as well as what the total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.71 percent) or 1-percentage-point higher (4.71 percent) than the current discount rate:

	1% Decrease in Discount Rate (2.71%)	Current Discount Rate (3.71%)	1% Increase in Discount Rate (4.71%)
Total OPEB liability	$ 3,338,060	$ 3,008,781	$ 2,715,995

Sensitivity of the Total OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following presents the total OPEB liability as well as what the total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates:

	1% Decrease	Current Healthcare Cost Trend Rates Assumption	1% Increase
Total OPEB liability	$ 2,611,400	$ 3,008,781	$ 3,491,556

TMRS – Supplemental Death Benefits Fund

Plan Description

The City also participates in a single-employer defined benefit group term life insurance OPEB plan operated by the TMRS known as the Supplemental Death Benefits Fund (SDBF). The City elected, by ordinance, to provide group term life insurance coverage to both current and retired employees. The City may terminate coverage under and discontinue participation in the SDBF by adopting an ordinance before November 1 of any year to be effective the following January 1. The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death); retired employees are insured for $7,500; this coverage is an OPEB.

The plan does not issue a separate financial report.

Benefits Provided

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death). The death benefit for retirees is considered another postemployment benefit (OPEB) and is a fixed amount of $7,500. As the SDBF covers both active and retiree participants, with no segregation of assets and no assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

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

As of December 31, 2018, the measurement date, the following employees were covered by the benefit terms.

Inactive employees currently receiving benefits	74
Inactive employees entitled to but not yet receiving benefits	26
Active employees	174
	274

Actuarial Methods and Assumptions

Significant methods and assumptions used in the December 31, 2018, actuarial valuation are as follows:

Actuarial Cost Method	Entry Age Normal
Discount Rate	3.71 percent as of December 31, 2018 (3.31 percent in prior year) Source: Fidelity Index's "20-Year Municipal GO AA Index"
Inflation	2.50 percent
Salary Increases	3.50 percent to 10.50 percent, including inflation
Retirees' share of benefit related costs	$0
Administrative expenses	All administrative expenses are paid through the Pension Trust and accounted for under reporting requirements under GASB Statement No. 68.
Mortality rates – service retirees	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109 percent and female rates multiplied by 103 percent and projected on a fully generational basis with scale BB.
Mortality rates – disabled retirees	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109 percent and female rates multiplied by 103 percent with a three-year set-forward for both males and females. The rates are projected on a fully generational basis with scale BB to account for future mortality improvements subject to the 3 percent floor.

The actuarial assumptions used in the December 31, 2018, valuation were based on the results of an actuarial experience study for the period of December 31, 2010 to December 31, 2014.

Total OPEB Liability

The City's total OPEB liability of $441,907 was measured as of December 31, 2018, and was determined by an actuarial valuation as of that date.

The total OPEB liability and related information are as follows for the City at September 30, 2019:

	Total OPEB Liability
Balance as of October 1, 2018	$ 438,244
Changes for the year:	
Service cost	24,535
Interest on total OPEB liability	14,859
Differences between expected and actual experience	(449)
Change of assumptions (discount rate change)	(32,082)
Benefit payments	(3,200)
Balance as of September 30, 2019	$ 441,907

OPEB Expense and Deferred Outflows of Resources Related to OPEB

For the year ended September 30, 2019, the City recognized OPEB expense of $39,790.

At September 30, 2019, the City reported deferred outflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between expected and actual experience	$ -	$ 373
Changes of assumptions	23,137	26,681
Benefit payments subsequent to the measurement date	2,530	-
Total	$ 25,667	$ 27,054

Benefit payments subsequent to the measurement date and before fiscal year-end of $2,530 will be recognized as a reduction of the total OPEB liability in the year ending September 30, 2020.

Other amounts reported as deferred outflows related to OPEB will be recognized in OPEB expense as follows.

Year Ending September 30	
2020	$ 396
2021	396
2022	396
2023	41
2024	(5,146)
Total	$ (3,917)

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability of the City, calculated using the discount rate of 3.71 percent, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.71 percent) or 1-percentage-point higher (4.71 percent) than the current discount rate:

	1% Decrease in Discount Rate (2.71%)	Current Discount Rate (3.71%)	1% Increase in Discount Rate (4.71%)
Total OPEB liability	$ 529,468	$ 441,907	$ 373,945

Note 12: Landfill Post Closure Care Costs

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

The estimated liability for landfill post closure care costs of $345,375 as of September 30, 2019, represents the remaining estimated post closure costs required to achieve regulatory approval for closure including costs through 2024. However, the actual cost of closure and post closure care may be higher due to inflation, changes in technology, or changes in landfill laws and regulations.

Note 13: Subsequent Events

As a result of the spread of the SARS-CoV-2 virus and the incidence of COVID-19, economic uncertainties have arisen which may negatively affect the financial position, results of operations and cash flows of the City. The duration of these uncertainties and the ultimate financial effects cannot be reasonably estimated at this time.

The City issued $9,100,000 General Obligation Refunding Bonds, Series 2019, on November 21, 2019, with proceeds used to refund the General Obligation Refunding Bonds, Series 2011, and Combination Tax & Revenue Certificates of Obligation, Series 2012.

Required Supplementary Information
(Unaudited)

City of Tomball, Texas

Schedule of Changes in Net Pension Liability and Related Ratios – Last Five Fiscal Years

	Measurement Year				
	2014	2015	2016	2017	2018
Total Pension Liability					
Service cost	$ 1,405,192	$ 1,631,504	$ 1,678,897	$ 1,780,118	$ 1,799,563
Interest	2,122,080	2,283,312	2,396,517	2,582,435	2,801,748
Difference between expected and actual experience	(75,098)	153,806	(109,994)	437,533	(223,279)
Change of assumptions	-	112,706	-	-	-
Benefit payments, including refunds of employee contributions	(1,120,036)	(1,404,009)	(1,235,596)	(1,287,794)	(1,833,649)
Net Change in Total Pension Liability	2,332,138	2,777,319	2,729,824	3,512,292	2,544,383
Total pension liability - beginning	30,172,851	32,504,989	35,282,308	38,012,132	41,524,424
Total pension liability - ending (a)	$ 32,504,989	$ 35,282,308	$ 38,012,132	$ 41,524,424	$ 44,068,807
Plan Fiduciary Net Position					
Contributions - employer	$ 1,106,867	$ 1,321,927	$ 1,309,638	$ 1,428,931	$ 1,431,544
Contributions - employee	629,009	680,604	689,283	736,020	746,707
Net investment income	1,480,415	41,253	1,930,676	4,330,256	(1,091,540)
Benefit payments, including refunds of employee contributions	(1,120,036)	(1,404,009)	(1,235,596)	(1,287,794)	(1,833,649)
Administrative expense	(15,453)	(25,124)	(21,804)	(22,437)	(21,086)
Other	(1,271)	(1,240)	(1,175)	(1,137)	(1,101)
Net Change in Plan Fiduciary Net Position	2,079,531	613,411	2,671,022	5,183,839	(769,125)
Plan Fiduciary Net Position, Beginning	25,874,005	27,953,536	28,566,947	31,237,969	36,421,808
Plan Fiduciary Net Position, Ending (B)	$ 27,953,536	$ 28,566,947	$ 31,237,969	$ 36,421,808	$ 35,652,683
Net Pension Liability, Ending (a) - (b)	$ 4,551,453	$ 6,715,361	$ 6,774,163	$ 5,102,616	$ 8,416,124
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	86.00%	80.97%	82.18%	87.71%	80.90%
Covered-Employee Payroll	$ 8,985,838	$ 9,722,909	$ 9,846,905	$ 10,514,577	$ 10,667,238
Net Pension Liability as a Percentage of Covered-Employee Payroll	50.65%	69.07%	68.79%	48.53%	78.90%

Only five years of data are presented in accordance with GASB Statement No. 68 as the data for the years prior to 2015 is not available. Additionally, GASB Statement No. 68 requires that the information on this schedule be presented for the year ended as of the current measurement date (December 31).

Other information: For the 2015 valuation, inflation used was 2.5 percent, investment rates of return and the discount rate used was 6.75 percent, and actuarial studies were updated through December 31, 2014.

City of Tomball, Texas

Schedule of Pension Contributions – Last Five Fiscal Years

	Fiscal Year				
	2015	2016	2017	2018	2019
Actuarially determined contribution	$ 1,246,735	$ 1,285,841	$ 1,435,572	$ 1,439,971	$ 1,542,211
Contributions in relation to the actuarially determined contribution	1,246,735	1,285,841	1,435,572	1,439,971	1,542,211
Contribution deficiency	$ -	$ -	$ -	$ -	$ -
Covered employee payroll	$ 9,404,137	$ 9,620,867	$ 10,481,687	$ 10,693,441	$ 11,447,890
Contributions as a percentage of covered employee payroll	13.26%	13.37%	13.70%	13.47%	13.47%

Only five years of data are presented in accordance with GASB Statement No. 68 as the data for the years prior to fiscal year 2015 is not available. Additionally, GASB Statement No. 68 requires that the information presented on this schedule correspond with the City's fiscal year (September 30).

Valuation Date:

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

Methods and Assumptions Used to Determine Contribution Rates:

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	28 years
Asset Valuation Method	10 year smoothed market; 15% soft corridor
Inflation	2.5%
Salary Increases	3.50% to 10.5% including inflation
Investment Rate of Return	6.75%
Retirement Age	Experience-based table of rates that are specific to the City's plan of benefits. Last updated for the 2015 valuation pursuant to an experience study of the period 2010 - 2014.
Mortality	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103% and projected on a fully generational basis with scale BB.

Other Information:

There were no benefit changes during the year.

City of Tomball, Texas

Schedule of Changes in the City's Total OPEB Liability and Related Ratios – (Retiree Health Care Plan)

	Measurement Year 2017	Measurement Year 2018
TOTAL OPEB LIABILITY		
Service cost	$ 130,909	$ 145,528
Interest	104,080	99,651
Difference between expected and actual experience	-	14,732
Change of assumptions	152,484	(127,098)
Benefit payments, including refunds of employee contributions	(108,157)	(123,721)
Net Change in Total OPEB Liability	279,316	9,092
Total OPEB Liability - Beginning	2,720,373	2,999,689
Total OPEB Liability - Ending	$ 2,999,689	$ 3,008,781
Covered-Employee Payroll	$ 10,520,156	$ 7,633,706
Total OPEB Liability as a Percentage of Covered-Employee Payroll	28.51%	39.41%

The information in this schedule has been determined as of the measurement date (December 31) of the City's total OPEB liability and is intended to show information for 10 years. However, until a full 10-year trend is compiled in accordance with the provisions of GASB 75, only periods for which such information is available are presented.

Changes of assumptions reflect a change in the discount rate from 3.31 percent as of December 31, 2017, to 3.71 percent as of December 31, 2018.

City of Tomball, Texas

Schedule of Changes in the City's Total OPEB Liability and Related Ratios – (Supplemental Death Benefits Fund)

	Measurement Year 2017	Measurement Year 2018
TOTAL OPEB LIABILITY		
Service cost	$ 21,029	$ 24,535
Interest	14,366	14,859
Change of assumptions	34,883	(32,082)
Benefit payments, including refunds of employee contributions	(3,154)	(3,200)
Net Change in Total OPEB Liability	67,124	4,112
Total OPEB Liability - Beginning	371,120	438,244
Total OPEB Liability - Ending	$ 438,244	$ 442,356
Covered-Employee Payroll	$ 10,514,577	$ 10,667,238
Total OPEB Liability as a Percentage of Covered-Employee Payroll	4.17%	4.15%

The information in this schedule has been determined as of the measurement date (December 31) of the City's total OPEB liability and is intended to show information for 10 years. However, until a full 10-year trend is compiled in accordance with the provisions of GASB 75, only periods for which such information is available are presented.

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual (General Fund)

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Taxes:				
Property	$ 2,245,000	$ 2,185,000	$ 2,046,480	$ (138,520)
Sales	12,585,000	11,995,000	12,594,274	599,274
Franchise and other	1,265,025	1,275,000	1,300,074	25,074
License and permits	485,700	574,200	580,397	6,197
Fines and forfeitures	551,200	462,200	510,671	48,471
Charges for services	3,146,091	2,958,180	2,944,374	(13,806)
Intergovernmental	367,817	367,876	555,996	188,120
Contributions from component unit	25,000	25,000	25,000	-
Investment earnings	185,528	225,000	282,968	57,968
Other	74,175	100,175	109,377	9,202
Total revenues	20,930,536	20,167,631	20,949,611	781,980
Expenditures				
General government:				
City manager's office	389,832	386,417	378,442	7,975
Mayor and Council	97,198	78,720	53,935	24,785
City secretary	414,819	368,223	345,936	22,287
Human resources	478,447	473,961	425,829	48,132
Finance	754,098	745,772	735,397	10,375
Information systems	853,203	848,360	707,607	140,753
Legal	142,000	125,000	130,302	(5,302)
Non-departmental	3,173,671	3,148,867	3,364,924	(216,057)
	6,303,268	6,175,320	6,142,372	32,948
Public safety:				
Police	5,708,159	5,571,479	5,336,681	234,798
Fire	2,826,961	2,886,153	2,773,460	112,693
Municipal court	446,906	422,948	414,404	8,544
Emergency management	27,850	27,290	30,893	(3,603)
ESD#15 - Station 5	837,297	920,619	754,440	166,179
	9,847,173	9,828,489	9,309,878	518,611
Public works:				
Public works administration	57,375	61,365	62,606	(1,241)
Garage	165,474	160,830	154,128	6,702
Streets	2,141,449	1,779,898	1,786,766	(6,868)
Engineering and Planning	645,496	575,036	532,565	42,471
Sanitation	2,227,772	2,190,172	1,600,928	589,244
Facilities maintenance	797,366	818,975	796,356	22,619
	6,034,932	5,586,276	4,933,349	652,927

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual (General Fund) (Continued)

Year Ended September 30, 2019

	Original Budget	Original Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Expenditures				
Parks and recreation:				
Parks	$ 1,111,913	$ 1,006,147	$ 989,833	$ 16,314
Community center	167,624	177,020	165,203	11,817
	1,279,537	1,183,167	1,155,036	28,131
Community development:				
Permits and inspections	458,449	457,451	430,037	27,414
Total expenditures	23,923,359	23,230,703	21,970,672	1,260,031
Deficiency of Revenues Over Expenditures	(2,992,823)	(3,063,072)	(1,021,061)	2,042,011
Other Financing Sources (Uses)				
Transfers in	2,530,209	2,530,209	2,530,209	-
Transfers out	-	-	(178,636)	(178,636)
Total other financing sources	2,530,209	2,530,209	2,351,573	(178,636)
Net Change in Fund Balances	$ (462,614)	$ (532,863)	1,330,512	$ 1,863,375
Fund Balances, Beginning of Year			14,750,551	
Fund Balances, End of Year			$ 16,081,063	

Notes to Required Supplementary Information:

1. Annual budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America.

2. Transfers out which were budgeted within a department are reported as expenditures in the department where budgeted for purposes of this schedule, and as other financing uses on the statement of revenues, expenditures and changes in fund balance.

Combining and Individual Fund Statements and Schedules

City of Tomball, Texas
Nonmajor Governmental Funds
September 30, 2019

Special Revenue Funds

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

Special General Fund - to account for police forfeiture funds and child safety fees.

Housing Trust Fund – to account for the grant funds received for Affordable Housing Initiatives and Related Services.

Court Security Fund - to account for fees generated from court fines which, by law, can only be spent on the City's municipal court.

Court Technology Fund - to account for fees generated from court fines which, by law, can only be spent on the City's municipal court.

Hotel Occupancy Tax Fund - to account for the accounts for revenues received from hotel occupancy taxes.

Red Light Camera Fund - to account for the use of revenues that, by law, are limited to traffic safety programs, including pedestrian safety programs, public safety programs, intersection improvements and traffic enforcement.

Bunny Run Fund - to account for the revenues generated by City-sponsored races.

Tomball Legacy Fund - to account for private and corporate grant funds received by the City.

City of Tomball, Texas
Combining Balance Sheet – Nonmajor Governmental Funds
September 30, 2019

	Special General	Court Security	Court Technology	Hotel Occupancy Tax	Red Light Camera	Bunny Run	Tomball Legacy Fund	Total Nonmajor Governmental Funds
Assets								
Cash and cash equivalents	$ 7,135	$ 54,995	$ 7,808	$ 130,725	$ 58,898	$ 18,153	$ 20,000	$ 297,714
Investments	84,063	181,196	175,846	504,572	464,521	5,233	26,354	1,441,785
Receivables (net of allowance for uncollectibles, where applicable)	-	-	-	3,400	-	-	-	3,400
Total assets	$ 91,198	$ 236,191	$ 183,654	$ 638,697	$ 523,419	$ 23,386	$ 46,354	$ 1,742,899
Liabilities and Fund Balances								
Liabilities								
Accounts payable	$ -	$ 853	$ 2,562	$ 16,604	$ 165,492	$ 917	$ -	$ 186,428
Accrued liabilities	-	-	-	9,728	505	-	-	10,233
Total liabilities	0	853	2,562	26,332	165,997	917	0	196,661
Fund Balances								
Restricted by enabling legislation	-	235,338	181,092	612,365	357,422	-	-	1,386,217
Assigned	91,198	-	-	-	-	22,469	46,354	160,021
Total fund balances	91,198	235,338	181,092	612,365	357,422	22,469	46,354	1,546,238
Total liabilities and fund balances	$ 91,198	$ 236,191	$ 183,654	$ 638,697	$ 523,419	$ 23,386	$ 46,354	$ 1,742,899

City of Tomball, Texas

Combining Statement of Revenues, Expenditures and Changes in Fund Balance – Nonmajor Governmental Funds

Year Ended September 30, 2019

	Special General	Court Security	Court Technology	Hotel Occupancy Tax	Red Light Camera	Bunny Run	Tomball Legacy Fund	Total Nonmajor Governmental Funds
Revenues								
Franchise and other taxes	$ -	$ -	$ -	$ 727,423	$ -	$ -	$ -	$ 727,423
Fines and forfeitures	-	11,297	15,054	-	165,442	-	-	191,793
Investment earnings	2,215	4,369	4,244	11,117	8,551	122	645	31,263
Other	15,282	-	-	6,576	-	27,196	20,000	69,054
Total revenues	17,497	15,666	19,298	745,116	173,993	27,318	20,645	1,019,533
Expenditures								
Current:								
General government	37,475	8,461	36,603	-	-	-	-	82,539
Public safety	-	-	-	-	34,066	-	-	34,066
Parks and recreation	-	-	-	-	-	18,763	-	18,763
Tourism and arts	-	-	-	688,638	-	-	-	688,638
Total expenditures	37,475	8,461	36,603	688,638	34,066	18,763	0	824,006
Excess (Deficiency) of Revenues Over Expenditures	(19,978)	7,205	(17,305)	56,478	139,927	8,555	20,645	195,527
Other Financing Sources (Uses)								
Transfers in	-	-	-	100,000	-	-	-	100,000
Total other financing sources (uses)	0	0	0	100,000	0	0	0	100,000
Net Change in Fund Balances	(19,978)	7,205	(17,305)	156,478	139,927	8,555	20,645	295,527
Fund Balances, Beginning of Year	111,176	228,133	198,397	455,887	217,495	13,914	25,709	1,250,711
Fund Balances, End of Year	$ 91,198	$ 235,338	$ 181,092	$ 612,365	$ 357,422	$ 22,469	$ 46,354	$ 1,546,238

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Special General Fund

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Investment earnings	$ 750	$ 1,500	$ 2,215	$ 715
Other	110,500	53,000	15,282	(37,718)
Total revenues	111,250	54,500	17,497	(37,003)
Expenditures				
General government	101,000	31,100	37,475	(6,375)
Total expenditures	101,000	31,100	37,475	(6,375)
Net Change in Fund Balance	$ 10,250	$ 23,400	(19,978)	$ (43,378)
Fund Balance, Beginning of Year			111,176	
Fund Balance, End of Year			$ 91,198	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Court Security Fund

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Fines and forfeitures	$ 11,000	$ 11,000	$ 11,297	$ 297
Investment earnings	2,000	3,000	4,369	1,369
Total revenues	13,000	14,000	15,666	1,666
Expenditures				
General government	50,000	20,000	8,461	11,539
Net Change in Fund Balance	$ (37,000)	$ (6,000)	7,205	$ 13,205
Fund Balance, Beginning of Year			228,133	
Fund Balance, End of Year			$ 235,338	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Court Technology Fund

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Fines and forfeitures	$ 16,000	$ 16,000	$ 15,054	$ (946)
Investment earnings	2,000	3,000	4,244	1,244
Total revenues	18,000	19,000	19,298	298
Expenditures				
General government	30,000	38,000	36,603	1,397
Net Change in Fund Balance	$ (12,000)	$ (19,000)	(17,305)	$ 1,695
Fund Balance, Beginning of Year			198,397	
Fund Balance, End of Year			$ 181,092	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Hotel Occupancy Tax Fund

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Franchise and other taxes	$ 625,000	$ 720,000	$ 727,423	$ 7,423
Investment earnings	4,000	8,000	11,117	3,117
Other	17,500	12,500	6,576	(5,924)
Total revenues	646,500	740,500	745,116	4,616
Expenditures				
Tourism and arts	772,403	769,261	688,638	80,623
Deficiency of Revenues Over Expenditures	(125,903)	(28,761)	56,478	85,239
Other Financing Sources				
Transfers in	30,000	100,000	100,000	-
Net Change in Fund Balance	$ (95,903)	$ 71,239	156,478	$ 85,239
Fund Balance, Beginning of Year			455,887	
Fund Balance, End of Year			$ 612,365	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Red Light Camera Fund

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Fines and forfeitures	$ 150,050	$ 160,050	$ 165,442	$ 5,392
Investment earnings	4,000	7,000	8,551	1,551
Total revenues	154,050	167,050	173,993	6,943
Expenditures				
Public safety	102,039	36,873	34,066	2,807
Total expenditures	102,039	36,873	34,066	2,807
Revenues Over Expenditures	52,011	130,177	139,927	9,750
Other Financing Sources				
Transfers out	(20,000)	(20,000)	-	20,000
Net Change in Fund Balance	$ 32,011	$ 110,177	139,927	$ 9,750
Fund Balance, Beginning of Year			217,495	
Fund Balance, End of Year			$ 357,422	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Bunny Run Fund

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Investment earnings	$ 50	$ 200	$ 122	$ (78)
Other	23,000	23,000	27,196	4,196
Total revenues	23,050	23,200	27,318	4,118
Expenditures				
Parks and recreation	22,200	21,700	18,763	2,937
Net Change in Fund Balance	$ 850	$ 1,500	8,555	$ 7,055
Fund Balance, Beginning of Year			13,914	
Fund Balance, End of Year			$ 22,469	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Legacy Fund

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Investment earnings	$ 500	$ 500	$ 645	$ 145
Other	-	-	20,000	20,000
Total revenues	500	500	20,645	20,145
Expenditures				
Parks and recreation	-	-	-	-
Net Change in Fund Balance	$ 500	$ 500	20,645	$ 20,145
Fund Balance, Beginning of Year			25,709	
Fund Balance, End of Year			$ 46,354	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Debt Service Fund

Year Ended September 30, 2019

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Property tax	$ 4,600,000	$ 4,460,000	$ 4,195,229	$ (264,771)
Contributions from component unit	536,113	536,113	536,112	(1)
Investment earnings	52,500	60,000	103,329	43,329
Total revenues	5,188,613	5,056,113	4,834,670	(221,443)
Expenditures				
Debt service:				
Principal	3,066,130	2,990,250	3,576,806	(586,556)
Interest	1,352,131	1,332,831	1,367,451	(34,620)
Bond issuance costs	11,783	13,380	11,582	1,798
Total expenditures	4,430,044	4,336,461	4,955,839	(619,378)
Revenues (Deficiency of Revenues) Over Expenditures	758,569	719,652	(121,169)	397,935
Other Financing Uses				
Transfers out	-	-	-	-
Net Change in Fund Balance	$ 758,569	$ 719,652	(121,169)	$ 397,935
Fund Balance, Beginning of Year			4,759,479	
Fund Balance, End of Year			$ 4,638,310	

City of Tomball, Texas
Internal Service Funds
Year Ended September 30, 2019

Internal service funds are used to account for services provided to other departments or agencies of the government, or to other governments on a cost-reimbursement basis.

Fleet Replacement Fund

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

Health Benefits Fund

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

City of Tomball, Texas
Combining Statement of Net Position – Internal Service Funds
September 30, 2019

	Fleet Replacement Fund	Health Benefits Fund	Total Internal Service Funds
Assets			
Current Assets			
Cash and cash equivalents	$ 27,228	$ -	$ 27,228
Investments	1,469,284	1,575,573	3,044,857
Due from other government	-	225,044	225,044
Due from component unit	-	-	-
Total current assets	1,496,512	1,800,617	3,297,129
Noncurrent Assets			
Capital assets:			
Machinery and equipment	1,378,855	-	1,378,855
Vehicles	3,379,712	-	3,379,712
Less accumulated depreciation	(2,410,029)	-	(2,410,029)
Total noncurrent assets	2,348,538	0	2,348,538
Total assets	$ 3,845,050	$ 1,800,617	$ 5,645,667
Liabilities and Net Position			
Current Liabilities			
Accounts payable	$ 1,550	$ 61,256	$ 62,806
Public property finance contractual obligation, current	130,000	-	130,000
Total current liabilities	131,550	61,256	192,806
Noncurrent Liabilities			
Public property finance contractual obligation	1,039,868	-	1,039,868
Total liabilities	1,171,418	61,256	1,232,674
Net Position			
Net investment in capital assets	2,348,538	-	2,348,538
Unrestricted	325,094	1,739,361	2,064,455
Total net position	2,673,632	1,739,361	4,412,993
Total liabilities and net position	$ 3,845,050	$ 1,800,617	$ 5,645,667

City of Tomball, Texas

Combining Statement of Revenues, Expenses and Changes In Net Position – Internal Service Funds

Year Ended September 30, 2019

	Fleet Replacement Fund	Health Benefits Fund	Total Internal Service Funds
Operating Revenues			
Charges for sales and services	$ 217,501	$ 2,994,973	$ 3,212,474
Operating Expenses			
Costs of sales and services	-	2,847,036	2,847,036
Depreciation	426,705	-	426,705
Total operating expenses	426,705	2,847,036	3,273,741
Operating Income (Loss)	(209,204)	147,937	(61,267)
Nonoperating Revenues (Expenses)			
Investment earnings	24,347	26,780	51,127
Interest expense	(48,504)	-	(48,504)
Total nonoperating revenues (expenses)	(24,157)	26,780	2,623
Income (Loss) Before Transfers	(233,361)	174,717	(58,644)
Transfers in	178,636	-	178,636
Change in Net Position	(54,725)	174,717	119,992
Net Position, Beginning of Year	2,728,357	1,564,644	4,293,001
Net Position, End of Year	$ 2,673,632	$ 1,739,361	$ 4,412,993

City of Tomball, Texas
Combining Statement of Cash Flows – Internal Service Funds
Year Ended September 30, 2019

	Fleet Replacement Fund	Health Benefits Fund	Total Internal Service Funds
Operating Activities			
Receipts from interfund charges for fleet management services	$ 217,501	$ -	$ 217,501
Receipts from interfund charges for health benefits services	-	2,863,167	2,863,167
Payments to suppliers and service providers	(6,089)	(2,846,876)	(2,852,965)
Net cash provided by operating activities	211,412	16,291	227,703
Capital and Related Financing Activities			
Acquisition and construction of capital assets	(1,757,939)	-	(1,757,939)
Transfers from other funds	178,636	-	178,636
Principal paid on capital debt	(130,132)	-	(130,132)
Interest paid on capital debt	(48,504)	-	(48,504)
Net cash used by capital and related financing activities	(1,757,939)	0	(1,757,939)
Investing Activities			
Interest on investments	24,347	26,780	51,127
Investment maturities (purchases), net	715,677	(459,621)	256,056
Net cash provided by (used in) investing activities	740,024	(432,841)	307,183
Decrease in Cash and Cash Equivalents	(806,503)	(416,550)	(1,223,053)
Cash and Cash Equivalents, Beginning of Year	833,731	416,550	1,250,281
Cash and Cash Equivalents, End of Year	$ 27,228	$ 0	$ 27,228
Reconciliation of Operating Income (Loss) to Net Cash Provided By Operating Activities			
Operating income (loss)	(209,204)	147,937	(61,267)
Adjustments to reconcile operating income (loss) to net cash provided by operating activities:			
Depreciation	426,705	-	426,705
Changes in:			
Accounts receivable, net	-	(189,633)	(189,633)
Accounts payable and accrued liabilities	(6,089)	57,987	51,898
Net cash provided by operating activities	$ 211,412	$ 16,291	$ 227,703

City of Tomball, Texas
Discretely Presented Component Unit
Year Ended September 30, 2019

Tomball Economic Development Corporation accounts for the proceeds of a one-half cent sales tax to promote and assist in the economic development of the City.

City of Tomball, Texas
Balance Sheet – Discretely Presented Component Unit
(Tomball Economic Development Corporation)
September 30, 2019

Assets

Cash and cash equivalents	$	328,464
Investments		21,061,836
Accounts receivable, net		667,287
Total assets	$	22,057,587

Liabilities

Accounts payable	$	200,204
Due to primary government		208,327
Total liabilities		408,531
Fund Balance		
Assigned		21,649,056
Total liabilities and fund balance	$	22,057,587
Reconciliation to Government-wide Statement of Net Position		
Total fund balance	$	21,649,056
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the fund		3,594,811
Net Position of Component Unit	$	25,243,867

City of Tomball, Texas

Statement of Revenues, Expenditures and Changes in Fund Balance – Discretely Presented Component Unit (Tomball Economic Development Corporation) Year Ended September 30, 2019

Revenues		
Sales tax	$	4,168,199
Intergovernmental		5,500
Investment earnings		551,967
Total revenues		4,725,666
Expenditures		
Current:		
Economic development		2,874,429
Excess of Revenues Over Expenditures		1,851,237
Other Financing Source		
Proceeds from sale of capital asset		3,001,416
Net Change in Fund Balance		4,852,653
Fund Balance, Beginning of Year		16,796,403
Fund Balance, End of Year	$	21,649,056
Reconciliation to Government-wide Statement of Activities		
Net change in fund balance	$	4,852,653
Governmental funds report capital outlay as expenditures. However, in the government-wide statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. Transactions in the current period involving capital assets include:		
Capital outlay recorded as capital assets		444,349
Asset retirements/disposals		(405,193)
Change in Net Position of Component Unit	$	4,891,809

Statistical Section
(Unaudited)

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

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Financial Trends 83
These schedules contain trend information to help the readers understand how the city's financial performance and well-being have changed over time.

Revenue Capacity 89
These schedules contain information to help the reader assess the city's most significant local revenue sources, sales and property tax.

Debt Capacity 95
These schedules present information to help the reader assess the affordability of the city's current levels of outstanding debt and the city's ability to issue additional debt in the future.

Demographic and Economic Information 100
These schedules offer demographic and economic indicators to help the reader understand the environment within which the city's financial activities take place.

Operating Information 102
These schedules contain service and infrastructure data to help the reader understand how the information in the city's financial report relates to the services the city provides and the activities it performs.

Sources: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year.

City of Tomball, Texas

Net Position by Component

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Governmental Activities										
Net investment in capital assets	$ 16,790,199	$ 18,306,705	$ 23,370,524	$ 25,646,519	$ 28,189,848	$ 31,267,016	$ 34,220,115	$ 40,779,628	$ 38,896,658	$ 39,717,999
Restricted	1,423,521	1,895,850	2,675,627	2,804,100	3,557,490	4,308,595	5,821,510	3,912,411	4,303,114	6,024,527
Unrestricted	13,048,317	12,518,847	10,571,977	12,612,754	13,566,745	10,694,702	10,340,744	11,385,550	13,436,447	18,791,783
Total governmental activities net position	$ 31,262,037	$ 32,721,402	$ 36,618,128	$ 41,063,373	$ 45,314,083	$ 46,270,313	$ 50,382,369	$ 56,077,589	$ 56,636,219	$ 64,534,309
Business-type Activities										
Net investment in capital assets	$ 29,073,794	$ 29,338,053	$ 30,368,908	$ 30,721,512	$ 30,851,835	$ 33,433,571	$ 33,059,434	$ 33,038,353	$ 34,874,499	$ 36,762,190
Restricted	-	-	-	-	1,095,173	-	-	-	-	-
Unrestricted	8,753,794	10,299,638	9,636,451	10,646,792	11,354,769	10,960,950	11,445,362	8,966,625	9,838,615	5,830,989
Total business-type activities net position	$ 37,827,588	$ 39,637,691	$ 40,005,359	$ 41,368,304	$ 43,301,777	$ 44,394,521	$ 44,504,796	$ 42,004,978	$ 44,713,114	$ 42,593,179
Primary Government										
Net investment in capital assets	$ 45,863,993	$ 47,644,758	$ 53,739,432	$ 56,368,031	$ 59,041,683	$ 64,700,587	$ 67,279,549	$ 73,817,981	$ 73,771,157	$ 76,480,189
Restricted	1,423,521	1,895,850	2,675,627	2,804,100	4,652,663	4,308,595	5,821,510	3,912,411	4,303,114	6,024,527
Unrestricted	21,802,111	22,818,485	20,208,428	23,259,546	24,921,514	21,655,652	21,786,106	20,352,175	23,275,062	24,622,772
Total primary government net position	$ 69,089,625	$ 72,359,093	$ 76,623,487	$ 82,431,677	$ 88,615,860	$ 90,664,834	$ 94,887,165	$ 98,082,567	$ 101,349,333	$ 107,127,488

City of Tomball, Texas

Changes in Net Position

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Expenses										
Governmental activities:										
General government	$ 3,476,001	$ 4,472,541	$ 4,077,633	$ 5,131,879	$ 4,789,051	$ 4,968,344	$ 5,391,624	$ 5,916,485	$ 5,107,870	$ 5,944,428
Public safety	5,907,235	6,546,562	6,845,653	7,508,811	8,069,621	8,493,353	9,028,841	9,650,665	10,000,655	10,435,902
Public works	5,205,824	4,739,268	5,794,907	5,456,886	6,137,989	6,181,783	6,436,355	6,952,664	8,912,367	7,074,104
Community development	272,034	255,764	287,085	302,564	338,381	313,713	421,381	386,153	431,157	430,360
Interest and fiscal agent fees on long-term debt	658,304	353,188	821,705	830,054	926,584	891,258	830,716	1,252,064	1,452,252	1,328,319
Total governmental activities expenses	15,519,398	16,367,323	17,826,983	19,230,194	20,261,626	20,848,451	22,108,917	24,158,031	25,904,301	25,213,113
Business-type activities:										
Utility Administration	1,843,501	2,207,488	979,390	955,026	909,211	979,161	1,179,100	1,362,874	2,876,373	2,938,276
Water	2,549,230	3,003,537	3,262,366	2,962,612	3,087,563	3,410,534	3,410,534	3,937,152	3,356,893	3,793,224
Wastewater	1,226,582	1,757,176	1,736,531	1,978,197	2,418,443	2,483,923	2,483,923	2,228,636	1,239,276	1,448,029
Gas	1,801,364	1,600,490	1,743,258	2,229,583	1,963,162	1,429,950	1,429,950	1,507,955	1,529,924	1,774,315
Interest and fiscal agent fees	481,542	272,406	321,443	245,129	-	-	-	-	-	-
Total business-type activities expenses	7,902,219	8,841,097	8,042,988	8,370,547	8,378,379	8,303,568	8,503,507	9,036,617	9,002,466	9,953,844
Total primary government expenses	$ 23,421,617	$ 25,208,420	$ 25,869,971	$ 27,600,741	$ 28,640,005	$ 29,152,019	$ 30,612,424	$ 33,194,648	$ 34,906,767	$ 35,166,957

City of Tomball, Texas

Changes in Net Position (Continued)

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Program Revenues										
Governmental activities:										
Charges for services:										
Public safety	$ 1,083,408	$ 1,143,981	$ 1,181,742	$ 1,066,313	$ 999,667	$ 1,334,938	$ 1,334,938	$ 1,315,754	$ 1,528,423	$ 1,899,018
Public works	2,284,482	2,384,406	2,613,043	2,695,712	2,694,670	2,673,999	2,673,999	2,359,008	1,961,957	1,954,602
Community development	-	-	-	-	-	-	-	441,542	513,522	558,992
Operating grants and contributions	268,675	1,295,653	1,313,128	1,844,224	1,039,237	544,607	544,607	1,420,653	1,012,028	839,316
Total governmental activities program revenues	3,636,565	4,824,040	5,107,913	5,606,249	4,733,574	4,553,544	4,553,544	5,536,957	5,015,930	5,251,928
Business-type activities:										
Charges for services:										
Utility administration	413,523	622,320	1,001,306	807,673	842,468	907,654	907,654	739,061	1,335,974	934,852
Water	5,199,565	4,470,657	4,668,205	4,578,777	4,449,383	4,654,613	4,654,613	5,092,916	5,347,170	5,494,083
Wastewater	2,368,469	2,262,268	2,365,611	2,372,163	2,320,748	2,316,495	2,316,495	2,434,143	2,405,689	2,310,252
Gas	3,538,152	2,894,447	3,061,634	3,578,145	3,295,521	2,844,005	2,844,005	2,655,884	3,139,726	3,271,868
Operating grants and contributions	798,300	720,000	670,000	670,000	670,000	558,148	558,148	558,148	558,148	-
Total business-type activities program revenues	12,318,009	10,969,692	11,766,756	12,006,758	11,578,120	11,280,915	11,280,915	11,480,152	12,786,707	12,011,055
Total primary government program revenues	$ 15,954,574	$ 15,793,732	$ 16,874,669	$ 17,613,007	$ 16,311,694	$ 15,834,459	$ 15,834,459	$ 17,017,109	$ 17,802,637	$ 17,262,983
Net (Expense) Revenue										
Governmental activities	$ (11,882,833)	$ (11,543,283)	$ (12,719,070)	$ (13,623,945)	$ (15,528,052)	$ (16,294,907)	$ (17,555,373)	$ (18,621,074)	$ (20,888,371)	$ (19,961,185)
Business-type activities	4,415,790	2,128,595	3,723,768	3,636,211	3,199,741	2,977,347	2,777,408	2,443,535	3,784,241	2,057,211
Total primary government net expense	$ (7,467,043)	$ (9,414,688)	$ (8,995,302)	$ (9,987,734)	$ (12,328,311)	$ (13,317,560)	$ (14,777,965)	$ (16,177,539)	$ (17,104,130)	$ (17,903,974)

City of Tomball, Texas
Changes in Net Position (Continued)
Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
General Revenues and Other Changes in Net Position										
Governmental activities:										
Taxes:										
Property taxes, levied for general purposes	$ 1,422,603	$ 1,270,645	$ 1,228,461	$ 1,543,913	$ 1,638,673	$ 1,715,949	$ 1,855,706	$ 1,964,345	$ 2,144,861	$ 2,046,480
Property taxes, levied for debt service	1,500,310	1,586,918	2,557,169	3,164,416	3,371,282	3,525,979	3,818,986	4,042,945	4,374,552	4,195,229
Sales taxes	6,651,064	7,023,409	8,189,360	9,442,376	10,532,691	10,839,818	10,578,683	10,791,147	12,427,660	12,523,084
Franchise and local taxes	1,153,954	1,186,272	1,227,784	1,267,302	1,253,077	1,282,598	1,331,077	1,307,171	1,270,927	1,300,064
Other taxes	229,636	325,360	444,032	428,208	590,910	538,843	628,932	554,839	711,245	798,623
Gain on sale of capital assets	-	-	-	-	-	17,634	127,134	-	-	-
Contributions	-	-	-	-	-	-	-	-	-	536,112
Other	166,287	361,026	151,142	227,592	253,375	475,712	395,060	145,114	376,266	1,234,387
Unrestricted investment earnings	80,426	43,035	46,763	44,877	30,636	40,115	133,673	473,077	920,613	184,901
Transfers	2,260,134	2,393,458	3,054,958	2,448,842	1,691,621	1,607,068	2,798,178	5,037,656	836,473	5,040,395
Total governmental activities	13,464,414	14,190,123	16,899,669	18,567,526	19,362,265	20,043,716	21,667,429	24,316,294	23,062,597	27,859,275
Business-type activities:										
Gain on sale of capital assets	-	-	-	-	-	-	-	-	-	38,462
Other	43,076	121,344	44,212	50,567	45,800	47,847	87,304	11,511	4,417	266,639
Contributions	-	-	-	-	-	-	-	-	-	558,148
Unrestricted investment earnings	93,361	30,414	21,721	13,088	(1,417)	33,771	43,741	82,792	154,619	-
Transfers	(2,260,134)	(2,393,458)	(3,054,958)	(2,448,842)	(1,691,621)	(1,607,068)	(2,798,178)	(5,037,656)	(836,473)	(5,040,395)
Total business-type activities	(2,123,697)	(2,241,700)	(2,989,025)	(2,385,187)	(1,647,238)	(1,525,450)	(2,667,133)	(4,943,353)	(677,437)	(4,177,146)
Total primary government	$ 11,340,717	$ 11,948,423	$ 13,910,644	$ 16,182,339	$ 17,715,027	$ 18,518,266	$ 19,000,296	$ 19,372,941	$ 22,385,160	$ 23,682,129
Change in Net Position										
Governmental activities	$ 1,581,581	$ 2,646,840	$ 4,180,599	$ 4,943,581	$ 3,834,213	$ 3,748,809	$ 4,112,056	$ 5,695,220	$ 2,174,226	$ 7,898,090
Business-type activities	2,292,093	(113,105)	734,743	1,251,024	1,552,503	1,451,897	110,275	(2,499,818)	3,106,804	(2,119,935)
Total primary government	$ 3,873,674	$ 2,533,735	$ 4,915,342	$ 6,194,605	$ 5,386,716	$ 5,200,706	$ 4,222,331	$ 3,195,402	$ 5,281,030	$ 5,778,155

City of Tomball, Texas

Fund Balances – Governmental Funds

Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
General Fund										
Nonspendable	$ -	$ -	$ 39,913	$ 30,441	$ 15,894	$ 14,435	$ 12,047	$ 14,956	$ 22,244	$ 41,027
Restricted	-	-	-	-	-	-	-	-	-	-
Assigned	-	-	325,879	161,921	322,702	127,671	35,379	24,767	78,620	-
Unassigned	12,161,681	11,797,535	9,489,655	11,559,755	13,075,443	13,340,472	13,245,355	13,021,273	14,649,687	16,040,036
Total general fund	$ 12,161,681	$ 11,797,535	$ 9,855,447	$ 11,752,117	$ 13,414,039	$ 13,482,578	$ 13,292,781	$ 13,060,996	$ 14,750,551	$ 16,081,063
All Other Governmental Funds										
Restricted	$ 1,276,646	$ 1,896,380	$ 19,319,655	$ 27,524,034	$ 26,470,729	$ 23,370,264	$ 19,434,478	$ 42,711,890	$ 39,639,759	$ 42,382,622
Assigned, reported in:										
Capital project funds	133,790	135,609	-	-	-	-	-	-	-	-
Nonmajor governmental funds	901,406	141,129	133,570	143,436	168,245	167,060	128,489	140,059	150,799	160,021
Total all other governmental funds	$ 2,311,842	$ 2,173,118	$ 19,453,225	$ 27,667,470	$ 26,638,974	$ 23,537,324	$ 19,562,967	$ 42,851,949	$ 39,790,558	$ 42,542,643

City of Tomball, Texas

Changes in Fund Balances – Governmental Funds

Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Revenues										
Taxes	$ 10,897,786	$ 11,400,964	$ 13,886,856	$ 15,846,215	$ 17,386,633	$ 17,903,187	$ 18,213,384	$ 18,660,447	$ 20,855,485	$ 20,863,480
Licenses and permits	311,563	262,713	308,621	445,104	446,292	492,646	439,677	477,934	532,615	580,397
Fines and forfeitures	1,204,099	1,083,408	1,143,981	1,181,742	1,066,313	999,667	892,654	811,084	664,577	702,464
Charges for services	1,920,214	2,021,769	2,075,785	2,167,939	2,249,420	2,202,024	2,234,322	2,236,863	1,844,191	2,944,374
Intergovernmental	73,130	168,782	273,950	784,918	939,861	384,308	288,988	879,740	453,416	814,316
Contributions from component unit	10,000	99,893	1,021,703	528,210	904,363	606,753	538,012	540,913	558,612	561,112
Investment earnings	99,837	40,760	44,347	42,913	29,604	38,372	125,092	451,739	920,616	1,234,387
Other revenues	254,615	386,935	151,143	178,501	242,361	538,244	637,104	746,050	1,412,658	370,277
Total revenues	14,771,244	15,465,224	18,906,386	21,175,542	23,264,847	23,165,201	23,369,233	24,804,770	27,242,170	28,070,807
Expenditures										
General government	4,333,119	4,507,290	4,520,919	5,099,473	4,929,295	5,128,871	5,226,561	6,100,527	5,393,013	5,864,176
Public safety	5,850,953	6,391,016	7,344,336	7,353,064	8,230,705	9,114,221	8,509,599	9,089,408	9,299,659	9,343,944
Public works	3,784,400	3,090,590	3,407,143	3,217,149	3,364,509	3,464,256	3,386,348	6,526,127	4,125,511	3,981,985
Public service	587,557	1,179,637	266,984	1,677,586	1,627,610	1,366,045	2,716,596	-	-	-
Parks and recreation	-	-	-	-	-	-	-	741,577	637,942	780,799
Tourism and arts	-	-	-	-	-	-	-	-	648,305	688,638
Community development	-	-	-	-	-	-	-	702,393	431,157	430,037
Capital outlay	821,359	1,445,273	4,311,250	1,939,517	2,996,663	5,923,542	7,384,704	777,156	4,135,518	2,804,551
Debt service:										
Principal	1,135,500	1,195,500	1,192,057	1,800,649	2,210,330	2,742,812	2,285,608	3,119,373	3,322,713	3,576,806
Interest and paying agent	723,159	626,247	913,371	1,017,839	963,930	865,633	822,149	1,657,511	1,456,661	1,379,033
Total expenditures	17,236,047	18,435,553	21,956,060	22,105,277	24,323,042	28,605,380	30,331,565	28,714,072	29,450,479	28,849,969
Deficiency of Revenues Over Expenditures	(2,464,803)	(2,970,329)	(3,049,674)	(929,735)	(1,058,195)	(5,440,179)	(6,962,332)	(3,909,302)	(2,208,309)	(779,162)
Other Financing Sources (Uses)										
Transfers in	2,260,134	2,393,458	5,206,958	2,748,842	2,491,049	3,261,023	3,979,455	8,138,353	4,204,166	6,314,895
Transfers out	-	-	(2,152,000)	(300,000)	(799,428)	(1,653,955)	(1,181,277)	(2,323,541)	(3,367,693)	(1,453,136)
Issuance of debt	2,120,000	3,892,500	14,500,000	14,270,500	-	-	-	20,240,000	-	-
Premium on debt issued	4,945	278,253	107,735	205,934	-	-	-	911,687	-	-
Payment to refunded bond escrow agent	(2,071,560)	(4,096,752)	-	(5,884,626)	-	-	-	-	-	-
Capital leases	-	-	725,000	-	-	800,000	-	-	-	-
Total other financing sources	2,313,519	2,467,459	18,387,693	11,040,650	1,691,621	2,407,068	2,798,178	26,966,499	836,473	4,861,759
Net Change in Fund Balances	$ (151,284)	$ (502,870)	$ 15,338,019	$ 10,110,915	$ 633,426	$ (3,033,111)	$ (4,164,154)	$ 23,057,197	$ (1,371,836)	$ 4,082,597
Debt service as a percentage of noncapital expenditures	11.29%	10.38%	11.52%	13.43%	14.28%	15.87%	13.50%	17.06%	18.84%	18.99%

City of Tomball, Texas

Tax Revenues by Source – Governmental Activities

Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Function										
Property	$ 2,938,594	$ 2,865,923	$ 4,025,680	$ 4,708,329	$ 5,009,955	$ 5,241,928	$ 5,674,692	$ 6,007,290	$ 6,519,413	$ 6,241,709
Sales	6,651,064	6,976,875	8,189,360	9,442,376	10,532,691	10,839,818	10,578,683	10,791,147	12,427,660	12,594,274
Franchise fee	1,153,954	1,262,187	964,790	1,267,302	1,253,077	1,282,598	1,331,077	1,064,371	1,026,440	996,118
Other taxes	154,174	295,979	707,026	428,208	590,910	538,843	628,933	797,639	881,972	1,031,379
	$ 10,897,786	$ 11,400,964	$ 13,886,856	$ 15,846,215	$ 17,386,633	$ 17,903,187	$ 18,213,385	$ 18,660,447	$ 20,855,485	$ 20,863,480

City of Tomball, Texas

Assessed Value and Estimated Actual Value of Taxable Property

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Residential property	$ 431,346,771	$ 435,637,242	$ 436,949,202	$ 433,331,223	$ 439,396,850	$ 497,193,417	$ 561,634,471	$ 588,671,706	$ 623,634,272	$ 710,129,040
Commercial property	1,041,882,736	988,693,074	1,071,555,690	1,192,905,533	1,303,924,316	1,314,023,000	1,395,710,026	1,451,279,183	1,469,452,394	1,709,373,371
Less tax exempt property	(317,120,571)	(305,154,366)	(341,307,250)	(261,641,054)	(274,973,296)	(280,967,178)	(290,126,523)	(298,380,174)	(263,289,888)	(345,460,031)
Total taxable assessed value (1)	$ 1,156,108,936	$ 1,119,175,950	$ 1,167,197,642	$ 1,364,595,702	$ 1,468,347,870	$ 1,530,249,239	$ 1,667,217,974	$ 1,741,570,715	$ 1,829,796,778	$ 2,074,042,380
Total direct tax rate	0.251455	0.251455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455

Source: Harris County Certified / Uncertified Tax Roll.

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

City of Tomball, Texas

Direct and Overlapping Property Tax Rates

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
City of Tomball by Fund:										
General	$ 0.121455	$ 0.111455	$ 0.111455	$ 0.111455	$ 0.111455	$ 0.111455	$ 0.111455	$ 0.111455	$ 0.111455	$ 0.111455
Debt service	0.130000	0.140000	0.230000	0.230000	0.230000	0.230000	0.230000	0.230000	0.230000	0.230000
Total direct rates	0.251455	0.251455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455
Overlapping Rates:										
Tomball Independent School District	1.360000	1.360000	1.360000	1.360000	1.360000	1.360000	1.340000	1.340000	1.340000	1.290000
Harris County	0.392240	0.388050	0.391170	0.400210	0.414550	0.417310	0.419230	0.416560	0.418580	0.407130
Harris County Flood Control District	0.029220	0.029230	0.028090	0.028090	0.028270	0.027360	0.027330	0.028290	0.028770	0.027920
Port of Houston Authority	0.016360	0.020540	0.185600	0.019520	0.017160	0.015310	0.013420	0.013340	0.011550	0.010740
Harris County Hospital District	0.192160	0.192160	0.192160	0.182160	0.170000	0.170000	0.170000	0.171790	0.171080	0.165910
Harris County Department of Education	0.006050	0.006581	0.006581	0.006617	0.006358	0.005999	0.005422	0.005200	0.005190	0.005000
Lone Star College System District	0.110100	0.117600	0.121000	0.119800	0.116000	0.108100	0.107900	0.107800	0.107800	0.107800
Emergency Service District #8	0.050000	0.050000	0.050000	0.050000	0.050000	0.100000	0.100000	0.095470	0.098250	0.096700
Total direct and overlapping rates (1)	$ 2.4075850	$ 2.4156160	$ 2.6760560	$ 2.5078520	$ 2.5037930	$ 2.5455340	$ 2.5247570	$ 2.5199050	$ 2.5226750	$ 2.452655

Tax rates per $100 of assessed valuation

Source: Harris County Appraisal District

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

City of Tomball, Texas

Principal Property Taxpayers

Current Year and Nine Years Ago

Property Taxpayer	2019	Rank	Percent of Taxable Assessed Value	2010	Rank	Percent of Taxable Assessed Value
North Houston Trmc, LLC	$ 159,833,875	1	7.71%	$ -	n/a	
B J Services	82,993,735	2	4.00%	135,007,739	1	11.68%
Weingarten Investments Inc.	36,963,925	3	1.78%	13,402,898	7	1.16%
Baker Hughes	34,283,183	4	1.65%	-	n/a	
Mustang CAT Manufacturing	29,455,307	5	1.42%	-	n/a	
STAR Concrete Pumping Co INC	22,551,312	6	1.09%	-	n/a	
Wal-Mart	20,385,352	7	0.98%	19,904,980	2	1.72%
CenterPoint Energy	19,308,704	8	0.93%	15,132,013	5	1.31%
MB Tomball Town Center	19,235,296	9	0.93%	-	n/a	
29807 Tomball LLC	18,466,984	10	0.89%	-	n/a	
Welltower TCG	-	n/a		-	n/a	
BK 2920 LTD	-	n/a		-	n/a	
Harrison Street Real Estate LLC	-	n/a		-	n/a	
Benadam Corporation	-	n/a		-	n/a	
MSR TX Tomball LP	-	n/a		18,600,000	3	1.61%
Tomball Regional Medical Center	-	n/a		-	n/a	
Breaux Machine Works LP	-	n/a		-	n/a	
Lowe's	-	n/a		15,914,622	4	1.38%
HEB Grocery Co. LP	-	n/a		14,503,723	6	1.25%
NNN Park at Spring Creek LLC	-	n/a		11,635,917	8	1.01%
Target Corporation	-	n/a		11,018,148	9	0.95%
A S 62 HWY 249 & FM 2920	-	n/a		10,850,000	10	0.94%
Subtotal	443,477,673		21.38%	265,970,040		23.01%
Other Taxpayers	1,630,564,707		78.62%	890,138,896		76.99%
Total	$ 2,074,042,380		100.00%	$ 1,156,108,936		100.00%

City of Tomball, Texas

Ad Valorem Tax Levies and Collections

Last Ten Fiscal Years (Accrual Basis of Accounting)

Fiscal Year Ended September 30,	Total Tax Levy for Fiscal Year	Collected Within the Fiscal Year of the Levy		Collections in Subsequent Periods	Total Collections to Date	
		Amount	Percent of Levy		Amount	Percent of Levy
2010	$ 2,910,632	$ 2,861,107	98%	$ 35,460	$ 2,896,567	100%
2011	2,815,500	2,776,954	99%	31,595	2,808,549	100%
2012	3,983,961	3,943,188	99%	23,756	3,966,944	100%
2013	4,649,753	4,633,156	100%	7,900	4,641,056	100%
2014	4,985,054	4,967,598	100%	11,539	4,979,137	100%
2015	5,185,007	5,168,570	100%	21,097	5,189,667	100%
2016	5,688,531	5,591,963	98%	58,445	5,650,408	99%
2017	6,077,755	5,870,159	97%	185,790	6,055,949	100%
2018	6,285,748	6,210,139	99%	-	6,210,139	99%
2019	6,400,713	6,344,039	99%	-	6,344,039	99%

City of Tomball, Texas
Sales Tax Revenues by Industry
Current Year and Nine Years Ago

Sales Tax Remitter	Calendar Year 2019				Calendar Year 2010			
	Number of Outlets	Percentage of Total	Tax Liability	Percentage of Total	Number of Outlets	Percentage of Total	Tax Liability	Percentage of Total
Retail Trade	3,772	43.66%	$ 8,114,554	47.51%	1,027	23.30%	$ 4,849,588	54.21%
Services	1,051	12.16%	934,752	5.47%	924	20.96%	1,496,929	16.73%
Wholesale Trade	1,095	12.67%	2,717,024	15.91%	617	14.00%	341,985	3.82%
Utilities, Transportation, Communications	209	2.42%	722,530	4.23%	280	6.35%	502,225	5.61%
Manufacturing	867	10.03%	987,470	5.78%	327	7.42%	176,273	1.97%
Construction	395	4.57%	334,676	1.96%	228	5.17%	634,382	7.09%
Finance, Insurance and Real Estate	118	1.37%	103,194	0.60%	106	2.40%	34,037	0.38%
Mining, Quarrying and Oil and Gas Extraction	69	0.80%	580,573	3.40%	12	0.27%	37,690	0.42%
All other outlets	1,064	12.31%	2,586,699	15.14%	887	20.12%	873,396	9.76%
Total	8,640	100.00%	$ 17,081,472	100.00%	4,408	100.00%	$ 8,946,505	100.00%

Source: Texas State Comptroller of Public Accounts

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

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

City of Tomball, Texas

Ratios of Outstanding Debt by Type

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Primary Government										
Governmental activities:										
General Obligation Bonds	$ 2,120,000	$ 5,767,500	$ 5,501,750	$ 10,985,250	$ 9,710,500	$ 8,437,500	$ 7,165,750	$ 5,887,500	$ 4,603,250	$ 3,603,000
Certificates of Obligation	12,377,500	7,516,500	21,151,000	22,435,000	21,565,000	20,640,000	19,695,000	38,165,000	36,200,000	34,210,000
Premiums	-	255,065	332,990	492,862	449,806	406,750	363,694	1,188,911	1,103,038	1,017,164
Public Property Finance Contractual Obligation	-	-	-	-	-	-	-	-	1,300,000	1,169,868
Other Debt items	-	(376,266)	(338,639)	(453,956)	-	-	-	-	-	-
Capital leases	-	-	664,193	601,044	535,464	800,000	731,142	660,019	586,556	-
Subtotal	14,497,500	13,162,799	27,311,294	34,060,200	32,260,770	30,284,250	27,955,586	45,901,430	43,792,844	40,000,032
Business-type activities:										
General Obligation Bonds	-	4,757,500	4,738,250	5,304,750	4,669,500	4,042,500	3,429,250	2,832,500	2,246,750	1,672,000
Certificates of Obligation	7,177,500	1,798,500	1,199,000	-	-	-	-	-	-	-
Premiums	-	129,540	105,987	94,211	82,435	70,659	58,883	47,107	35,331	23,555
Revenue bonds	4,100,000	3,715,000	3,315,000	2,900,000	2,465,000	-	-	-	-	-
Subtotal	11,277,500	10,400,540	9,358,237	8,298,961	7,216,935	4,113,159	3,488,133	2,879,607	2,282,081	1,695,555
Total Primary Government	$ 25,775,000	$ 23,563,339	$ 36,669,531	$ 42,359,161	$ 39,477,705	$ 34,397,409	$ 31,443,719	$ 48,781,037	$ 46,074,925	$ 41,695,587
Personal Income	$ 290,186,220	$ 273,663,850	$ 315,207,090	$ 315,207,090	$ 463,247,856	$ 475,348,930	$ 508,752,440	$ 576,689,433	$ 575,773,674	$ 420,244,052
Debt as a Percentage of Personal Income	8.882%	8.610%	11.633%	13.439%	8.522%	7.236%	6.181%	8.459%	8.002%	9.922%
Population	11,670	10,753	10,979	10,979	11,124	11,299	11,540	11,643	11,707	11,761
Debt Per Capita	$ 2,209	$ 2,191	$ 3,340	$ 3,858	$ 3,549	$ 3,044	$ 2,725	$ 4,190	$ 3,936	$ 3,545

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

City of Tomball, Texas

Ratio of Net General Bonded Debt to Assessed Value, Net General Bonded Debt per Capita and Assessed and Estimated Actual Value of Taxable Property

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Net Taxable Assessed Value										
All property	$ 1,156,108,936	$ 1,119,175,950	$ 1,167,197,642	$ 1,364,595,702	$ 1,468,347,870	$ 1,530,249,239	$ 1,667,217,974	$ 1,741,570,715	$ 1,829,796,778	$ 2,074,042,380
Net Bonded Debt										
Net bonded debt	21,675,000	19,718,799	32,690,338	38,858,117	36,477,241	33,597,409	30,712,577	48,121,018	42,285,167	38,048,276
Net bonded debt	$ 21,675,000	$ 19,718,799	$ 32,690,338	$ 38,858,117	$ 36,477,241	$ 33,597,409	$ 30,712,577	$ 48,121,018	$ 42,285,167	$ 38,048,276
Ratio of Net Bonded Debt to Assessed Value	1.87%	1.76%	2.80%	2.85%	2.48%	2.20%	1.84%	2.76%	2.31%	1.83%
Population	11,600	11,670	10,753	10,979	10,979	11,124	11,299	11,643	11,707	11,761
Net Bonded Debt Per Capita	1,869	1,690	3,040	3,539	3,322	3,020	2,718	4,133	3,612	3,235

City of Tomball, Texas

Direct and Overlapping Governmental Activities Debt

As of September 30, 2017

Governmental Unit	Net Bonded Debt Outstanding	Estimated Percentage Applicable (1)	Estimated Share of Overlapping Debt
Debt repaid with property taxes:			
Tomball ISD	$ 494,035,000	18.17%	$ 89,766,160
Harris County	2,042,497,125	0.39%	7,965,739
Harris County Flood Control District	83,075,000	0.39%	323,993
Harris County Hospital District	57,300,000	0.39%	223,470
Port of Houston Authority	593,754,397	0.39%	2,315,642
Harris County Dept of Education	6,320,000	0.39%	24,648
Lone Star College System	579,645,000	1.02%	5,912,379
Subtotal, overlapping debt			106,532,031
City direct debt		100.00%	40,000,032
Total direct and overlapping debt			$ 146,532,063

Source: Hilltop Securities

(1) Estimated percentage applicable developed from information obtained from the Municipal Advisory Council of Texas.

City of Tomball, Texas

Legal Debt Margin Information

Last Ten Fiscal Years (Accrual Basis of Accounting)

The City has no general obligation legal debt limit other than a ceiling on the ad valorem tax rate as specified by the State of Texas. The prescribed maximum is $2.50 per $100.00 at 100 percent valuation.

City of Tomball, Texas

Pledged Revenue Coverage

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Gross revenues	$ 11,493,769	$ 12,488,750	$ 11,012,281	$ 11,831,041	$ 12,060,478	$ 11,650,417	$ 11,371,959	$ 10,922,004	$ 12,228,559	$ 12,011,052
Operating expenses (1)	6,338,235	6,165,226	5,968,026	6,366,426	6,766,405	6,989,458	6,917,814	7,200,566	7,492,441	8,444,761
Net revenues available for debt service	$ 5,155,534	$ 6,323,524	$ 5,044,255	$ 5,464,615	$ 5,294,073	$ 4,660,959	$ 4,454,145	$ 3,721,438	$ 4,736,118	$ 3,566,291
Debt Service Requirements (2)										
Principal and interest	$ 542,505	$ 560,591	$ 563,815	$ 568,174	$ 273,536	$ 0	$ 0	$ 0	$ 0	$ 0
Total	$ 542,505	$ 560,591	$ 563,815	$ 568,174	$ 273,536	$ 0	$ 0	$ 0	$ 0	$ 0
Coverage	9.50	11.28	8.95	9.62	19.35	n/a	n/a	n/a	n/a	n/a

(1) Total operating expenses less depreciation.
(2) Includes revenue bonds only. Revenue bonds were paid off during fiscal year 2015.

City of Tomball, Texas

Demographic and Economic Statistics

Last Ten Fiscal Years (Accrual Basis of Accounting)

Fiscal Year Ended September 30	Population (1)	Personal Income	Per Capita Personal Income (5)	Median Age (2)	School Enrollment (3)	Unemployment Rate (4)
2010	11,670	$ 290,186,220	$ 24,866	36.8	10,229	8.70%
2011	10,753	273,663,850	25,450	36.0	10,633	8.50%
2012	10,979	315,207,090	28,710	36.9	11,132	7.50%
2013	10,979	315,207,090	28,710	39.8	12,362	6.20%
2014	11,124	463,247,856	41,644	35.6	12,461	4.90%
2015	11,299	475,348,930	42,070	37.2	13,270	4.40%
2016	11,540	508,752,440	44,086	37.3	14,077	5.70%
2017	11,643	576,689,433	49,531	34.5	14,700	4.80%
2018	11,707	575,773,674	49,182	34.5	15,934	4.72%
2019	11,761	420,244,052	35,732	39.3	16,962	4.40%

Data sources:

(1) Estimated (2000 census adjusted for growth for fiscal years 2009-2010). Actual 2011 census population shown for fiscal year 2011. Fiscal year 2014-2016 adjusted for growth based on 2010 census American FactFinder. 2017 estimate from WolframAlpha. 2018 median per American FactFinder.

(2) Tomball Economic Development Corporation or American FactFinder.

(3) Tomball Independent School District.

(4) Texas Employment Commission, SMSA Houston-Sugar Land-Baytown Metropolitan Statistical Area or Houston-The Woodlands-Sugar Land MSA.

(5) Tomball Economic Development Corporation or American FactFinder.

City of Tomball, Texas
Principal Employers
Current Year and Nine Years Ago

	2019			2010		
Employer	Employees	Rank	Percentage of Total City Employment (1)	Employees	Rank	Percentage of Total City Employment (2)
Hewlett Packard	10,000	1	116.12%	n/a	n/a	n/a
Tomball ISD	1,478	2	17.16%	1,436	2	30.28%
Tomball Regional Medical Center	1,300	3	15.10%	1,600	1	33.74%
Lone Star College - Tomball	1,056	4	12.26%	800	3	16.87%
Baker Hughes (B J Services)	680	5	7.90%	460	4	9.70%
Walmart	357	6	4.15%	257	6	5.42%
HEB	218	7	2.53%	169	7	3.56%
City of Tomball	193	8	2.24%	122	9	2.57%
Lowes	159	9	1.85%	n/a	n/a	n/a
Kindred Hospital	160	10	1.86%	142	8	2.99%
Kroger	147	11	1.71%	116	10	2.45%
Target	110	12	1.28%	600	5	12.65%

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

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

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

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

City of Tomball, Texas

Full-time Equivalent City Government Employees by Function/Program

Last Ten Fiscal Years

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
General Fund										
Administration	14.50	14.50	16.00	17.50	17.50	17.50	17.50	18.00	18.00	18.00
Permits and Inspection	5.00	5.00	5.00	5.00	5.00	4.00	6.00	6.00	6.00	6.00
Police Department	55.00	57.00	59.00	58.00	58.50	59.50	59.50	61.50	61.50	62.00
Municipal Court	5.00	5.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50	5.50
Community Center	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Fire Department	14.00	16.00	18.00	18.00	18.50	27.50	27.50	27.50	27.50	35.30
Public Works Admin.	9.00	9.00	9.00	9.00	9.00	10.00	8.00	8.00	8.00	8.00
Garage	1.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Parks	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	6.20	6.70
Streets	8.20	8.20	8.20	7.20	7.20	7.20	8.20	8.20	9.20	9.20
Total general fund	119.90	125.40	129.90	129.40	130.40	140.40	141.40	143.90	145.90	155.70
Enterprise Fund										
Utility Administration	9.00	9.00	9.00	8.00	7.00	7.00	8.00	8.00	9.00	9.00
Water	7.20	7.20	7.20	7.20	8.20	8.20	8.20	8.20	8.20	8.20
Wastewater	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20
Gas	6.20	6.20	6.20	6.20	6.20	6.20	6.20	6.20	6.20	6.20
Total enterprise fund	32.60	32.60	32.60	31.60	31.60	31.60	32.60	32.60	33.60	33.60
Special Revenue Fund	0.50	3.00	2.50	3.00	12.00	3.00	3.00	3.50	3.50	4.00
Total City positions	153.00	161.00	165.00	164.00	174.00	175.00	177.00	180.00	183.00	193.30

NOTES:

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

City of Tomball, Texas
Operating Indicators by Function/Program
Last Ten Fiscal Years

Function/Program	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Police:										
Arrests	2,049	2,012	1,475	2,394	1,650	1,252	883	1,073	808	454
Accident reports	330	334	392	378	453	514	577	489	486	832
Citations	14,694	12,798	13,329	11,330	10,181	7,251	6,746	5,679	4,789	4,774
Offense reports	1,705	1,915	2,153	2,008	2,224	1,462	1,092	1,299	525	886
Calls for service	7,348	6,774	7,399	7,069	7,524	7,938	7,747	7,205	28,443	34,899
Fire:										
Emergency responses	1,341	1,364	1,523	1,768	2,749	2,002	1,671	1,773	2,820	2162
Fire incidents	220	207	178	129	128	104	114	162	135	91
Average response time	5:15	5:54	6:40	4:50	5:13	5:18	6:52	6:10	6:43	6:07
Water:										
New accounts	89	79	56	122	126	88	41	148	87	133
Source:										
Water	89	79	56	122	126	88	41	148	87	133
Sewer	89	79	56	122	126	88	41	148	87	133
Average daily consumption										
(millions of gallons)	1,941	2.525	2.249	2,043	1,967	2,052	2,051	1,807	2,090	2,112
Number of million gallons of well water pumped	708,565	923,261	822,215	759,817	718,069	750,434	748,615	659,814	763,060	912,707
Total consumption (millions of gallons)	708,565	923,261	822,215	759,817	718,069	750,434	748,615	659,814	763,060	912,707
Peak daily consumption										
(millions of gallons)	3,480	4,392	4,312	4,689	3,385	2,840	2,657	4,760	3,941	5,083
Sewer:										
Average daily sewage treatment										
(millions of gallons)	1.362	1.174	1.555	1.347	1.478	1.576	1.92	1.589	1.528	1.554
Total consumption (millions of gallons)	497.166	429.608	567.754	491.660	539.470	575.240	700.800	579.985	565.824	568.764
Peak daily consumption										
(millions of gallons)	3.72	2.18	7.44	2.85	5.19	3.78	2.70	3.51	3.20	3.23

Source: Various City departments

City of Tomball, Texas
Capital Asset Statistics by Function/Program
Last Ten Fiscal Years

Function/Program	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Police:										
Stations	1	1	1	1	1	1	1	1	1	1
Patrol units	30	32	33	33	33	35	35	35	35	38
Fire stations	2	2	2	2	2	2	2	2	2	2
Other public works:										
Streets (miles - centerlines)	56.2	56.2	58.2	50.6	50.6	50.6	50.6	57.94	57.94	61.67
Streetlights	650	654	664	689	720	720	720	720	720	751
Parks and recreation:										
Parks	4	4	4	6	6	7	7	7	7	7
Parks acreage	24 acres	24 acres	24 acres	39 acres	39 acres	52 acres	52 acres	69.81 acres	69.81 acres	69.81 acres
Swimming pools	1	1	1	1	1	1	1	1	1	1
Baseball/softball diamonds	8	8	8	8	8	8	8	8	8	8
Tennis courts	4	4	4	4	4	4	4	4	4	4
Basketball courts	1	1	1	2	2	2	2	2	2	2
Water:										
Water mains (miles)	0.3	0.5	0.2	1.0015	92.69	92.69	94.49	95.11	121.36	123.97
Fire hydrants	5	9	14	950	955	955	974	981	1,135	1,163
Storage capacity (millions of gallons)	1.85	2.35	2.35	2.85	2.85	2.85	2.85	2.15	2.15	2.15
Sewer:										
Sanitary sewers (miles)	0.26	0.84	1.53	1.6512	1.6512	1.6512	3.2512	3.88	98.14	84.5
Storm sewers (miles)	0.2	17.4	17.4	22.9	22.9	22.9	22.9	22.9	22.90	62.85
Open ditch/creek/canal drainage (miles)	0.3	54	54	54	54	54	54	57	57.23	57.23
Treatment capacity (millions of gallons)	3	3	3	3	3	3	3	3	3	3

Source: Various City departments. In 2018, water and sewer mains (miles) were determined using a Geographic Imaging System.

Streets (miles-centerlines) for 2009 and previous years included County.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Conduct First Public Hearing for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2020-2021

Background:
Two budget workshops have been held (July 6 and July 20, 2020), and this is the 1st Public Hearing regarding the proposed budget for Fiscal Year2020-2021.

Origination:
City Manager/Finance Director

Recommendation:
N/A

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

ACTION TAKEN

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

ATTACHMENTS:

Notice of Public Hearings - August 3 and August 17, 2020
FY2021 Proposed Budget - Final

NOTICE OF PUBLIC HEARINGS
at the
TOMBALL CITY COUNCIL MEETINGS
CITY OF TOMBALL, TEXAS

MONDAY, AUGUST 3, 2020
6:00 P.M.
AND
MONDAY, AUGUST 17, 2020
6:00 P.M.

Notice is hereby given that PUBLIC HEARINGS will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at Regular Council Meetings on Monday, August 3, 2020 at 6:00 p.m., and Monday, August 17, 2020 at 6:00 p.m., at TOMBALL CITY HALL, 401 MARKET STREET, Tomball, Texas 77375, for the purpose of considering the following:

Public Hearing for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2020-2021.

A copy of the Proposed Budget, as submitted to City Council and filed in the City Secretary's office, will be available for public inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas, Monday through Thursday, 7:45 a.m. to 5:00 p.m., and Friday, 7:45 a.m. to 4:00 p.m., beginning on **Monday, July 27, 2020**.

CERTIFICATION

I hereby certify that the above notice of meetings 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 16th day of July 2020 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer
Doris Speer, City Secretary, TRMC, MMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please 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.

City of Tomball



FY 2020-2021
Proposed Budget

Fund Summaries

Consolidated Statement of Anticipated Receipts and Revenues and Expenditures and Changes in Fund Balance- All Funds
2020-2021 Proposed Budget

	Governmental			Proprietary	Internal Service					Consolidated
	General Fund	Special Revenue Funds	Debt Service	Enterprise Fund	Fleet Replacement Fund	Health Insurance Trust Fund	Water Captial Recovery	Sewer Capital Recovery	Capital Projects Fund	All Funds FY 2021
Funds	100	200-290/990	300	600	650	910	730	740	400/460	
Revenues:										
Property taxes	$ 2,345,000	-	$ 4,840,000	-	-	-	-	-	-	$ 7,185,000
Hotel Occupancy	-	575,000	-	-	-	-	-	-	-	575,000
Sales taxes	11,590,000	-	-	-	-	-	-	-	-	11,590,000
Franchise taxes	910,020	-	-	-	-	-	-	-	-	910,020
Permits and licenses	724,700	-	-	-	-	-	-	-	-	724,700
Fines and warrants	460,000	26,000	-	-	-	-	-	-	-	486,000
Service fees	2,480,177	-	-	11,325,000	-	-	-	-	-	13,805,177
Transfers In	2,668,418	-	-	-	224,760	2,889,477	-	-	716,012	6,498,667
Contributions/Grants	758,558	-	757,885	370,000	-	-	-	-	-	1,886,443
Interest	225,000	11,700	70,000	150,000	15,000	26,000	20,000	25,000	665,000	1,207,700
Other	97,675	159,000	-	157,350	-	164,000	400,000	360,000	-	1,338,025
Total Revenues	$ 22,259,548	$ 771,700	$ 5,667,885	$ 12,002,350	$ 239,760	$ 3,079,477	$ 420,000	$ 385,000	$ 1,381,012	$ 46,206,732
Expenditures:										
General Government	$ 4,154,604	-	-	-	-	$ 2,789,242	-	-	$ 10,159,198	$ 17,103,044
Transfers out	2,565,000	-	-	-	-	-	-	-	-	2,565,000
Public Safety	10,600,107	70,000	-	-	-	-	-	-	-	10,670,107
Public Works	4,539,372	-	-	-	-	-	-	-	-	4,539,372
Engineering and Planning	572,323	-	-	-	-	-	-	-	-	572,323
Parks and Recreation	1,145,183	21,000	-	-	-	-	-	-	-	1,166,183
Tourism & Arts	-	736,206	-	-	-	-	-	-	-	736,206
Utilities	-	-	-	12,189,792	-	-	-	-	63,950	12,253,742
Capital Projects/Outlay	-	-	-	-	792,450	-	-	-	-	792,450
Debt Service	-	-	3,779,290	238,262	-	-	-	-	-	4,017,552
Total Expenditures	$ 23,576,589	$ 827,206	$ 3,779,290	$ 12,428,054	$ 792,450	$ 2,789,242	$ -	$ -	$ 10,223,148	$ 54,415,979
Revenues Over (Under) Expenditures	$ (1,317,041)	$ (55,507)	$ 1,888,594	$ (425,704)	$ (552,690)	$ 290,235	$ 420,000	$ 385,001	$ (8,842,136)	$ (8,209,247)
Beginning Fund Balance	$ 15,027,643	$ 1,165,740	$ 3,228,482	$ 8,451,842	$ 1,993,991	$ 1,807,670	$ 1,981,884	$ 1,785,233	$ 27,525,051	$ 62,967,537
Ending Fund Balance	$ 13,710,602	$ 1,110,233	$ 5,117,076	$ 8,026,138	$ 1,441,301	$ 2,097,905	$ 2,401,884	$ 2,170,234	$ 18,682,915	$ 54,758,289

General Fund - 100
Statement of Revenues, Expenditures, and Changes in Fund Balance
2020-2021 Proposed Budget Worksheet

	FY 2017 Actuals	FY 2018 Actuals	FY 2019 Actuals	Current FY 2020	FY 2020 Projections	FY 2021 Budget
Revenues:						
Contributions	$ 603,390	$ 494,171	$ 563,309	$ 392,876	$ 403,883	$ 758,558
Fines & Warrants	500,309	435,549	510,671	480,200	459,500	460,000
Franchise Taxes	1,307,171	1,270,927	1,300,076	1,295,000	910,020	910,020
Interest	95,325	194,429	282,745	225,000	225,000	225,000
Other Revenue	753,992	290,289	109,377	100,175	95,175	97,675
Permits & Licenses	464,344	532,615	580,396	575,200	830,700	724,700
Property Taxes	1,964,345	2,144,861	2,046,479	2,265,000	2,345,000	2,345,000
Sales Taxes	10,791,147	12,514,930	12,594,274	12,090,000	11,590,000	11,590,000
Services	2,236,863	2,793,800	2,944,373	3,225,808	2,480,567	2,480,177
Enterprise Transfers In	2,342,169	2,384,166	2,530,209	2,603,335	2,603,335	2,668,418
Total Revenues	**21,059,055**	**23,055,737**	**23,461,910**	**23,252,594**	**21,943,180**	**22,259,548**
Expenditures:						
Administrative	393,950	$ 440,324	$ 378,442	$ 399,832	$ 389,660	$ 402,043
Building Permits and Inspections	386,153	431,157	430,037	485,169	412,582	417,466
Mayor and Council	52,185	50,181	53,937	102,198	84,590	96,410
City Secretary	352,470	334,847	345,929	443,945	380,867	410,481
Human Resources	374,009	385,669	425,832	466,213	462,399	452,570
Finance	632,843	715,775	735,395	766,518	767,757	789,052
Information Systems	654,974	617,431	707,607	971,750	902,265	799,682
Legal	159,704	117,595	130,302	142,000	130,000	140,000
Non-Departmental*	513,547	454,552	1,143,516	760,800	800,223	758,900
Police	5,379,589	5,601,726	5,336,682	5,977,880	5,955,575	6,203,875
Municipal Court	347,067	357,447	414,407	426,322	415,342	434,415
Community Center	147,046	157,147	165,205	171,296	161,293	169,435
Fire	2,896,840	2,595,167	2,773,459	3,089,055	2,904,260	3,027,521
Emergency Management	18,381	19,570	30,894	19,250	25,502	14,275
ESD#15 Station 5	301,993	655,533	754,442	981,747	925,931	920,021
Public Works Administration	57,323	55,622	62,604	69,017	68,896	71,412
Garage	141,261	130,720	154,130	156,123	162,416	177,191
Parks	867,978	1,105,558	989,835	1,090,662	1,107,229	975,748
Streets	2,383,979	2,008,206	1,786,766	1,456,359	1,206,689	1,464,796
Sanitation	1,975,363	1,595,279	1,600,929	2,305,300	2,113,200	2,115,300
Engineering and Planning	486,670	562,308	532,564	592,614	554,052	572,323
Facilities Maintenance	636,940	745,872	796,353	622,274	622,002	710,673
Transfer Out to Hotel Occupancy *	20,000	20,000	100,000	126,000	126,000	126,000
Transfer Out to Health Insurance *	2,110,591	2,211,241	2,300,000	2,300,000	2,300,000	2,327,000
Total Expenditures	**21,290,856**	**$ 21,368,925**	**$ 22,149,268**	**$ 23,922,324**	**$ 22,978,730**	**$ 23,576,589**
Revenues Over/(Under) Expenditures	**(231,801)**	**$ 1,686,812**	**$ 1,312,642**	**$ (669,730)**	**$ (1,035,550)**	**$ (1,317,041)**
Beginning Fund Balance	**$ 13,292,789**	**$ 13,060,996**	**$ 14,750,551**	**$ 16,063,193**	**$ 16,063,193**	**$ 15,027,643**
Ending Fund Balance	**$ 13,060,996**	**$ 14,750,551**	**$ 16,063,193**	**$ 15,393,463**	**$ 15,027,643**	**$ 13,710,602**
25% of Operating Expenses - Target	61%	69%	73%	64%	65%	58%

CITY OF TOMBALL
GENERAL FUND REVENUES - 100

GENERAL FUND	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 PROJECTION	2021 BUDGET
5110 CURRENT TAXES	2,057,193	2,077,795	2,220,000	2,300,000	2,300,000
5120 DELINQUENT TAXES	55,317	(49,556)	30,000	30,000	30,000
5130 PENALTY,INTEREST,ATTY FEES	32,351	18,241	15,000	15,000	15,000
5140 SALES TAX	12,427,660	12,506,119	12,000,000	11,500,000	11,500,000
5141 ALCOHOLIC BEVERAGE TAX	73,760	71,190	75,000	75,000	75,000
5150 ELECTRICAL FRANCHISE TAX	700,345	709,538	735,000	425,000	425,000
5160 T.V. CABLE FRANCHISE TAX	157,065	87,781	140,000	80,000	80,000
5161 1% IN KIND/ PEG FEES	31,413	36,291	35,000	35,000	35,000
5170 COMMUNICATIONS ROW LINE FEE	213,074	267,655	225,000	250,000	250,000
5175 SANITATION FRANCHISE TAX	169,030	198,799	160,000	120,000	120,000
5190 BINGO TAX	-	10	-	20	20
5200 BUILDING PERMITS	261,428	240,597	275,000	325,000	276,000
5210 CONSTRUCTION PERMITS	55,641	124,635	75,000	250,000	213,000
5215 PLUMBING PERMIT	28,214	27,355	30,000	40,000	36,000
5220 MECHANICAL PERMITS	28,456	25,302	30,000	40,000	36,000
5230 ELECTRICAL PERMITS	37,907	41,059	40,000	50,000	45,000
5235 FIRE PERMIT FEES	64,320	64,549	65,000	70,000	63,000
5240 OTHER PERMITS	4,282	5,455	3,000	5,000	5,000
5245 MISCELLANEOUS PERMIT FEES	200	2,979	500	500	500
5250 MIXED BEVERAGE FEES	13,510	16,965	15,000	15,000	15,000
5255 LICENSE FEES	4,005	4,500	4,000	3,000	3,000
5260 AMBULANCE PERMITS	7,400	7,100	8,000	8,000	8,000
5300 MUNICIPAL COURT FINES	233,134	251,127	250,000	225,000	225,000
5310 COURT COSTS/ADMIN FEES	125,170	204,312	165,000	175,000	175,000
5320 COURT WARRANT FEES	52,130	34,358	40,000	40,000	40,000
5340 TIME PYMT.FEE-10% CITY JUDICL.	754	506	1,200	900	1,000
5341 TIME PAYMENT FEE-40% FOR CITY	3,016	2,038	4,000	3,600	4,000
5430 SANITATION FEES	1,844,191	1,652,997	1,900,000	1,250,000	1,250,000
5440 PLAT FEES	11,693	14,305	16,000	12,000	12,000
5441 REZONING APPLICATION FEE	8,468	3,867	8,500	5,000	5,000
5442 CONDITIONAL USE PERMIT	1,800	1,800	2,000	4,000	4,000
5443 PLANNED DEVELOPMENT	1,000	-	-	-	-
5444 SITE PLAN REVIEW	15,261	11,819	15,000	15,000	15,000
5445 PLAN REVIEW FEES- OTHER	200	1,040	200	200	200
5446 ZONING FEES- OTHER	2,340	4,035	3,000	3,000	3,000
5450 BIRTH AND DEATH CERTIFICATE FEES	57,844	57,968	60,000	50,000	50,000
5451 NOTARY FEES	88	151	75	75	75
5460 ALARM SYSTEM REGISTRATION FEES	24,475	19,650	25,000	17,000	17,000
5461 FALSE ALARM SERVICE FEE	21,345	18,330	20,000	15,000	15,000
5470 EMERGENCY SERVICE DISTRCT FEES	173,884	246,171	208,000	217,000	217,000
5472 ESD#15 S5 OPERATING COST REIMBURSEMENT	23,293	30,062	25,439	29,964	26,844
5474 ESD#15 STATION 5 PAYROLL REIMBURSEMENT	594,066	877,239	930,869	866,003	866,333
5480 LIFE SAFETY PLAN REVIEW	2,400	2,230	2,500	2,500	2,500
5481 STATE LICENSED FACILITIES	1,380	1,590	1,500	1,600	1,500
5482 ANNUAL FIRE INSPECTIONS	600	1,050	1,500	1,500	1,500
5500 SALE OF CITY PROPERTY	235,899	53,059	40,000	40,000	40,000
5505 RENT REVENUES	4	-	-	-	-
5510 COMMUNITY CENTER FEES	30,317	26,558	30,000	20,000	20,000

CITY OF TOMBALL
GENERAL FUND REVENUES - 100

GENERAL FUND	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 PROJECTION	2021 BUDGET
5515 CONGREGATE MEAL SERV. REVENUE	9,665	11,418	10,000	5,000	7,500
5520 PARK RENTAL FEE	10,710	9,000	11,000	5,000	7,500
5550 MISCELLANEOUS INCOME	44,573	44,749	50,000	50,000	50,000
5560 RETURNED CHECK FINES	60	-	100	100	100
5690 SANITATION PENALTY	30,640	19,859	30,000	20,000	20,000
5730 SCHOOL RESOURCE OFFICERS (SRO)	465,175	369,322	366,876	377,883	620,558
5740 OTHER GRANTS	3,996	168,987	1,000	1,000	113,000
5770 TEDC CONTRIBUTIONS	25,000	25,000	25,000	25,000	25,000
5800 INTEREST INCOME	203,902	278,243	225,000	225,000	225,000
5801 UNREALIZED GAIN ON INVESTMENTS	(9,473)	4,502	-	-	-
5961 ENTERPRISE TRANSFERS IN	2,384,166	2,530,209	2,603,335	2,603,335	2,668,418
TOTAL GENERAL FUND REVENUES	**$ 23,055,737**	**$ 23,461,910**	**$ 23,252,594**	**$ 21,943,180**	**$ 22,259,548**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	ADMINISTRATIVE	100-111 ADMINISTRATIVE

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$261,534	$259,395	$248,450	$259,904	$247,786
6009 WAGES-OTHER	$12,994	$13,992	$13,233	$8,733	$13,497
6011 VACATION PAY	$25,680	$9,964	$14,006	$14,984	$19,910
6012 SICK PAY	$37,496	$4,278	$11,028	$5,514	$11,248
6015 SICK TIME BUYBACK	$0	$0	$4,411	$4,411	$4,499
6019 MISCELLANEOUS PAY	$1,025	$875	$995	$995	$1,115
6021 FICA-MED/SS	$21,621	$21,163	$24,024	$21,838	$24,312
6022 TMRS-EMPLOYER	$47,079	$41,557	$42,985	$43,001	$43,126
6025 WORKER COMPENSATION INS.	$212	$176	$200	$180	$200
PERSONNEL SERVICES	**$407,641**	**$351,401**	**$359,332**	**$359,560**	**$365,693**
6101 OFFICE AND COMPUTER SUPPLIES	$3,208	$832	$1,500	$500	$1,200
6102 EDUCATIONAL SUPPLIES	$286	$51	$0	$200	$500
6105 FOOD SUPPLIES	$368	$139	$1,000	$500	$1,000
6107 CLOTHING AND UNIFORMS	$0	$255	$400	$400	$400
6108 FUEL, OIL, AND LUBRICANTS	$0	$11	$0	$0	$0
6119 OTHER SUPPLIES	$0	$129	$1,000	$1,000	$1,000
SUPPLIES	**$3,862**	**$1,418**	**$2,900**	**$2,600**	**$4,100**
6205 VEHICLE MAINTENANCE	$0	$255	$0	$0	$0
REPAIRS AND MAINTENANCE	**$0**	**$255**	**$0**	**$0**	**$0**
6304 PROFESSIONAL SERVICES, OTHER	$0	$295	$0	$0	$0
6312 COMMUNICATION SERVICES	$2,020	$2,375	$1,800	$2,700	$2,700
6329 OTHER SERVICES	$38	$325	$1,000	$500	$1,000
6332 TRAVEL AND MEALS	$3,831	$2,005	$8,000	$1,500	$4,000
6333 DUES AND SUBSCRIPTIONS	$3,545	$3,782	$5,000	$4,000	$4,000
6334 AUTOMOBILE ALLOWANCES	$14,940	$16,912	$16,800	$16,800	$16,800
6337 TRAINING	$4,447	($325)	$5,000	$2,000	$3,750
SERVICES AND CHARGES	**$28,821**	**$25,369**	**$37,600**	**$27,500**	**$32,250**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL GENERAL-ADMINISTRATIVE	**$440,324**	**$378,442**	**$399,832**	**$389,660**	**$402,043**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	PERMITS/INSPCTNS.	100-112 PERMITS/INSPCTNS.

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$74,236	$127,275	$123,453	$128,796	$125,812
6003 WAGES-FULL TIME	$188,305	$156,440	$168,694	$137,266	$130,656
6005 WAGES-OVERTIME	$2,937	$1,916	$3,863	$3,500	$2,805
6009 WAGES-OTHER	$14,104	$14,858	$15,290	$8,508	$13,449
6011 VACATION PAY	$13,821	$13,090	$18,517	$12,947	$15,173
6012 SICK PAY	$4,260	$13,255	$12,742	$8,789	$11,208
6013 EMERGENCY PAY	$828	$337	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$3,667	$2,153	$1,221
6019 MISCELLANEOUS PAY	$1,530	$1,955	$2,315	$2,030	$1,825
6021 FICA-MED/SS	$20,274	$23,086	$26,935	$22,484	$23,385
6022 TMRS-EMPLOYER	$39,349	$45,271	$48,193	$42,261	$41,482
6025 WORKER COMPENSATION INS.	$914	$1,000	$1,100	$1,048	$1,000
PERSONNEL SERVICES	**$360,558**	**$398,482**	**$424,769**	**$369,782**	**$368,016**
6101 OFFICE AND COMPUTER SUPPLIES	$2,776	$2,861	$3,000	$4,000	$2,400
6102 EDUCATIONAL SUPPLIES	$512	$356	$1,500	$1,500	$1,000
6105 FOOD SUPPLIES	$28	$19	$0	$0	$0
6107 CLOTHING AND UNIFORMS	$2,404	$2,088	$4,000	$3,000	$3,000
6108 FUEL, OIL AND LUBRICANTS	$7,638	$7,199	$7,500	$7,500	$7,500
6119 OTHER SUPPLIES	$4	$38	$0	$0	$0
SUPPLIES	**$13,363**	**$12,561**	**$16,000**	**$16,000**	**$13,900**
6205 VEHICLE MAINTENANCE	$11,090	$1,980	$5,000	$5,000	$5,000
REPAIRS AND MAINTENANCE	**$11,090**	**$1,980**	**$5,000**	**$5,000**	**$5,000**
6304 PROFESSIONAL SERVICES, OTHER	$775	$305	$10,000	$6,000	$10,000
6312 COMMUNICATION SERVICES	$5,300	$4,674	$5,100	$4,500	$4,500
6329 OTHER SERVICES	$0	($323)	$0	$0	$0
6332 TRAVEL AND MEALS	$3,545	$5,070	$11,000	$4,500	$5,500
6333 DUES AND SUBSCRIPTIONS	$398	$912	$1,500	$1,500	$1,500
6337 TRAINING	$6,074	$6,320	$11,000	$4,500	$8,250
6362 PERMITS AND LICENSES	$55	$55	$800	$800	$800
SERVICES AND CHARGES	**$16,147**	**$17,013**	**$39,400**	**$21,800**	**$30,550**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
6998 TRANSFER TO FLEET REPLACEMENT	$30,000	$0	$0	$0	$0
TRANSFERS	**$30,000**	**$0**	**$0**	**$0**	**$0**
TOTAL GENERAL-PERMITS/INSPCTNS.	**$431,157**	**$430,037**	**$485,169**	**$412,582**	**$417,466**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	MAYOR AND COUNCIL	100-113 MAYOR AND COUNCIL

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6004 WAGES- PART TIME	$27,146	$23,904	$30,600	$27,268	$30,600
6021 FICA- MED/ SS	$2,027	$1,823	$2,341	$2,086	$2,341
6025 WORKER COMPENSATION INS.	$37	$35	$57	$36	$39
PERSONNEL SERVICES	**$29,210**	**$25,763**	**$32,998**	**$29,390**	**$32,980**
6101 OFFICE AND COMPUTER SUPPLIES	$104	$65	$100	$100	$80
6105 FOOD SUPPLIES	$1,147	$2,071	$2,000	$2,000	$2,000
6119 OTHER SUPPLIES	$6,098	$9,989	$12,000	$12,000	$12,000
SUPPLIES	**$7,349**	**$12,125**	**$14,100**	**$14,100**	**$14,080**
6304 PROFESSIONAL SERVICES- OTHER	$0	$0	$20,000	$20,000	$20,000
6329 OTHER SERVICES	$22	$0	$100	$100	$100
6332 TRAVEL AND MEALS	$20	$0	$10,000	$5,000	$5,000
6333 DUES AND SUBSCRIPTIONS	$3,512	$4,331	$7,000	$7,000	$7,000
6337 TRAINING	$0	$0	$3,000	$1,000	$2,250
6398 BANQUETS, DEDICATION, RECEP	$10,068	$11,717	$15,000	$8,000	$15,000
SERVICES AND CHARGES	**$13,622**	**$16,048**	**$55,100**	**$41,100**	**$49,350**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL MAYOR AND COUNCIL	**$50,181**	**$53,937**	**$102,198**	**$84,590**	**$96,410**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	CITY SECRETARY	100-114 CITY SECRETARY

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$93,743	$134,465	$139,329	$151,695	$142,059
6003 WAGES-FULL TIME	$101,281	$64,590	$67,805	$67,975	$72,187
6005 WAGES-OVERTIME	$4,057	$1,078	$4,120	$3,000	$4,080
6009 WAGES-OTHER	$10,170	$10,523	$11,242	$7,817	$11,585
6011 VACATION PAY	$13,470	$17,018	$17,371	$12,666	$17,052
6012 SICK PAY	$5,351	$6,891	$9,368	$7,587	$9,654
6013 EMERGENCY PAY	$0	$834	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$2,232	$2,231	$3,228
6019 MISCELLANEOUS PAY	$2,175	$2,455	$2,695	$2,695	$2,460
6021 FICA-S.S. AND MEDICARE TAXES	$16,064	$17,581	$19,749	$19,323	$20,342
6022 TMRS-EMPLOYER	$30,237	$32,969	$35,334	$35,517	$36,084
6025 WORKER COMPENSATION INS.	$424	$352	$400	$361	$400
PERSONNEL SERVICES	**$276,972**	**$288,755**	**$309,645**	**$310,867**	**$319,131**
6101 OFFICE AND COMPUTER SUPPLIES	$10,979	$17,767	$15,000	$12,000	$12,000
6102 EDUCATIONAL SUPPLIES	$313	$730	$1,200	$1,000	$1,000
6104 JANITORIAL AND CLEANING SUPPLY	$367	$398	$600	$500	$500
6105 FOOD SUPPLIES	$755	$938	$1,200	$1,200	$1,200
6109 POSTAGE	$401	$135	$1,400	$1,000	$1,000
6119 OTHER SUPPLIES	$147	$110	$600	$600	$600
SUPPLIES	**$12,963**	**$20,077**	**$20,000**	**$16,300**	**$16,300**
6201 OFFICE EQUIPMENT MAINT.	$0	$0	$400	$200	$200
REPAIRS AND MAINTENANCE	**$0**	**$0**	**$400**	**$200**	**$200**
6304 PROF.SERV.-OTHER	$9,108	$1,660	$15,000	$15,000	$15,000
6312 COMMUNICATION SERVICES	$768	$772	$900	$900	$900
6316 PRINTING AND BINDING	$26	$25	$100	$100	$75
6329 OTHER SERVICES	$1,906	$921	$1,200	$0	$0
6332 TRAVEL AND MEALS	$6,684	$6,463	$11,000	$9,000	$5,500
6333 DUES AND SUBSCRIPTIONS	$2,002	$2,142	$4,200	$3,500	$3,500
6335 ADVERTISING COST	$19,218	$15,583	$25,000	$20,000	$20,000
6337 TRAINING	$3,418	$5,225	$6,500	$3,000	$4,875
6371 ELECTION SERVICES	$1,780	$4,187	$50,000	$2,000	$25,000
6398 BANQUETS, DEDICATION, RECEPTIONS	$0	$119	$0	$0	$0
SERVICES AND CHARGES	**$44,911**	**$37,097**	**$113,900**	**$53,500**	**$74,850**
TOTAL CITY SECRETARY	**$334,847**	**$345,929**	**$443,945**	**$380,867**	**$410,481**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	HUMAN RESOURCES	100-115 HUMAN RESOURCES

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$110,235	$108,532	$106,719	$112,133	$108,850
6003 WAGES-FULL TIME	$89,169	$100,305	$99,966	$106,786	$101,925
6004 WAGES-PART TIME	$24,150	$27,582	$32,960	$32,960	$32,640
6005 WAGES-OVERTIME	$3,353	$1,614	$6,180	$5,000	$6,120
6009 WAGES-OTHER	$10,882	$11,150	$11,187	$8,002	$11,411
6011 VACATION PAY	$10,857	$12,338	$16,432	$13,556	$16,760
6012 SICK PAY	$6,665	$3,374	$9,323	$4,869	$9,509
6013 EMERGENCY PAY	$194	$228	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$3,729	$3,729	$3,804
6019 MISCELLANEOUS PAY	$1,400	$1,580	$1,760	$1,760	$1,940
6021 FICA-S.S. AND MEDICARE TAXES	$17,282	$19,160	$22,178	$21,369	$22,578
6022 TMRS-EMPLOYER	$30,501	$32,720	$35,029	$35,314	$35,483
6025 WORKER COMPENSATION INS.	$318	$264	$300	$271	$300
6026 STATE UNEMPLOYMENT TAXES	$0	$0	$10,000	$10,000	$10,000
PERSONNEL SERVICES	**$305,006**	**$318,847**	**$355,763**	**$355,749**	**$361,320**
6101 OFFICE AND COMPUTER SUPPLIES	$3,741	$6,044	$6,000	$5,000	$4,800
6102 EDUCATIONAL SUPPLIES	$1,615	$1,360	$1,500	$750	$750
6105 FOOD SUPPLIES	$1,571	$3,463	$3,000	$3,500	$3,000
6107 CLOTHING AND UNIFORMS	$0	$0	$300	$300	$300
6109 POSTAGE	$136	$40	$150	$100	$100
6119 OTHER SUPPLIES	$9,754	$6,396	$8,000	$10,600	$6,000
SUPPLIES	**$16,817**	**$17,303**	**$18,950**	**$20,250**	**$14,950**
6205 VEHICLE MAINTENANCE	$233	$0	$0	$0	$0
REPAIRS AND MAINTENANCE	**$233**	**$0**	**$0**	**$0**	**$0**
6304 PROF.SERV.-OTHER	$5,000	$15,000	$6,000	$6,000	$6,000
6312 COMMUNICATION SERVICES	$768	$774	$900	$900	$900
6329 OTHER SERVICES	$34,146	$31,613	$40,000	$35,000	$35,000
6332 TRAVEL AND MEALS	$1,260	$6,359	$5,800	$4,000	$2,900
6333 DUES AND SUBSCRIPTIONS	$1,224	$689	$1,800	$1,500	$1,500
6335 ADVERTISING COST	$969	$28	$2,000	$3,000	$2,000
6337 TRAINING	$10,064	$24,064	$24,000	$24,000	$18,000
6398 BANQUETS, DEDICATION, RECEP	$10,184	$11,154	$11,000	$12,000	$10,000
SERVICES AND CHARGES	**$63,615**	**$89,682**	**$91,500**	**$86,400**	**$76,300**
TOTAL HUMAN RESOURCES	**$385,669**	**$425,832**	**$466,213**	**$462,399**	**$452,570**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	FINANCE	100-116 FINANCE

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$224,735	$247,226	$256,111	$271,715	$261,819
6003 WAGES-FULL TIME	$62,332	$66,417	$73,345	$70,677	$72,819
6004 WAGES-PART TIME	$6,358	$960	$0	$0	$0
6005 WAGES-OVERTIME	$1,950	$1,551	$1,545	$1,545	$1,530
6009 WAGES-OTHER	$13,552	$18,810	$17,537	$10,459	$17,783
6011 VACATION PAY	$18,389	$16,643	$19,295	$16,823	$19,593
6012 SICK PAY	$19,867	$8,088	$14,614	$9,310	$14,819
6015 SICK TIME BUYBACK	$0	$0	$2,947	$3,564	$5,280
6019 MISCELLANEOUS PAY	$1,710	$1,435	$1,830	$1,745	$2,105
6021 FICA-S.S. AND MEDICARE TAXES	$25,105	$27,363	$30,006	$29,462	$30,605
6022 TMRS-EMPLOYER	$45,340	$49,983	$53,688	$53,416	$54,289
6025 WORKER COMPENSATION INS.	$583	$525	$600	$541	$600
PERSONNEL SERVICES	**$419,921**	**$439,001**	**$471,518**	**$469,257**	**$481,242**
6101 OFFICE AND COMPUTER SUPPLIES	$4,119	$2,652	$4,000	$4,000	$3,200
6102 EDUCATIONAL SUPPLIES	$0	$220	$500	$500	$500
6105 FOOD SUPPLIES	$289	$86	$100	$350	$350
6107 CLOTHING AND UNIFORMS	$487	$416	$600	$650	$650
6108 FUEL, OIL AND LUBRICANTS	$20	$0	$0	$150	$150
6109 POSTAGE	$67	$65	$100	$150	$150
6119 OTHER SUPPLIES	$906	$54	$200	$200	$200
SUPPLIES	**$5,888**	**$3,493**	**$5,500**	**$6,000**	**$5,200**
6204 OTHER EQUIPMENT MAINTENANCE	$795	$360	$500	$500	$500
REPAIRS AND MAINTENANCE	**$795**	**$360**	**$500**	**$500**	**$500**
6301 PROF.SERV.-AUDIT AND ACCTNG.	$72,340	$69,380	$70,000	$70,000	$70,000
6304 PROF.SERV.-OTHER	$10,330	$16,473	$15,000	$15,000	$15,000
6312 COMMUNICATION SERVICES	$1,719	$1,750	$2,000	$2,000	$2,000
6316 PRINTING AND BINDING	$968	$956	$1,000	$1,000	$1,000
6317 APPRAISAL SERVICES	$46,496	$47,532	$46,500	$50,000	$50,000
6320 COMPUTER SOFTWARE SERVICE	$0	$0	$0	$0	$8,360
6332 TRAVEL AND MEALS	$6,394	$5,592	$7,000	$3,500	$3,500
6333 DUES AND SUBSCRIPTIONS	$2,587	$3,510	$2,500	$2,500	$2,500
6335 ADVERTISING COST	$7,957	$4,843	$3,000	$3,000	$3,000
6337 TRAINING	$3,562	$3,856	$5,000	$2,000	$3,750
6397 CREDIT CARD PROCESSING FEE	$118,380	$121,879	$115,000	$125,000	$125,000
6399 SERVICE CHARGES	$18,434	$16,770	$22,000	$18,000	$18,000
SERVICES AND CHARGES	**$289,170**	**$292,541**	**$289,000**	**$292,000**	**$302,110**
TOTAL FINANCE	**$715,775**	**$735,395**	**$766,518**	**$767,757**	**$789,052**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	INFORMATION SYSTEMS	100-117 INFORMATION

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES- ADMINISTRATIVE	$194,361	$183,048	$145,592	$156,513	$147,191
6003 WAGES- FULL TIME	$0	$20,494	$54,225	$56,540	$53,811
6005 WAGES-OVERTIME	$0	$296	$2,575	$2,000	$2,550
6009 WAGES- OTHER	$10,065	$10,660	$10,686	$6,227	$10,885
6011 VACATION PAY	$15,204	$12,440	$13,357	$10,883	$16,104
6012 SICK PAY	$3,525	$3,633	$8,905	$4,446	$9,071
6015 SICK TIME BUYBACK	$0	$0	$3,562	$3,557	$3,628
6019 MISCELLANEOUS PAY	$1,615	$1,795	$1,975	$1,975	$2,155
6021 FICA-S.S. AND MEDICARE TAXES	$17,177	$18,541	$19,533	$19,396	$19,881
6022 TMRS-EMPLOYER	$31,224	$33,762	$34,950	$35,063	$35,266
6025 WORKER COMPENSATION INS.	$1,070	$931	$990	$965	$990
PERSONNEL SERVICES	**$274,241**	**$285,600**	**$296,350**	**$297,565**	**$301,532**
6101 OFFICE AND COMPUTER SUPPLIES	$45,408	$50,913	$40,000	$40,000	$32,000
6103 COMPUTER EQUIPMENT <$20,000	$0	$0	$107,500	$80,000	$0
6107 CLOTHING AND UNIFORMS	$0	$103	$500	$500	$500
6109 POSTAGE	$159	$0	$100	$100	$100
6119 OTHER SUPPLIES	$0	$64	$0	$0	$0
SUPPLIES	**$45,567**	**$51,081**	**$148,100**	**$120,600**	**$32,600**
6201 OFFICE EQUIPMENT MAINTENANCE	$1,249	$8,660	$7,500	$4,000	$25,000
6202 COMPUTER EQUIPMENT MAINT	$0	$0	$1,200	$1,000	$1,200
REPAIRS AND MAINTENANCE	**$1,249**	**$8,660**	**$8,700**	**$5,000**	**$26,200**
6304 PROF.SERV.-OTHER	$12,013	$10,415	$40,000	$24,000	$40,000
6312 COMMUNICATION SERVICES	$72,200	$78,091	$90,000	$80,000	$90,000
6320 COMPUTER SOFTWARE SERV.	$199,933	$337,295	$372,000	$362,000	$295,000
6329 OTHER SERVICES	$0	$62	$0	$0	$0
6332 TRAVEL AND MEALS	$1,194	$87	$3,000	$1,500	$1,500
6333 DUES AND SUBSCRIPTIONS	$1,039	$400	$1,000	$1,000	$1,000
6334 AUTOMOBILE ALLOWANCES	$9,600	$9,650	$9,600	$9,600	$9,600
6337 TRAINING	$395	$1,267	$3,000	$1,000	$2,250
SERVICES AND CHARGES	**$296,374**	**$437,267**	**$518,600**	**$479,100**	**$439,350**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
6999 TRANSFER TO CAPITAL PROJ. FUND	$0	($75,000)	$0	$0	$0
TRANSFERS	**$0**	**($75,000)**	**$0**	**$0**	**$0**
TOTAL INFORMATION SYSTEMS	**$617,431**	**$707,607**	**$971,750**	**$902,265**	**$799,682**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	LEGAL	100-118 LEGAL

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6102 EDUCATIONAL SUPPLIES	$210	$0	$0	$0	$0
SUPPLIES	**$210**	**$0**	**$0**	**$0**	**$0**
6303 PROF.SERV.-LEGAL	$117,385	$130,302	$142,000	$130,000	$140,000
SERVICES AND CHARGES	**$117,385**	**$130,302**	**$142,000**	**$130,000**	**$140,000**
TOTAL LEGAL	**$117,595**	**$130,302**	**$142,000**	**$130,000**	**$140,000**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	NON-DEPARTMENTAL	100-119 NON-DEPARTMENTAL

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6101 OFFICE AND COMPUTER SUPPLIES	$4,148	$3,055	$4,500	$6,000	$3,600
6105 FOOD SUPPLIES	$0	$43	$0	$0	$0
6108 FUEL, OIL AND LUBRICANTS	$43	$0	$0	$0	$0
6109 POSTAGE	$9,750	$9,022	$9,000	$9,000	$9,000
6119 OTHER SUPPLIES	$0	$0	$0	$4,000	$0
SUPPLIES	**$13,942**	**$12,077**	**$13,500**	**$19,000**	**$12,600**
6304 PROF. SERVICES - OTHER	$0	$0	$0	$0	$15,000
6329 OTHER SERVICES	$22,206	$36,368	$25,000	$46,000	$25,000
6330 INSURANCE	$236,069	$317,058	$325,000	$375,000	$350,000
6336 EQUIPMENT RENTALS	$35,354	$30,174	$32,000	$32,000	$32,000
6339 PRIOR YEAR DELINQUENT TAXES	$0	$0	$30,000	$15,000	$30,000
6340 SPECIAL EVENTS	$0	$45,643	$47,300	$47,300	$47,300
6346 ECONOMIC DEVELOPMENT AGREEMENT	$146,968	$156,937	$180,000	$150,418	$150,000
6399 SERVICE CHARGES	$13	$0	$0	$0	$0
SERVICES AND CHARGES	**$440,610**	**$586,179**	**$639,300**	**$665,718**	**$634,300**
6406 LAND AND BUILDINGS	$0	$266,624	$0	$0	$0
CAPITAL OUTLAY	**$0**	**$266,624**	**$0**	**$0**	**$0**
6691 TRANSFER OUT	$20,000	$100,000	$126,000	$126,000	$126,000
6692 TRANSFER TO EMP. BEN. TRUST	$2,211,241	$2,300,000	$2,300,000	$2,300,000	$2,327,000
6998 TRANSFER TO FLEET REPLACEMENT	$0	$278,636	$108,000	$115,505	$112,000
TRANSFERS	**$2,231,241**	**$2,678,636**	**$2,534,000**	**$2,541,505**	**$2,565,000**
TOTAL NON-DEPARTMENTAL	**$2,685,792**	**$3,543,516**	**$3,186,800**	**$3,226,223**	**$3,211,900**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	POLICE DEPARTMENT	100-121 -POLICE DEPARTMENT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$424,920	$274,534	$277,993	$273,258	$277,783
6003 WAGES-FULL TIME	$2,511,573	$2,584,865	$3,092,504	$3,109,003	$3,237,222
6004 WAGES-PART TIME	$32,381	$35,508	$64,936	$73,242	$66,226
6005 WAGES-OVERTIME	$452,472	$503,205	$412,144	$482,500	$429,112
6009 WAGES-OTHER	$165,981	$173,163	$177,196	$117,139	$184,779
6011 VACATION PAY	$196,295	$186,370	$216,375	$178,097	$220,153
6012 SICK PAY	$158,791	$109,649	$147,663	$160,020	$153,982
6013 EMERGENCY PAY	$3,670	$3,886	$0	$928	$0
6015 SICK TIME BUYBACK	$0	$0	$26,028	$16,553	$21,237
6019 MISCELLANEOUS PAY	$30,175	$25,830	$26,645	$26,315	$26,020
6021 FICA-MED/SS	$281,336	$287,140	$341,619	$333,422	$354,799
6022 TMRS-EMPLOYER	$519,392	$529,530	$602,342	$600,495	$620,376
6025 WORKER COMPENSATION INS.	$59,424	$56,466	$56,135	$56,277	$59,736
PERSONNEL SERVICES	**$4,836,410**	**$4,770,146**	**$5,441,580**	**$5,427,249**	**$5,651,425**
6101 OFFICE AND COMPUTER SUPPLIES	$19,066	$12,272	$15,000	$12,000	$12,000
6102 EDUCATIONAL SUPPLIES	$408	$117	$1,500	$500	$1,500
6104 JANITORIAL SUPPLIES	$310	$683	$500	$1,000	$650
6105 FOOD SUPPLIES	$6,488	$10,184	$6,500	$6,500	$6,500
6106 MATERIALS AND PARTS	$57,103	$63,393	$60,000	$60,000	$95,000
6107 CLOTHING AND UNIFORMS	$44,690	$48,371	$40,000	$50,000	$40,000
6108 FUEL, OIL AND LUBRICANTS	$98,008	$83,837	$90,000	$75,000	$90,000
6109 POSTAGE	$519	$315	$2,000	$500	$1,000
6119 OTHER SUPPLIES	$861	$1,351	$0	$0	$0
SUPPLIES	**$227,452**	**$220,523**	**$215,500**	**$205,500**	**$246,650**
6201 OFFICE EQUIPMENT MAINTENANCE	$870	$0	$1,500	$1,000	$1,500
6203 RADIO EQUIPMENT MAINTENANCE	$2,406	$0	$0	$0	$0
6204 OTHER EQUIPMENT MAINTENANCE	$17,595	$9,392	$10,000	$15,000	$10,000
6205 VEHICLE MAINTENANCE	$115,724	$96,097	$75,000	$65,000	$75,000
6206 BUILDING MAINTENANCE	$18,185	$14,595	$0	$0	$6,000
REPAIRS AND MAINTENANCE	**$154,778**	**$120,084**	**$86,500**	**$81,000**	**$92,500**
6304 PROFESSIONAL SERVICES,OTHER	$22,883	$20,206	$14,000	$19,000	$15,000
6312 COMMUNICATION SERVICES	$89,051	$78,667	$60,000	$80,000	$70,000
6316 PRINTING AND BINDING	$426	$0	$0	$0	$0
6318 ANIMAL CONTROL-HARRIS COUNTY	$26,000	$24,000	$24,000	$24,000	$24,000
6320 SOFTWARE SERVICE	$845	$4,983	$25,400	$27,526	$0
6324 JAIL SERVICE EXPENSE	$5,940	$2,024	$10,000	$5,000	$10,000
6325 BUY MONEY	$2,000	$2,500	$5,000	$2,000	$2,000
6328 BIKE PATROL	$0	$2,880	$3,000	$500	$1,000
6329 OTHER SERVICES	$3,659	$2,862	$2,500	$3,400	$3,400

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	POLICE DEPARTMENT	100-121 -POLICE DEPARTMENT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6332 TRAVEL AND MEALS	$44,778	$38,299	$20,000	$15,000	$12,500
6333 DUES AND SUBSCRIPTIONS	$4,320	$5,437	$5,000	$5,000	$5,000
6336 EQUIPMENT RENTALS	$492	$369	$400	$400	$400
6337 TRAINING	$41,888	$40,607	$40,000	$35,000	$30,000
SERVICES AND CHARGES	**$242,280**	**$222,833**	**$209,300**	**$216,826**	**$173,300**
6402 COMPUTER EQUIPMENT	$1,305	$0	$0	$0	$0
6404 RADIO EQUIPMENT	$0	$0	$25,000	$25,000	$40,000
6405 VEHICLE EQUIPMENT	$0	$3,096	$0	$0	$0
CAPITAL OUTLAY	**$1,305**	**$3,096**	**$25,000**	**$25,000**	**$40,000**
6998 TRANSFER TO FLEET REPLACEMENT	$139,500	$0	$0	$0	$0
TRANSFERS	**$139,500**	**$0**	**$0**	**$0**	**$0**
TOTAL-POLICE DEPARTMENT	**$5,601,726**	**$5,336,682**	**$5,977,880**	**$5,955,575**	**$6,203,875**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	MUNICIPAL COURT	100-122 - MUNICIPAL COURT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$58,643	$69,284	$70,801	$73,618	$70,586
6003 WAGES-FULL TIME	$115,220	$126,621	$136,738	$143,111	$141,699
6004 WAGES-PART TIME	$36,826	$38,269	$41,873	$35,640	$42,708
6005 WAGES-OVERTIME	$4,786	$5,429	$8,240	$5,000	$8,160
6009 WAGES-OTHER	$9,115	$11,086	$10,842	$7,718	$11,179
6011 VACATION PAY	$9,035	$12,305	$10,588	$10,701	$12,483
6012 SICK PAY	$2,765	$18,440	$9,035	$6,534	$9,315
6013 EMERGENCY PAY	$63	$415	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$0	$0	$1,948
6019 MISCELLANEOUS PAY	$2,115	$2,220	$840	$840	$1,235
6021 FICA-MED/SS	$17,801	$21,188	$22,206	$21,499	$23,005
6022 TMRS-EMPLOYER	$27,681	$33,760	$34,000	$34,082	$35,013
6025 WORKER COMPENSATION INS.	$535	$484	$559	$499	$559
PERSONNEL SERVICES	**$284,584**	**$339,501**	**$345,722**	**$339,242**	**$357,890**
6101 OFFICE AND COMPUTER SUPPLIES	$3,268	$4,179	$3,500	$3,500	$2,800
6102 EDUCATIONAL SUPPLIES	$461	$377	$400	$400	$400
6107 CLOTHING AND UNIFORMS	$480	$456	$500	$500	$500
SUPPLIES	**$4,209**	**$5,012**	**$4,400**	**$4,400**	**$3,700**
6201 OFFICE EQUIPMENT MAINTENANCE	$0	$300	$0	$0	$0
REPAIRS AND MAINTENANCE	**$0**	**$300**	**$0**	**$0**	**$0**
6303 PROFESSIONAL SERVICES,LEGAL	$59,720	$57,300	$60,000	$60,000	$60,000
6312 COMMUNICATION SERVICES	$320	$774	$900	$900	$900
6316 PRINTING AND BINDING	$785	$838	$2,000	$2,000	$2,500
6329 OTHER SERVICES	$181	$72	$1,500	$1,000	$1,500
6332 TRAVEL AND MEALS	$3,271	$3,701	$5,000	$3,500	$2,500
6333 DUES AND SUBSCRIPTIONS	$1,270	$2,049	$1,300	$1,300	$1,300
6337 TRAINING	$3,107	$4,860	$5,500	$3,000	$4,125
SERVICES AND CHARGES	**$68,654**	**$69,594**	**$76,200**	**$71,700**	**$72,825**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL-MUNICIPAL COURT	**$357,447**	**$414,407**	**$426,322**	**$415,342**	**$434,415**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	COMMUNITY CENTER	100-131 - COMMUNITY CTR

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$48,020	$47,048	$46,710	$50,112	$47,639
6003 WAGES-FULL TIME	$29,848	$29,992	$29,721	$30,985	$30,326
6004 WAGES-PART TIME	$17,407	$18,121	$27,005	$26,332	$27,644
6005 WAGES-OVERTIME	$1,192	$2,067	$2,060	$2,060	$2,040
6009 WAGES-OTHER	$3,683	$3,952	$4,078	$2,667	$4,160
6011 VACATION PAY	$4,086	$6,458	$5,749	$3,473	$4,535
6012 SICK PAY	$3,549	$10,386	$3,398	$1,874	$3,466
6013 EMERGENCY PAY	$202	$0	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$838	$838	$855
6019 MISCELLANEOUS PAY	$1,100	$1,220	$435	$435	$605
6021 FICA-MED/SS	$7,483	$8,757	$9,267	$8,999	$9,361
6022 TMRS-EMPLOYER	$11,918	$13,928	$12,885	$12,797	$12,854
6025 WORKER COMPENSATION INS.	$318	$264	$300	$271	$300
PERSONNEL SERVICES	**$128,806**	**$142,193**	**$142,446**	**$140,843**	**$143,785**
6101 OFFICE AND COMPUTER SUPPLIES	$699	$1,123	$1,000	$850	$800
6104 JANITORIAL SUPPLIES	$190	$246	$500	$500	$750
6105 FOOD SUPPLIES	$7,092	$9,221	$8,000	$7,000	$8,000
6108 FUEL,OIL AND LUBRICANTS	$147	$9	$0	$0	$0
6119 OTHER SUPPLIES	$8,709	$3,242	$8,000	$5,000	$8,000
6130 FURNITURE <$20,000	$525	$2,778	$1,500	$500	$1,000
SUPPLIES	**$17,362**	**$16,619**	**$19,000**	**$13,850**	**$18,550**
6204 OTHER EQUIPMENT MAINTENANCE	$0	$0	$400	$400	$400
6205 VEHICLE MAINTENANCE	$126	$67	$0	$0	$0
6206 BUILDING MAINTENANCE	$4,800	$0	$0	$0	$0
REPAIRS AND MAINTENANCE	**$4,926**	**$67**	**$400**	**$400**	**$400**
6329 OTHER SERVICES	$990	$683	$1,750	$1,000	$1,000
6332 TRAVEL AND MEALS	$2,036	$2,157	$4,000	$1,500	$2,000
6333 DUES AND SUBSCRIPTIONS	$0	$125	$0	$0	$0
6335 ADVERTISING COST	$2,890	$3,166	$3,500	$3,500	$3,500
6337 TRAINING	$0	$100	$0	$0	$0
6362 PERMITS AND LICENSES	$138	$94	$200	$200	$200
SERVICES AND CHARGES	**$6,053**	**$6,326**	**$9,450**	**$6,200**	**$6,700**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL-COMMUNITY CENTER	**$157,147**	**$165,205**	**$171,296**	**$161,293**	**$169,435**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	FIRE DEPARTMENT	100-142 - FIRE DEPARTMENT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$292,254	$256,833	$257,763	$275,182	$256,688
6003 WAGES - FULL TIME	$689,517	$937,877	$1,070,077	$1,030,419	$1,085,712
6004 WAGES - PART TIME	$262,517	$157,986	$208,639	$154,234	$213,722
6005 WAGES - OVERTIME	$162,035	$158,990	$188,330	$188,676	$188,288
6009 WAGES - OTHER	$55,919	$61,160	$74,766	$41,520	$72,066
6010 FIRE RUN PAYMENTS	$32,600	$39,040	$29,200	$29,200	$29,200
6011 VACATION PAY	$50,217	$73,618	$76,822	$70,177	$75,723
6012 SICK PAY	$31,313	$25,631	$62,305	$47,234	$62,693
6013 EMERGENCY PAY	$0	$2,758	$0	$2,334	$0
6015 SICK TIME BUYBACK	$0	$0	$12,611	$0	$11,823
6019 MISCELLANEOUS PAY	$5,545	$5,980	$6,485	$7,240	$6,910
6020 VOLUNTEERS' STATE RETIREMENT	$0	$0	$5,000	$5,000	$5,000
6021 SOCIAL SECURITY AND MEDICARE TAX	$114,344	$126,274	$152,802	$138,971	$154,061
6022 TMRS-RETIREMENT-EMPLOYER	$166,077	$210,187	$239,020	$229,853	$238,422
6025 WORKER COMPENSATION INS.	$21,822	$26,652	$26,850	$36,926	$26,850
6030 EMPLOYEE TUITION REIMBURSEMENT	$1,782	$1,519	$8,000	$762	$0
PERSONNEL SERVICES	**$1,885,942**	**$2,084,504**	**$2,418,670**	**$2,257,728**	**$2,427,158**
6101 OFFICE AND COMPUTER SUPPLIES	$8,893	$6,703	$7,350	$6,650	$5,880
6102 EDUCATIONAL SUPPLIES	$9,939	$6,039	$15,800	$14,100	$9,800
6104 JANITORIAL SUPPLIES	$17,960	$7,619	$6,900	$6,900	$6,900
6105 FOOD SUPPLIES	$6,626	$7,000	$12,850	$12,000	$10,000
6106 MATERIALS AND PARTS	$2,159	$1,180	$6,100	$5,000	$4,500
6107 CLOTHING AND UNIFORMS	$115,000	$104,883	$95,800	$79,500	$79,500
6108 FUEL, OIL AND LUBRICANTS	$38,582	$36,183	$39,750	$37,000	$39,000
6109 POSTAGE	$97	$6	$135	$135	$135
6110 CHEMICAL SUPPLIES	$3,351	$4,723	$11,250	$9,500	$9,000
6119 OTHER SUPPLIES	$46,428	$14,120	$8,900	$7,650	$7,000
6130 FURNITURE <$20,000	$2,747	$2,951	$4,000	$6,000	$6,500
6141 SCBA PARTS AND SUPPLIES	$47,771	$16,868	$15,000	$15,000	$18,500
6142 COMMUNICATION PARTS AND SUPPLIES	$25,334	$33,239	$34,500	$32,500	$25,500
6143 FF TOOL PARTS AND SUPPLIES	$15,885	$11,890	$26,500	$21,200	$22,500
SUPPLIES	**$340,774**	**$253,403**	**$284,835**	**$253,135**	**$244,715**
6201 OFFICE EQUIPMENT MAINTENANCE	$0	$37	$1,400	$1,400	$1,400
6204 OTHER EQUIPMENT MAINTENANCE	$3,578	$1,697	$6,600	$5,000	$5,000
6205 VEHICLE MAINTENANCE	$180,896	$204,330	$111,000	$150,000	$150,000
6206 BUILDING MAINTENANCE	$6	$197	$50,000	$55,197	$5,223
6219 OTHER MAINTENANCE	$23,997	$10,961	$18,000	$15,000	$15,000
6241 SCBA MAINTENANCE AND TESTING	$10,046	$8,783	$14,000	$13,500	$13,500
6242 COMMUNICATION MAINTENANCE	$14,749	$12,262	$11,950	$9,000	$9,000
6243 FIREFIGHTING TOOL MAINTENANCE	$12,888	$10,219	$16,000	$15,500	$14,000
REPAIRS AND MAINTENANCE	**$246,160**	**$248,486**	**$228,950**	**$264,597**	**$213,123**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	FIRE DEPARTMENT	100-142 - FIRE DEPARTMENT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6304 PROFESSIONAL SERVICES-OTHER	$17,299	$39,884	$34,600	$27,000	$32,000
6312 COMMUNICATION SERVICES	$37,755	$30,480	$30,000	$28,200	$28,200
6316 PRINTING AND BINDING	$648	$80	$3,000	$1,250	$1,250
6320 COMPUTER SOFTWARE SERVICES	$1,221	$3,968	$0	$0	$0
6329 OTHER SERVICES	$3,578	$10,983	$6,700	$6,700	$6,700
6332 TRAVEL AND MEALS	$9,858	$11,685	$20,200	$13,350	$10,100
6333 DUES AND SUBSCRIPTIONS	$8,226	$10,433	$9,000	$8,500	$8,500
6335 ADVERTISING COST	$2,694	$1,391	$2,500	$2,500	$2,500
6336 EQUIPMENT RENTALS	$1,254	$0	$500	$500	$500
6337 TRAINING	$31,716	$39,461	$35,300	$30,000	$26,475
6343 FIREFIGHTING TOOL RENTALS	$0	$0	$1,500	$1,500	$1,500
6350 CHILD SAFETY EDUCATION	$2,580	$2,385	$7,300	$5,300	$4,800
6362 PERMITS & LICENSES	$0	$87	$0	$0	$0
6398 BANQUETS, DEDICATIONS AND RECEPT	$5,415	$8,016	$6,000	$4,000	$5,000
SERVICES AND CHARGES	**$122,244**	**$158,852**	**$156,600**	**$128,800**	**$127,525**
6405 VEHICLE EQUIPMENT	$46	$28,213	$0	$0	$15,000
CAPITAL OUTLAY	**$46**	**$28,213**	**$0**	**$0**	**$15,000**
6998 TRANSFER TO FLEET REPLACEMENT	$0	$0	$0	$0	$0
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
DEBT	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL-FIRE DEPARTMENT	**$2,595,167**	**$2,773,459**	**$3,089,055**	**$2,904,260**	**$3,027,521**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	EMERGENCY MANAGEMENT	100-143 EMERGENCY

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6101 OFFICE AND COMPUTER SUPPLIES	$64	$0	$250	$250	$200
6102 EDUCATIONAL SUPPLIES	$0	$0	$750	$500	$750
6103 COMPUTER EQUIPMENT <$20,000	$0	$0	$0	$1,000	$1,000
6105 FOOD SUPPLIES	$388	$401	$300	$200	$300
6107 CLOTHING AND UNIFORMS	$1,584	$1,083	$900	$500	$900
6119 OTHER SUPPLIES	$223	$0	$0	$0	$0
SUPPLIES	**$2,258**	**$1,484**	**$2,200**	**$1,450**	**$2,150**
6203 RADIO EQUIPMENT MAINTENANCE	$0	$0	$250	$250	$250
REPAIRS AND MAINTENANCE	**$0**	**$0**	**$250**	**$250**	**$250**
6304 PROF.SERV.-OTHER	$79	$8,224	$200	$500	$200
6312 COMMUNICATION SERVICES	$4,542	$4,960	$4,800	$4,825	$4,825
6320 COMPUTER SOFTWARE SERV.	$0	$0	$1,500	$1,500	$1,500
6332 TRAVEL AND MEALS	$0	$0	$1,500	$0	$750
6333 DUES AND SUBSCRIPTIONS	$994	$240	$600	$677	$700
6335 ADVERTISING COST	$1,685	$0	$0	$0	$0
6337 TRAINING	$855	$1,150	$1,200	$0	$900
6345 KTTF EXPENSES	$9,156	$14,835	$7,000	$16,300	$3,000
SERVICES AND CHARGES	**$17,311**	**$29,409**	**$16,800**	**$23,802**	**$11,875**
TOTAL EMERGENCY MANAGEMENT	**$19,570**	**$30,894**	**$19,250**	**$25,502**	**$14,275**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	ESD#15 STATION 5	100-145 - ESD#15 STATION 5

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6003 WAGES-FULL TIME	$243,480	$364,537	$461,008	$435,265	$427,240
6004 WAGES-PART TIME	$160,440	$49,340	$79,802	$75,409	$80,956
6005 WAGES-OVERTIME	$75,370	$84,578	$95,041	$95,123	$86,213
6009 WAGES-OTHER	$8,906	$18,433	$26,371	$14,154	$22,971
6010 FIRE RUN PAYMENTS	$15,880	$24,411	$14,600	$14,600	$14,600
6011 VACATION PAY	$12,442	$20,500	$24,102	$19,246	$22,436
6012 SICK PAY	$3,953	$5,917	$21,976	$20,968	$20,268
6013 EMERGENCY PAY	$0	$1,171	$0	$490	$0
6015 SICK TIME BUYBACK	$0	$0	$2,844	$0	$4,147
6019 MISCELLANEOUS PAY	$0	$0	$1,655	$0	$2,090
6021 FICA-S.S. AND MEDICARE TAXES	$37,406	$41,826	$54,577	$50,118	$51,026
6022 TMRS-EMPLOYER	$40,491	$66,724	$85,943	$85,930	$78,748
6025 WORKER COMPENSATION INS.	$4,646	$116	$12,150	$0	$11,050
6030 EMPLOYEE TUITION REIMBURSE	$0	$0	$4,000	$4,000	$0
PERSONNEL SERVICES	**$603,014**	**$677,555**	**$884,069**	**$815,303**	**$821,745**
6101 OFFICE AND COMPUTER SUPPLIES	$246	$1,760	$1,200	$1,200	$960
6102 EDUCATIONAL SUPPLIES	$0	$1,800	$3,250	$3,250	$3,250
6104 JANITORIAL AND CLEANING SUPPLY	$3,824	$4,274	$5,000	$5,000	$5,000
6105 FOOD SUPPLIES	$1,604	$1,660	$1,800	$1,500	$1,500
6106 MATERIALS AND PARTS	$0	$504	$2,000	$1,500	$1,500
6107 CLOTHING AND UNIFORMS	$3,220	$20,632	$22,800	$26,500	$26,500
6108 FUEL, OIL AND LUBRICANTS	$44	$0	$0	$0	$0
6110 CHEMICAL SUPPLIES	$0	$1,661	$0	$0	$0
6119 OTHER SUPPLIES	$939	$2,912	$1,500	$1,500	$1,500
6130 FURNITURE<$20,000	$0	$0	$250	$250	$250
6143 FF TOOL PARTS & SUPPLIES	$0	$87	$0	$0	$0
SUPPLIES	**$9,877**	**$35,289**	**$37,800**	**$40,700**	**$40,460**
6204 OTHER EQUIPMENT MAINT.	$0	$0	$600	$750	$750
6205 VEHICLE MAINTENANCE	$27	$71	$0	$0	$0
6206 BUILDING MAINTENANCE	$19,942	$8,355	$8,535	$17,535	$11,535
6219 OTHER MAINTENANCE	$190	$293	$0	$0	$0
6242 COMMUNICATION MAINTENANCE	$0	$0	$300	$1,000	$1,000
REPAIRS AND MAINTENANCE	**$20,159**	**$8,719**	**$9,435**	**$19,285**	**$13,285**
6304 PROF.SERV.-OTHER	$0	$1,940	$2,800	$2,800	$2,800
6312 COMMUNICATION SERVICES	$1,935	$1,974	$2,860	$2,860	$2,860
6313 UTILITIES	$19,501	$20,115	$26,500	$26,500	$26,500
6316 PRINTING AND BINDING	$0	$0	$333	$333	$333
6329 OTHER SERVICES	$240	$572	$0	$0	$0
6332 TRAVEL AND MEALS	$0	$741	$7,500	$7,500	$3,750

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	ESD#15 STATION 5	100-145 - ESD#15 STATION 5

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6333 DUES AND SUBSCRIPTIONS	$0	$450	$1,000	$1,200	$1,200
6337 TRAINING	$807	$7,085	$9,450	$9,450	$7,088
SERVICES AND CHARGES	**$22,484**	**$32,879**	**$50,443**	**$50,643**	**$44,531**
TOTAL GENERAL-ESD#15 STATION 5	**$655,533**	**$754,442**	**$981,747**	**$925,931**	**$920,021**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	PUBLIC WORKS ADM.	100-151-PUBLIC WORKS ADM.

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6003 WAGES-FULL TIME	$31,322	$32,670	$34,362	$34,292	$35,051
6005 WAGES-OVERTIME	$622	$405	$1,030	$500	$1,020
6009 WAGES-OTHER	$1,910	$1,690	$1,809	$1,356	$1,845
6011 VACATION PAY	$743	$1,789	$1,507	$1,905	$1,537
6012 SICK PAY	$814	$163	$1,507	$1,973	$1,537
6015 SICK TIME BUYBACK	$0	$0	$602	$0	$0
6019 MISCELLANEOUS PAY	$75	$135	$195	$195	$255
6021 FICA-MED/SS	$2,591	$2,820	$3,139	$3,078	$3,157
6022 TMRS-EMPLOYER	$4,622	$5,037	$5,616	$5,507	$5,600
6025 WORKER COMPENSATION INS.	$106	$88	$100	$90	$100
6030 EMPLOYEE TUITION REIMBURSEMENT	$0	$1,023	$4,000	$4,000	$4,000
PERSONNEL SERVICES	**$42,805**	**$45,818**	**$53,867**	**$52,896**	**$54,102**
6101 OFFICE AND COMPUTER SUPPLIES	$1,095	$2,347	$1,200	$1,400	$960
6102 EDUCATIONAL SUPPLIES	$454	$249	$400	$400	$400
6105 FOOD SUPPLIES	$3,950	$4,781	$3,200	$3,200	$3,000
6106 MATERIALS AND PARTS	$0	$243	$0	$0	$0
6107 CLOTHING AND UNIFORMS	$292	$143	$300	$300	$300
6108 FUEL, OIL AND LUBRICANTS	$3,960	$2,276	$2,000	$3,000	$5,000
6109 POSTAGE	$0	$0	$0	$50	$50
6119 OTHER SUPPLIES	$263	$452	$250	$400	$400
SUPPLIES	**$10,015**	**$10,491**	**$7,350**	**$8,700**	**$10,060**
6205 VEHICLE MAINTENANCE	$1,131	$1,625	$1,000	$2,000	$2,000
6206 BUILDING MAINTENANCE	$305	$0	$0	$0	$0
REPAIRS AND MAINTENANCE	**$1,436**	**$1,625**	**$1,000**	**$2,000**	**$2,000**
6312 COMMUNICATION SERVICES	$527	$498	$300	$800	$750
6329 OTHER SERVICES	$535	$0	$0	$0	$0
6332 TRAVEL AND MEALS	$303	$850	$1,500	$1,500	$750
6335 ADVERTISING COST	$0	$543	$0	$0	$0
6337 TRAINING	$0	$2,779	$5,000	$3,000	$3,750
SERVICES AND CHARGES	**$1,366**	**$4,670**	**$6,800**	**$5,300**	**$5,250**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL-PUBLIC WORKS ADM.	**$55,622**	**$62,604**	**$69,017**	**$68,896**	**$71,412**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	GARAGE	100-152 - GARAGE

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6003 WAGES-FULL TIME	$69,181	$79,793	$83,634	$88,543	$85,278
6005 WAGES-OVERTIME	$9,890	$14,467	$10,300	$12,216	$10,200
6009 WAGES-OTHER	$3,154	$4,122	$4,451	$3,005	$4,540
6011 VACATION PAY	$3,991	$5,724	$5,563	$4,606	$5,674
6012 SICK PAY	$856	$4,672	$3,709	$1,948	$3,783
6015 SICK TIME BUYBACK	$0	$0	$816	$0	$1,513
6019 MISCELLANEOUS PAY	$490	$880	$1,000	$1,000	$1,120
6021 FICA-MED/SS	$6,138	$8,104	$8,452	$8,409	$8,724
6022 TMRS-EMPLOYER	$11,478	$15,090	$15,123	$15,454	$15,475
6025 WORKER COMPENSATION INS.	$1,986	$1,703	$1,800	$1,765	$1,800
PERSONNEL SERVICES	**$107,164**	**$134,555**	**$134,848**	**$136,946**	**$138,107**
6101 OFFICE AND COMPUTER SUPPLIES	$56	$29	$50	$0	$0
6106 MATERIALS AND PARTS	$2,504	$1,402	$4,000	$4,000	$4,000
6107 CLOTHING AND UNIFORMS	$1,213	$1,930	$1,475	$1,475	$1,400
6108 FUEL, OIL AND LUBRICANTS	$1,115	$1,962	$1,650	$1,500	$2,000
6110 CHEMICAL SUPPLIES	$0	$27	$0	$0	$0
6119 OTHER SUPPLIES	$1,522	$2,434	$4,000	$2,500	$2,500
SUPPLIES	**$6,410**	**$7,784**	**$11,175**	**$9,475**	**$9,900**
6204 OTHER EQUIPMENT MAINTENANCE	$58	$0	$300	$450	$300
6205 VEHICLE MAINTENANCE	$902	$538	$500	$600	$600
6206 BUILDING MAINTENANCE	$0	$6,150	$0	$5,520	$0
6207 SYSTEM MAINTENANCE	$5,372	$1,413	$4,000	$3,500	$22,659
REPAIRS AND MAINTENANCE	**$6,332**	**$8,101**	**$4,800**	**$10,070**	**$23,559**
6312 COMMUNICATION SERVICES	$1,373	$1,212	$1,300	$2,000	$2,000
6329 OTHER SERVICES	$6,600	$0	$0	$0	$0
6332 TRAVEL AND MEALS	$40	$0	$0	$0	$0
6333 DUES AND SUBSCRIPTIONS	$1,728	$1,728	$2,000	$2,000	$2,000
6336 EQUIPMENT RENTALS	$514	$545	$600	$600	$600
6337 TRAINING	$498	$203	$1,200	$1,200	$900
6362 PERMITS AND LICENSES	$61	$0	$200	$125	$125
SERVICES AND CHARGES	**$10,813**	**$3,689**	**$5,300**	**$5,925**	**$5,625**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL GENERAL-GARAGE	**$130,720**	**$154,130**	**$156,123**	**$162,416**	**$177,191**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	PARKS	100-153 - PARKS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6003 WAGES-FULL TIME	$177,027	$180,630	$207,016	$212,021	$210,816
6004 WAGES-PART TIME	$39,637	$52,451	$50,489	$50,489	$50,580
6005 WAGES-OVERTIME	$13,968	$14,236	$13,390	$16,370	$13,260
6009 WAGES-OTHER	$10,887	$10,930	$12,118	$7,831	$12,304
6011 VACATION PAY	$10,969	$15,223	$11,051	$11,750	$11,174
6012 SICK PAY	$6,494	$20,442	$9,146	$8,413	$9,286
6013 EMERGENCY PAY	$847	$21	$0	$765	$0
6015 SICK TIME BUYBACK	$0	$0	$0	$0	$2,051
6019 MISCELLANEOUS PAY	$2,430	$2,155	$1,225	$1,225	$1,340
6021 FICA-MED/SS	$18,620	$22,163	$23,461	$23,459	$23,947
6022 TMRS-EMPLOYER	$28,933	$33,293	$35,066	$35,644	$35,615
6025 WORKER COMPENSATION INS.	$3,169	$3,257	$3,350	$3,237	$3,350
PERSONNEL SERVICES	**$312,981**	**$354,801**	**$366,312**	**$371,204**	**$373,723**
6106 MATERIALS AND PARTS	$20,051	$22,050	$30,000	$30,000	$30,000
6107 CLOTHING AND UNIFORMS	$4,429	$4,342	$4,550	$4,550	$4,700
6108 FUEL, OIL AND LUBRICANTS	$9,631	$10,922	$12,000	$10,000	$12,000
6110 CHEMICAL SUPPLIES	$4,989	$2,621	$6,000	$5,000	$5,000
6119 OTHER SUPPLIES	$35,104	$14,328	$17,000	$17,000	$31,500
SUPPLIES	**$74,205**	**$54,263**	**$69,550**	**$66,550**	**$83,200**
6204 OTHER EQUIPMENT MAINTENANCE	$6,462	$7,736	$7,000	$7,000	$7,000
6205 VEHICLE MAINTENANCE	$2,411	$2,007	$2,000	$3,000	$3,000
6206 BUILDING MAINTENANCE	$0	$8,773	$0	$0	$0
6207 SYSTEM MAINTENANCE	$66,958	$115,303	$215,000	$225,000	$177,500
6219 OTHER MAINTENANCE	$0	$0	$16,000	$21,000	$0
REPAIRS AND MAINTENANCE	**$75,830**	**$133,820**	**$240,000**	**$256,000**	**$187,500**
6304 PROFESSIONAL SERVICES,OTHER	$506	$0	$0	$0	$0
6312 COMMUNICATION SERVICES	$3,004	$3,261	$2,700	$3,200	$3,200
6321 SYSTEM CONTRACT SERVICES	$7,985	$8,066	$10,000	$10,000	$10,000
6329 OTHER SERVICES	$656	$1,028	$0	$0	$28,000
6332 TRAVEL AND MEALS	$69	$0	$500	$0	$0
6336 EQUIPMENT RENTALS	$3,507	$2,375	$5,500	$1,200	$5,000
6337 TRAINING	$395	$0	$1,000	$0	$0
6362 PERMITS AND LICENSES	$0	$61	$100	$75	$125
SERVICES AND CHARGES	**$16,123**	**$14,792**	**$19,800**	**$14,475**	**$46,325**
6403 MACHINERY AND EQUIPMENT	$41,972	$0	$0	$0	$0
6406 LAND AND BUILDINGS	$0	$0	$0	$0	$0
6409 SYSTEM EXPANSION	$0	$82,160	$25,000	$29,000	$0
6412 JUERGENS PARK	$4,447	$0	$0	$0	$0
CAPITAL OUTLAY	**$46,419**	**$82,160**	**$25,000**	**$29,000**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	PARKS	100-153 - PARKS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6998 TRANSFER TO FLEET REPLACEMENT	$0	$0	$0	$0	$0
6999 TRANSFER TO CAPITAL PROJ. FUND	$580,000	$350,000	$370,000	$370,000	$285,000
TRANSFERS	**$580,000**	**$350,000**	**$370,000**	**$370,000**	**$285,000**
TOTAL GENERAL-PARKS	**$1,105,558**	**$989,835**	**$1,090,662**	**$1,107,229**	**$975,748**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	STREETS	100-154 - STREETS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$60,561	$59,273	$61,801	$66,510	$63,015
6003 WAGES-FULL TIME	$231,337	$245,452	$277,010	$266,720	$278,726
6004 WAGES-PART TIME	$2,865	$3,891	$5,150	$10,000	$5,100
6005 WAGES-OVERTIME	$14,962	$13,006	$26,265	$15,063	$26,010
6009 WAGES-OTHER	$17,805	$18,527	$19,670	$10,020	$19,771
6011 VACATION PAY	$19,337	$25,697	$21,734	$20,428	$20,723
6012 SICK PAY	$10,086	$28,839	$15,110	$9,734	$15,191
6013 EMERGENCY PAY	$0	$136	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$1,123	$1,123	$3,425
6019 MISCELLANEOUS PAY	$2,715	$2,900	$3,125	$3,125	$2,780
6021 FICA-MED/SS	$26,759	$29,308	$33,155	$30,106	$33,432
6022 TMRS-EMPLOYER	$48,994	$54,035	$58,616	$54,041	$58,611
6025 WORKER COMPENSATION INS.	$16,587	$14,194	$14,850	$14,689	$14,850
PERSONNEL SERVICES	**$452,008**	**$495,258**	**$537,609**	**$501,559**	**$541,634**
6101 OFFICE AND COMPUTER SUPPLIES	$314	$312	$300	$0	$0
6105 FOOD SUPPLIES	$0	$27	$0	$0	$0
6106 MATERIALS AND PARTS	$27,282	$61,893	$55,500	$35,500	$68,500
6107 CLOTHING AND UNIFORMS	$5,610	$6,121	$6,950	$6,450	$6,100
6108 FUEL, OIL AND LUBRICANTS	$22,679	$20,079	$25,300	$20,000	$25,000
6119 OTHER SUPPLIES	$9,561	$18,041	$20,000	$20,000	$18,000
SUPPLIES	**$65,446**	**$106,473**	**$108,050**	**$81,950**	**$117,600**
6204 OTHER EQUIPMENT MAINTENANCE	$35,576	$36,391	$20,000	$30,000	$30,000
6205 VEHICLE MAINTENANCE	$5,877	$5,804	$5,000	$8,000	$6,000
6207 SYSTEM MAINTENANCE	$233,974	$110,787	$350,000	$345,000	$345,000
REPAIRS AND MAINTENANCE	**$275,427**	**$152,982**	**$375,000**	**$383,000**	**$381,000**
6302 PROFESSIONAL SERVICES,ENGINEER	$7,925	$7,088	$5,000	$0	$0
6304 PROFESSIONAL SERVICES,OTHER	$6,169	$20,966	$15,500	$15,000	$18,000
6312 COMMUNICATION SERVICES	$2,833	$2,316	$2,800	$3,200	$3,200
6313 UTILITIES-ELECTRIC	$0	$3,018	$0	$0	$0
6319 MOSQUITO CONTROL	$12,529	$15,539	$15,000	$15,000	$15,000
6329 OTHER SERVICES	$13,302	$6,856	$10,000	$8,000	$10,000
6332 TRAVEL AND MEALS	$89	$0	$0	$50	$25
6336 EQUIPMENT RENTALS	$0	$1,699	$1,500	$0	$1,500
6337 TRAINING	$395	$0	$400	$550	$300
6338 STREET LIGHTS	$123,692	$117,939	$115,000	$115,000	$115,000
6361 STUDIES AND ANALYSIS	$0	$0	$50,000	$0	$0
6362 PERMITS AND LICENSES	$200	$131	$500	$525	$525
SERVICES AND CHARGES	**$167,134**	**$175,552**	**$215,700**	**$157,325**	**$163,550**
6409 SYSTEM EXPANSION	$33,192	$250,000	$0	$32,855	$0
CAPITAL OUTLAY	**$33,192**	**$250,000**	**$0**	**$32,855**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	STREETS	100-154 - STREETS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6998 TRANSFER TO FLEET REPLACEMENT	$105,000	$0	$0	$0	$0
6999 TRANSFER TO CAPITAL PROJ. FUND	$910,000	$606,500	$220,000	$50,000	$261,012
TRANSFERS	**$1,015,000**	**$606,500**	**$220,000**	**$50,000**	**$261,012**
TOTAL-STREETS	**$2,008,206**	**$1,786,766**	**$1,456,359**	**$1,206,689**	**$1,464,796**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	SANITATION	100-155 SANITATION

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
PERSONNEL SERVICES	**$0**	**$0**	**$0**	**$0**	**$0**
6119 OTHER SUPPLIES	$40,880	$48,576	$42,000	$45,000	$45,000
SUPPLIES	**$40,880**	**$48,576**	**$42,000**	**$45,000**	**$45,000**
6304 PROFESSIONAL SERVICES-OTHER	$82,619	$109,747	$60,000	$65,000	$65,000
6312 COMMUNICATION SERVICES	$0	($161)	$0	$0	$0
6327 GARBAGE SERVICES	$1,456,738	$1,492,524	$2,200,000	$2,000,000	$2,000,000
6329 OTHER SERVICES	$1,404	$130	$3,000	$3,000	$5,000
6334 AUTOMOBILE ALLOWANCES	$0	($579)	$0	$0	$0
6362 PERMITS AND LICENSES	$200	$0	$300	$200	$300
SERVICES AND CHARGES	**$1,540,962**	**$1,601,662**	**$2,263,300**	**$2,068,200**	**$2,070,300**
6409 SYSTEM EXPANSION	$13,438	$0	$0	$0	$0
CAPITAL OUTLAY	**$13,438**	**$0**	**$0**	**$0**	**$0**
TOTAL SANITATION	**$1,595,279**	**$1,600,929**	**$2,305,300**	**$2,113,200**	**$2,115,300**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	ENGINEERING AND PLANNING	100-156 ENGINEERING & PLANNING

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$271,335	$253,185	$240,007	$213,706	$242,608
6003 WAGES-FULL TIME	$34,392	$41,472	$80,484	$125,897	$85,678
6005 WAGES-OVERTIME	$1,012	$844	$3,348	$1,633	$3,315
6009 WAGES-OTHER	$14,541	$15,649	$17,064	$11,001	$17,526
6011 VACATION PAY	$15,385	$12,480	$17,939	$11,821	$19,308
6012 SICK PAY	$5,435	$6,789	$14,220	$9,498	$14,605
6013 EMERGENCY PAY	$481	$0	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$4,276	$2,976	$5,115
6019 MISCELLANEOUS PAY	$765	$870	$1,170	$1,235	$1,535
6021 FICA-S.S. AND MEDICARE TAXES	$25,005	$25,127	$29,652	$29,123	$30,529
6022 TMRS-EMPLOYER	$46,212	$46,439	$53,054	$52,998	$54,154
6025 WORKER COMPENSATION INS.	$898	$831	$1,300	$864	$1,300
PERSONNEL SERVICES	**$415,461**	**$403,686**	**$462,514**	**$460,752**	**$475,673**
6101 OFFICE AND COMPUTER SUPPLIES	$2,261	$4,176	$7,000	$5,000	$5,600
6105 FOOD SUPPLIES	$976	$815	$1,000	$1,000	$1,000
6107 CLOTHING AND UNIFORMS	$248	$425	$500	$500	$500
6108 FUEL, OIL AND LUBRICANTS	$0	$1,161	$1,500	$1,500	$1,500
6109 POSTAGE	$3,679	$4,911	$6,000	$6,000	$6,000
SUPPLIES	**$7,163**	**$11,487**	**$16,000**	**$14,000**	**$14,600**
6205 VEHICLE MAINTENANCE	$0	$270	$1,000	$1,000	$1,000
REPAIRS AND MAINTENANCE	**$0**	**$270**	**$1,000**	**$1,000**	**$1,000**
6302 PROF.SERV.-ENGINEERING	$36,180	$53,664	$80,000	$50,000	$50,000
6304 PROF.SERV.-OTHER	$80,071	$43,645	$0	$3,000	$5,000
6312 COMMUNICATION SERVICES	$2,981	$3,170	$3,600	$3,600	$3,600
6316 PRINTING AND BINDING	$38	$96	$0	$0	$0
6332 TRAVEL AND MEALS	$6,324	$5,218	$11,000	$6,000	$5,500
6333 DUES AND SUBSCRIPTIONS	$1,186	$737	$1,500	$1,500	$1,500
6334 AUTOMOBILE ALLOWANCES	$4,800	$4,832	$4,800	$4,800	$4,800
6335 ADVERTISING COST	$2,672	$2,409	$5,000	$5,000	$5,000
6337 TRAINING	$5,110	$3,070	$7,000	$4,000	$5,250
6362 PERMITS AND LICENSES	$320	$280	$200	$400	$400
SERVICES AND CHARGES	**$139,682**	**$117,121**	**$113,100**	**$78,300**	**$81,050**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL ENGINEERING AND PLANNING	**$562,308**	**$532,564**	**$592,614**	**$554,052**	**$572,323**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL FUND	FACILITIES MAINTENANCE	100-157 FACILITIES MAINTENANCE

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6003 WAGES-FULL TIME	$74,058	$83,253	$83,095	$86,689	$84,718
6005 WAGES-OVERTIME	$3,937	$5,495	$5,150	$2,636	$5,100
6009 WAGES-OTHER	$4,018	$4,692	$5,064	$3,328	$5,165
6011 VACATION PAY	$8,932	$6,497	$8,620	$8,611	$8,792
6012 SICK PAY	$3,913	$1,192	$3,822	$2,710	$3,898
6015 SICK TIME BUYBACK	$0	$0	$1,529	$1,529	$1,559
6019 MISCELLANEOUS PAY	$2,290	$2,410	$2,530	$2,530	$2,650
6021 FICA-S.S. AND MEDICARE TAXES	$7,051	$7,904	$8,520	$8,317	$8,685
6022 TMRS-EMPLOYER	$12,777	$14,320	$15,244	$15,007	$15,406
6025 WORKER COMPENSATION INS.	$2,131	$1,874	$2,000	$1,945	$2,000
PERSONNEL SERVICES	**$119,106**	**$127,638**	**$135,574**	**$133,302**	**$137,973**
6101 OFFICE AND COMPUTER SUPPLIES	$0	$17	$0	$0	$3,200
6104 JANITORIAL AND CLEANING SUPPLY	$8,629	$11,516	$9,500	$13,600	$10,500
6105 FOOD SUPPLIES	$4,340	$2,975	$3,000	$4,000	$3,000
6106 MATERIALS AND PARTS	$285	$1,577	$500	$2,000	$2,000
6107 CLOTHING AND UNIFORMS	$1,413	$1,601	$1,600	$1,500	$1,300
6108 FUEL, OIL AND LUBRICANTS	$2,082	$2,009	$1,700	$1,700	$2,000
6119 OTHER SUPPLIES	$16,675	$10,900	$1,000	$2,500	$2,500
SUPPLIES	**$33,424**	**$30,595**	**$17,300**	**$25,300**	**$24,500**
6205 VEHICLE MAINTENANCE	$44	$830	$500	$500	$1,000
6206 BUILDING MAINTENANCE	$180,245	$323,212	$161,500	$161,500	$247,800
6219 OTHER MAINTENANCE	$0	$30,505	$25,000	$1,500	$15,000
REPAIRS AND MAINTENANCE	**$180,289**	**$354,547**	**$187,000**	**$163,500**	**$263,800**
6304 PROF.SERV.-OTHER	$0	$24,372	$0	$15,500	$0
6311 JANITORIAL SERVICES	$69,617	$77,655	$85,000	$87,000	$87,000
6312 COMMUNICATION SERVICES	$186,340	$31,953	$35,000	$35,000	$35,000
6313 UTILITIES	$154,392	$147,224	$160,000	$160,000	$160,000
6336 EQUIPMENT RENTALS	$2,703	$2,367	$2,300	$2,300	$2,300
6362 PERMITS AND LICENSES	$0	$0	$100	$100	$100
SERVICES AND CHARGES	**$413,052**	**$283,571**	**$282,400**	**$299,900**	**$284,400**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL FACILITIES MAINTENANCE	**$745,872**	**$796,353**	**$622,274**	**$622,002**	**$710,673**

200 - General Special Revenue Fund Seizure

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projected	FY 2021 Budget
Revenues:						
Abandoned Vehicles	$ -	$ -		$ -	$ -	$ -
Seized Funds	3,310	5,057	1,850	-	40,000	-
Child Safety	13,037	13,726	13,432	-	-	-
Interest	895	1,649	2,215	750	1,250	750
Other	-	-		-	-	-
Total	$ 17,242	$ 20,432	$ 17,497	$ 750	$ 41,250	$ 750
Expenditures:						
Supplies	$ 22,740	$ -	$ 21,693	$ -	$ -	$ -
Services and Charges	-	2,539	215	-	-	-
Maintenance	-	-	9,085	-	-	-
Transfers				-	127,761	-
Total	$ 22,740	$ 2,539	$ 30,993	$ -	$ 127,761	$ -
Revenues Over (Under) Expenditures	$ (5,498)	$ 17,893	$ (13,496)	$ 750	$ (86,511)	$ 750
Beginning Fund Balance	$ 114,344	$ 108,846	$ 126,739	$ 113,243	$ 113,243	$ 26,732
Ending Fund Balance	$ 108,846	$ 126,739	$ 113,243	$ 113,993	$ 26,732	$ 27,482

Fund Description

The General Special Revenue fund accounts for Police forfeiture funds and Child Safety fees. Forfeiture funds are awards of monies or property by the courts related to cases that involve the Tomball Police Department. According to Chapter 59, Article 6, Paragraph (d) of the Code of Criminal Procedure, "Proceeds awarded under this chapter to a law enforcement agency may be spent by the agency after a budget for the expenditures of the proceeds has been submitted to the governing body of the municipality." Child Safety Fees are received through the Harris County Tax Assessor/Collector. These fees represent a portion of each citation written by the Tomball Police Department. The State of Texas allocates a percentage of each court fee to the Child Safety Program and is remitted back to the municipality to be used for educational material for children, coloring books, pencils, goody bags, etc and are distributed at various community events each year.

CITY OF TOMBALL SPECIAL REVENUE FUND - 200						
	2017	2018	2019	2020	2020	2021
GENERAL SPECIAL FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5785 POLICE SEIZED FUNDS	3,310	5,057	1,850	-	40,000	-
5790 CHILD SAFETY FUND	13,037	13,726	13,432	-	-	-
5800 INTEREST	895	1,649	2,215	750	1,250	750
TOTAL GENERAL SPECIAL FUND	17,242	20,432	17,497	750	41,250	750

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL SPECIAL FUND	POLICE SEIZURE FUNDS	200-221 POLICE SEIZURE FUNDS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6119 OTHER SUPPLIES	$0	$21,693	$0	$0	$0
SUPPLIES	**$0**	**$21,693**	**$0**	**$0**	**$0**
6201 OFFICE EQUIPMENT MAINTENANCE	$0	$9,085	$0	$0	$0
REPAIRS AND MAINTENANCE	**$0**	**$9,085**	**$0**	**$0**	**$0**
6320 COMPUTER SOFTWARE SERVICES	$2,539	$0	$0	$0	$0
6350 CHILD SAFETY EDUCATION	$0	$215	$0	$0	$0
SERVICES AND CHARGES	**$2,539**	**$215**	**$0**	**$0**	**$0**
6691 TRANSFERS OUT				$127,761	$0
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$127,761**	**$0**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL POLICE SEIZURE FUNDS	**$2,539**	**$30,993**	**$0**	**$127,761**	**$0**

220 - Municipal Court Building Security Fund

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Fines and Warrants	$ 10,723	$ 9,334	$ 11,297	$ 11,000	$ 11,000	$ 11,000
Interest	1,961	3,369	4,369	3,000	2,500	2,000
Total	$ 12,684	$ 12,703	$ 15,666	$ 14,000	$ 13,500	$ 13,000
Expenditures:						
Supplies	$ 46,660	$ 5,348	$ -	$ 50,000	$ 10,000	$ 20,000
Maintenance	$ -	$ -	$ -	$ -	$ -	$ -
Services and Charges	$ -	$ -	$ -	$ -	$ -	$ -
Capital	$ -	$ -	$ -	$ -	$ -	$ -
Total	$ 46,660	$ 5,348	$ -	$ 50,000	$ 10,000	$ 20,000
Revenues Over (Under) Expenditures	$ (33,976)	$ 7,355	$ 15,666	$ (36,000)	$ 3,500	$ (7,000)
Beginning Fund Balance	$ 254,754	$ 220,778	$ 228,133	$ 243,799	$ 243,799	$ 247,299
Ending Fund Balance	$ 220,778	$ 228,133	$ 243,799	$ 207,799	$ 247,299	$ 240,299

Fund Description

In prior years, the General Fund accounted for the City's court building security fees. In order to more accurately account for these funds, in FY 2006-07, the City created the Municipal Court Building Security Fee fund. These fees are generated from court fines. By law, these funds can only be spent on the City's municipal court.

CITY OF TOMBALL MUNI COURT BLDG SECURITY - 220						
	2017	2018	2019	2020	2020	2021
MUNI COURT- BLDG SECURITY	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5311 MUNICIPAL COURT BLDG-SECURITY	10,723	9,334	11,297	11,000	11,000	11,000
5800 INTEREST INCOME	1,961	3,369	4,369	3,000	2,500	2,000
TOTAL MUNI COURT- BLDG SECURITY	**$ 12,684**	**$ 12,703**	**$ 15,666**	**$ 14,000**	**$ 13,500**	**$ 13,000**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
MUNI COURT- BLDG SECURITY	MUNICIPAL COURT	220-122 - MUNICIPAL COURT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6119 OTHER SUPPLIES	$5,348	$0	$50,000	$10,000	$20,000
SUPPLIES	**$5,348**	**$0**	**$50,000**	**$10,000**	**$20,000**
6304 PROFESSIONAL SERVICES, OTHER	$0	$8,461	$0	$0	$0
SERVICES AND CHARGES	**$0**	**$8,461**	**$0**	**$0**	**$0**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
6691 TRANSFERS OUT	$0	$0	$0	$0	$0
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL GENERAL-MUNICIPAL COURT SECURITY	**$5,348**	**$8,461**	**$50,000**	**$10,000**	**$20,000**

230 - Municipal Court Technology Fund

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projections	FY 2021 Budget
Revenues:						
Fines and Warrants	$ 14,297	$ 12,453	$ 15,054	$ 18,000	$ 15,000	$ 15,000
Interest	1,654	3,272	4,244	3,000	2,000	2,000
Total	$ 15,951	$ 15,725	$ 19,298	$ 21,000	$ 17,000	$ 17,000
Expenditures:						
Supplies	$ 47,385	$ 40,000	$ 28,380	$ 10,000	$ 10,000	$ 40,000
Services and Charges	7,270	8,998	8,225	10,000	-	-
Total	$ 54,655	$ 48,998	$ 36,604	$ 20,000	$ 10,000	$ 40,000
Revenues Over (Under) Expenditures	$ (38,704)	$ (33,273)	$ (17,306)	$ 1,000	$ 7,000	$ (23,000)
Beginning Fund Balance	$ 270,371	$ 231,670	$ 198,397	$ 181,091	$ 181,091	$ 188,091
Ending Fund Balance	$ 231,670	$ 198,397	$ 181,091	$ 182,091	$ 188,091	$ 165,091

Fund Description

In prior years, the General Fund accounted for the City's court technology fees. In order to more accurately account for these funds, in FY 2006-07, the City created the Municipal Court Technology Fund. These fees are generated from court fines. By law, these funds can only be spent on the City's municipal court.

CITY OF TOMBALL Muni Court Technology Fund Detail - 230						
	2017	2018	2019	2020	2020	2021
MUNICIPAL COURT TECH FUND	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTION	BUDGET
5312 COURT TECHNOLOGY FEE	14,297	12,453	15,054	18,000	15,000	15,000
5800 INTEREST INCOME	1,654	3,272	4,244	3,000	2,000	2,000
TOTAL MUNICIPAL COURT TECH FUND	**$ 15,951**	**$ 15,725**	**$ 19,298**	**$ 21,000**	**$ 17,000**	**$ 17,000**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
MUNICIPAL COURT TECH FUND	MUNICIPAL COURT	230-122 - MUNICIPAL COURT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6101 OFFICE AND COMPUTER SUPPLIES	$40,000	$28,380	$10,000	$10,000	$40,000
SUPPLIES	**$40,000**	**$28,380**	**$10,000**	**$10,000**	**$40,000**
REPAIRS AND MAINTENANCE	**$0**	**$0**	**$0**	**$0**	**$0**
6320 COMPUTER SOFTWARE	$8,998	$8,225	$10,000	$0	$0
SERVICES AND CHARGES	**$8,998**	**$8,225**	**$10,000**	**$0**	**$0**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL GENERAL-MUNICIPAL COURT TECH	**$48,998**	**$36,604**	**$20,000**	**$10,000**	**$40,000**

240 - Hotel Occupancy Tax Fund

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Occupancy Tax	$ 485,558	$ 637,485	$ 727,423	$ 650,000	$ 550,000	$ 575,000
Miscellaneous Income	5,790	10,225	5,153	10,000	2,000	2,000
Event Revenue	2,600	8,171	1,423	3,000	5,000	3,000
Interest	3,456	6,950	11,117	8,000	6,000	6,000
Transfers In	20,000	20,000	100,000	126,000	126,000	126,000
Total	$ 517,404	$ 682,831	$ 845,115	$ 797,000	$ 689,000	$ 712,000
Expenditures:						
Grants	$ 236,503	$ 245,565	$ 245,032	$ 258,500	$ 167,000	$ 236,000
Second Saturday Events	91,881	92,501	97,140	43,900	37,600	37,900
Tourism	270,737	290,018	325,644	511,571	383,921	442,178
Transfer to Employee Benefits Trust Fund	19,794	20,224	20,818	20,128	20,128	20,128
Total	$ 618,915	$ 648,305	$ 688,636	$ 834,099	$ 608,649	$ 736,206
Revenues Over (Under) Expenditures	$ (101,513)	$ 34,527	$ 156,510	$ (37,069)	$ 80,381	$ (24,176)
Beginning Fund Balance	$ 522,874	$ 421,361	$ 455,887	$ 612,397	$ 612,397	$ 692,778
Ending Fund Balance	$ 421,361	$ 455,887	$ 612,397	$ 575,328	$ 692,778	$ 668,602

The Hotel Occupancy Tax Fund accounts for revenues received from hotel occupancy taxes. By state statute, cities with populations of less than 125,000 must spend at least 1% of hotel tax revenues on advertising, no more than 15% on the encouragement, promotion, improvement, and application of the arts and a maximum of 50% on historical preservation. Hotels submit quarterly to the City an occupancy tax based upon 7% of total room receipts. Compliance with the provisions of the state statutes is monitored by the City administration on a continuing basis.

25% of Operating Expenses - Target	**69%**	**114%**	**91%**

CITY OF TOMBALL
HOTEL OCCUPANCY TAX FUND - 240

	2017	2018	2019	2020	2020	2021
HOTEL OCCUPANCY FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5180 HOTEL OCCUPANCY TAX	485,558	637,485	727,423	650,000	550,000	575,000
5550 MISCELLANEOUS INCOME	5,785	10,225	5,153	10,000	2,000	2,000
5555 EVENT SPONSORSHIP REVENUE	2,600	8,171	1,423	3,000	5,000	3,000
5800 INTEREST INCOME	3,456	6,950	11,117	8,000	6,000	6,000
5910 TRANSFER FROM GENERAL FUND	20,000	20,000	100,000	126,000	126,000	126,000
TOTAL HOTEL OCCUPANCY FUND	**517,399**	**682,831**	**845,115**	**797,000**	**689,000**	**712,000**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
HOTEL OCCUPANCY TAX	HOTEL OCCUPANCY TAX	240-240 HOT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
PERSONNEL SERVICES	**$0**	**$0**	**$0**	**$0**	**$0**
SUPPLIES	**$0**	**$0**	**$0**	**$0**	**$0**
6301 PROF.SERV.-AUDIT AND ACCTNG.	$5,665	$1,100	$3,000	$3,000	$3,000
6342 DEPOT MUSEUM	$0	$3,432	$5,000	$2,500	$4,000
6351 TOMBALL CHAMBER OF COMMERCE	$35,000	$35,000	$35,000	$35,000	$35,000
6356 TOMBALL SISTER CITY ORG.	$160,000	$160,000	$160,000	$80,000	$144,000
6359 GRANTS	$44,900	$45,500	$55,500	$46,500	$50,000
SERVICES AND CHARGES	**$245,565**	**$245,032**	**$258,500**	**$167,000**	**$236,000**
TOTAL HOTEL OCCUPANCY TAX	**$245,565**	**$245,032**	**$258,500**	**$167,000**	**$236,000**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
HOTEL OCCUPANCY TAX	2ND SATURDAY EVENTS	240-241 2ND SATURDAY EVENTS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES- ADMINISTRATIVE	$44,856	$45,301	$0	$0	$0
6009 WAGES-OTHER	$2,163	$2,513	$0	$0	$0
6011 VACATION PAY	$1,693	$2,413	$0	$0	$0
6012 SICK PAY	$940	$968	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$0	$0	$0
6019 MISCELLANEOUS PAY	$195	$255	$0	$0	$0
6021 FICA-S.S. AND MEDICARE TAXES	$3,907	$4,043	$0	$0	$0
6022 TMRS RETIREMENT-EMPLOYER	$7,242	$7,485	$0	$0	$0
6025 WORKER COMPENSATION INS.	$106	$88	$0	$0	$0
PERSONNEL SERVICES	**$61,101**	**$63,066**	**$0**	**$0**	**$0**
6101 OFFICE SUPPLIES	$487	$1,729	$0	$0	$0
6105 FOOD SUPPLIES	$955	$1,308	$1,500	$1,300	$1,500
6119 OTHER SUPPLIES	$4,148	$4,577	$8,500	$6,500	$6,500
6130 FURNITURE <$20,000	$0	$0	$300	$300	$300
SUPPLIES	**$5,590**	**$7,613**	**$10,300**	**$8,100**	**$8,300**
REPAIRS AND MAINTENANCE	**$0**	**$0**	**$0**	**$0**	**$0**
6304 PROFESSIONAL SERVICES, OTHER	$3,674	$4,599	$6,500	$6,400	$6,000
6312 COMMUNICATION SERVICES	$768	$773	$0	$0	$0
6327 GARBAGE SERVICES	$0	$570	$600	$600	$600
6329 OTHER SERVICES	$8,486	$8,769	$8,500	$8,500	$8,500
6332 TRAVEL AND MEALS	$711	$290	$1,500	$0	$0
6333 DUES AND SUBSCRIPTIONS	$330	$50	$0	$0	$0
6334 AUTOMOBILE ALLOWANCE	$2,400	$2,412	$0	$0	$0
6335 ADVERTISING COST	$3,484	$2,768	$6,500	$4,000	$4,000
6336 EQUIPMENT RENTALS	$1,553	$1,168	$2,500	$2,500	$3,000
6337 TRAINING	$75	$425	$0	$0	$0
6358 OTHER TOURISM EXPENDITURE	$4,328	$4,637	$7,500	$7,500	$7,500
SERVICES AND CHARGES	**$25,810**	**$26,461**	**$33,600**	**$29,500**	**$29,600**
6692 TRANSFER TO EMP. BEN. TRUST	$10,112	$10,382	$0	$0	$0
TRANSFERS	**$10,112**	**$10,382**	**$0**	**$0**	**$0**
TOTAL 2ND SATURDAY EVENTS	**$102,613**	**$107,522**	**$43,900**	**$37,600**	**$37,900**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
HOTEL OCCUPANCY TAX	MARKETING/INFORMATION CENTER	240-243 MARKETING

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES- ADMINISTRATIVE	$79,646	$83,968	$129,821	$130,300	$132,418
6003 WAGES- FULL TIME	$0	$184	$34,362	$35,318	$34,952
6004 WAGES- PART TIME	$11,629	$17,422	$0	$0	$0
6005 WAGES-OVERTIME	$0	$5	$309	$2,500	$1,530
6009 WAGES-OTHER	$3,333	$4,070	$8,794	$7,006	$8,975
6011 VACATION PAY	$3,666	$6,182	$10,239	$7,879	$10,448
6012 SICK PAY	$1,333	$1,448	$7,329	$4,368	$7,479
6015 SICK TIME BUYBACK	$0	$0	$2,329	$2,329	$2,375
6019 MISCELLANEOUS PAY	$400	$460	$835	$835	$1,030
6021 FICA-S.S. AND MEDICARE TAXES	$8,171	$9,232	$16,121	$15,183	$16,539
6022 TMRS-EMPLOYER	$13,090	$14,212	$28,082	$24,882	$28,582
6025 WORKER COMPENSATION INS.	$159	$132	$300	$271	$300
PERSONNEL SERVICES	**$121,427**	**$137,315**	**$238,521**	**$230,871**	**$244,628**
6101 OFFICE AND COMPUTER SUPPLIES	$2,849	$4,520	$5,000	$3,000	$4,000
6105 FOOD SUPPLIES	$879	$1,163	$1,000	$1,000	$1,000
6106 MATERIALS AND PARTS	$210	$111	$0	$0	$0
6107 CLOTHING AND UNIFORMS	$412	$1,283	$1,700	$1,000	$1,500
6109 POSTAGE	$487	$517	$1,500	$500	$1,000
6119 OTHER SUPPLIES	$8,108	$4,769	$6,000	$3,000	$4,000
6130 FURNITURE <$20,000	$0	$779	$0	$0	$0
SUPPLIES	**$12,945**	**$13,142**	**$15,200**	**$8,500**	**$11,500**
6304 PROFESSIONAL SERVICES, OTHER	$32,570	$34,042	$65,000	$30,000	$40,000
6312 COMMUNICATION SERVICES	$873	$1,007	$1,800	$2,350	$2,700
6327 GARBAGE SERVICES	$630	$1,595	$3,500	$3,500	$3,500
6329 OTHER SERVICES	$8,259	$3,449	$12,000	$7,000	$10,000
6332 TRAVEL AND MEALS	$2,579	$6,246	$6,500	$2,000	$3,250
6333 DUES AND SUBSCRIPTIONS	$7,282	$9,884	$15,650	$10,000	$10,000
6334 AUTOMOBILE ALLOWANCE	$4,800	$4,831	$7,200	$7,200	$7,200
6335 ADVERTISING COST	$53,401	$71,330	$75,000	$50,000	$60,000
6336 EQUIPMENT RENTALS	$41,035	$35,653	$50,000	$27,000	$40,000
6337 TRAINING	$581	$605	$3,200	$1,000	$2,400
6358 OTHER TOURISM EXPENDITURES	$3,635	$6,546	$18,000	$4,500	$7,000
SERVICES AND CHARGES	**$155,646**	**$175,187**	**$257,850**	**$144,550**	**$186,050**
6692 TRANSFER TO EMP. BEN. TRUST	$10,112	$10,436	$20,128	$20,128	$20,128
TRANSFERS	**$10,112**	**$10,436**	**$20,128**	**$20,128**	**$20,128**
TOTAL VISITORS/CONVENTION CNTR	**$300,130**	**$336,080**	**$531,699**	**$404,049**	**$462,306**

250 - Red Light Camera Program Fund

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Fines and Warrants	$ 285,755	$ 228,585	$ 165,442	$ 11,000	$ 4,000	$ -
Interest	4,011	5,708	8,551	600	600	-
Total	$ 289,766	$ 234,293	$ 173,994	$ 11,600	$ 4,600	$ -
Expenditures:						
Personnel Costs	$ 18,883	$ 20,708	$ 14,067	$ 21,556	$ 10,568	$ -
Supplies	14,418	16,837	-	-	-	-
Maintenance	24,414	18,548	-	-	-	-
Services and Charges	21,094	34,061	-	-	-	-
Capital	-	-	-	17,300	24,405	-
Transfer to Veh. Repl. Fund	20,000	20,000	20,000	-	-	-
Transfer to Capital Projects Fund	323,541	310,000	-	299,217	327,050	-
Total	$ 422,350	$ 420,154	$ 34,067	$ 338,073	$ 362,023	$ -
Revenues Over (Under) Expenditures	$ (132,586)	$ (185,859)	$ 139,927	$ (326,472)	$ (357,422)	$ -
Beginning Fund Balance	$ 535,941	$ 403,354	$ 217,495	$ 357,422	$ 357,422	$ (0)
Ending Fund Balance	$ 403,354	$ 217,495	$ 357,422	$ 30,950	$ (0)	$ (0)

Automated red light photo enforcement cameras were setup during FY 2008. Four intersections were selected for this initiative with a goal of reducing the number of injury accidents caused by "red light running". By law, the use of the revenues is limited to traffic safety programs, including pedestrian safety programs, public safety programs, intersection improvements, and traffic enforcement.

CITY OF TOMBALL
RED LIGHT CAMERA - 250

	2017	2018	2019	2020	2020	2021
RED LIGHT CAMERA FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5300 MUNICIPAL COURT FINES	285,705	228,535	165,442	11,000	4,000	-
5310 COURT COSTS/ADM.FEES	50	50	-	-	-	-
5800 INTEREST INCOME	4,011	5,708	8,551	600	600	-
TOTAL RED LIGHT CAMERA FUND	**289,766**	**234,293**	**173,994**	**11,600**	**4,600**	**-**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
RED LIGHT CAMERA PROGRAM	POLICE DEPARTMENT	250-121 - POLICE DEPT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6004 WAGES-PART TIME	$18,048	$11,876	$19,467	$8,721	$0
6005 WAGES-OVERTIME	$112	$85	$0	$0	$0
6021 FICA-S.S. AND MEDICARE TAXES	$1,329	$915	$1,489	$667	$0
6025 WORKER COMPENSATION INS.	$1,219	$1,191	$600	$1,180	$0
6026 UNEMPLOYMENT TAXES	$0	$0	$0	$0	$0
PERSONNEL SERVICES	**$20,708**	**$14,067**	**$21,556**	**$10,568**	**$0**
6106 MATERIALS AND PARTS	$11,254	$0	$0	$0	$0
6107 CLOTHING AND UNIFORMS	$1,126	$0	$0	$0	$0
6108 FUEL, OIL AND LUBRICANTS	$478	$0	$0	$0	$0
6119 OTHER SUPPLIES	$3,979	$0	$0	$0	$0
SUPPLIES	**$16,837**	**$0**	**$0**	**$0**	**$0**
6205 VEHICLE MAINTENANCE	$18,548	$0	$0	$0	$0
REPAIRS AND MAINTENANCE	**$18,548**	**$0**	**$0**	**$0**	**$0**
6304 PROFESSIONAL SERVICES, OTHER	$14,684	$0	$0	$0	$0
6330 INSURANCE	$13,671	$0	$0	$0	$0
6337 TRAINING	$5,706	$0	$0	$0	$0
SERVICES AND CHARGES	**$34,061**	**$0**	**$0**	**$0**	**$0**
6403 MACHINERY AND EQUIPMENT	$0	$0	$17,300	$24,405	$0
CAPITAL OUTLAY	**$0**	**$0**	**$17,300**	**$24,405**	**$0**
6998 TRANSFER TO FLEET REPLACEMENT	$20,000	$20,000	$0	$0	$0
6999 TRANSFER TO CAPITAL PROJ. FUND	$310,000	$0	$299,217	$327,050	$0
TRANSFERS	**$330,000**	**$20,000**	**$299,217**	**$327,050**	**$0**
TOTAL - POLICE DEPT	**$420,154**	**$34,067**	**$338,073**	**$362,023**	**$0**

260 - General Special Revenue Fund - Child Safety

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projected	FY 2021 Budget
Revenues:						
Child Safety	$ -	$ -	$ -	$ 13,000	$ 13,000	$ 13,000
Interest	-	-	-	750	750	750
Other	-	-	-	-	-	-
Total	$ -	$ -	$ -	$ 13,750	$ 13,750	$ 13,750
Expenditures:						
Supplies	$ -	$ -	$ -	$ -	$ -	$ -
Services and Charges	-	-	-	13,000	5,000	10,000
Maintenance	-	-	-	-	-	-
Total	$ -	$ -	$ -	$ 13,000	$ 5,000	$ 10,000
Revenues Over (Under) Expenditures	$ -	$ -	$ -	$ 750	$ 8,750	$ 3,750
Beginning Fund Balance	$ -	$ -	$ -	$ 127,761	$ 127,761	$ 136,511
Ending Fund Balance	$ -	$ -	$ 127,761	$ 128,511	$ 136,511	$ 140,261

Fund Description

Child Safety Fees are received through the Harris County Tax Assessor/Collector. These fees represent a portion of each citation written by the Tomball Police Department. The State of Texas allocates a percentage of each court fee to the Child Safety Program and is remitted back to the municipality to be used for educational material for children, coloring books, pencils, goody bags, etc and are distributed at various community events each year.

CITY OF TOMBALL
SPECIAL REVENUE FUND - CHILD SAFETY - 260

	2017	2018	2019	2020	2020	2021
GENERAL SPECIAL FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5790 CHILD SAFETY FUND	-	-	-	13,000	13,000	13,000
5800 INTEREST	-	-	-	750	750	750
TOTAL GENERAL SPECIAL FUND	-	-	-	13,750	13,750	13,750

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL SPECIAL FUND	CHILD SAFETY FUND	260-222 CHILD SAFETY FUND

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6350 CHILD SAFETY EDUCATION	$0	$0	$13,000	$5,000	$10,000
SERVICES AND CHARGES	**$0**	**$0**	**$13,000**	**$5,000**	**$10,000**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL CHILD SAFETY FUND	**$0**	**$0**	**$13,000**	**$5,000**	**$10,000**

290 - Tomball Fun Runs Fund

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Event Revenue	$ 23,325	$ 16,566	$ 27,196	$ 23,000	$ 48,000	$ 15,000
Interest	5	135	122	200	200	200
Total	$ 23,330	$ 16,701	$ 27,318	$ 23,200	$ 48,200	$ 15,200
Expenditures:						
Supplies	$ 8,040	$ 5,519	$ 5,009	$ 7,200	$ 2,317	$ 6,000
Services and Charges	17,368	9,333	13,753	14,500	60,609	15,000
Total	$ 25,408	$ 14,853	$ 18,761	$ 21,700	$ 62,926	$ 21,000
Revenues Over (Under) Expenditures	$ (2,078)	$ 1,848	$ 8,556	$ 1,500	$ (14,726)	$ (5,800)
Beginning Fund Balance	$ 17,239	$ 15,161	$ 17,010	$ 25,566	$ 25,566	$ 10,840
Ending Fund Balance	$ 15,161	$ 17,010	$ 25,566	$ 27,066	$ 10,840	$ 5,040
						24%

CITY OF TOMBALL
FUN RUN FUND - 290

	2017	2018	2019	2020	2020	2021
FUN RUN FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5555 EVENT SPONSORSHIP REVENUE	13,955	7,850	4,100	5,000	38,000	5,000
5556 EVENT REGISTRATION FEE	9,370	8,716	23,096	18,000	10,000	10,000
5800 INTEREST INCOME	5	135	122	200	200	200
TOTAL FUN RUN FUND	**23,330**	**16,701**	**27,318**	**23,200**	**48,200**	**15,200**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
TOMBALL "FUN RUNS"	FUN RUNS	290-290 FUN RUNS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6101 OFFICE SUPPLIES	$0	$0	$200	$0	$0
6119 OTHER SUPPLIES	$5,519	$5,009	$7,000	$2,317	$6,000
SUPPLIES	**$5,519**	**$5,009**	**$7,200**	**$2,317**	**$6,000**
6329 OTHER SERVICES	$9,333	$13,753	$8,500	$60,609	$10,000
6335 ADVERTISING COST	$0	$0	$6,000	$0	$5,000
SERVICES AND CHARGES	**$9,333**	**$13,753**	**$14,500**	**$60,609**	**$15,000**
TOTAL FUN RUNS	**$14,853**	**$18,761**	**$21,700**	**$62,926**	**$21,000**

300 Debt Service Fund

Statement of Revenues, Expenditures, and Changes in Fund Balance
2020-2021 Proposed Budget

	FY2016 Actual	FY2017 Actual	FY2018 Actual	FY2019 Actual	FY2020 Budget	FY2020 Projection	FY2021 Budget
Revenues:							
Current taxes	$ 3,741,118	$ 3,953,733	$ 4,229,313	$ 4,266,244	$ 4,550,000	$ 4,703,210	$ 4,750,000
Delinquent taxes	50,601	50,271	85,766	(107,614)	60,000	60,000	60,000
Penalty and interest	26,772	36,425	50,916	39,522	30,000	30,000	30,000
Interest	14,350	36,555	77,006	100,406	70,000	70,000	70,000
TEDC Contributions	528,013	530,913	533,612	536,113	533,463	755,685	757,885
Total Revenues	$ 4,360,854	$ 4,607,894	$ 4,976,611	$ 4,834,669	$ 5,243,463	$ 5,618,895	$ 5,667,886
Expenditures:							
Principal	$ 2,216,750	$ 3,048,250	$ 3,249,250	$ 2,990,250	$ 3,016,250	$ 5,794,337	$ 2,615,972
Interest	811,986	1,249,301	1,443,281	1,367,451	1,287,013	1,090,385	1,019,318
Loan Payment- Fire Truck	68,858	71,123	73,463	586,556	130,000	130,000	130,000
Fees	10,163	11,780	13,380	11,583	14,000	14,000	14,000
Total Expenditures	$ 3,107,757	$ 4,380,454	$ 4,779,374	$ 4,955,840	$ 4,447,263	$ 7,028,722	$ 3,779,290
Revenues Over/(Under) Expenditures	$ 1,253,095	$ 227,439	$ 197,237	$ (121,170)	$ 796,200	$ (1,409,827)	$ 1,888,595
Beginning Fund Balance	$ 3,081,703	$ 4,334,798	$ 4,562,240	$ 4,759,479	$ 4,638,309	$ 4,638,309	$ 3,228,482
Ending Fund Balance	$ 4,334,798	$ 4,562,240	$ 4,759,479	$ 4,638,309	$ 5,434,508	$ 3,228,482	$ 5,117,077

CITY OF TOMBALL DEBT SERVICE FUND - 300						
	2017	2018	2019	2020	2020	2021
DEBT SERVICE FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5110 CURRENT TAXES	3,953,733	4,229,313	4,266,244	4,550,000	4,703,210	4,750,000
5120 DELINQUENT TAXES	50,271	85,766	(107,614)	60,000	60,000	60,000
5130 PENALTY,INTEREST, ATTY FEES	38,941	59,473	36,599	30,000	30,000	30,000
5800 INTEREST INCOME	36,555	77,006	100,406	70,000	70,000	70,000
5801 UNREALIZED GAIN ON INVESTMENTS	(2,516)	(8,557)	2,923	-	-	-
5770 TEDC CONTRIBUTIONS	530,913	533,612	536,113	533,463	755,685	757,885
TOTAL DEBT SERVICE FUND	**4,607,897**	**4,976,613**	**4,834,670**	**5,243,463**	**5,618,895**	**5,667,885**

CITY OF TOMBALL

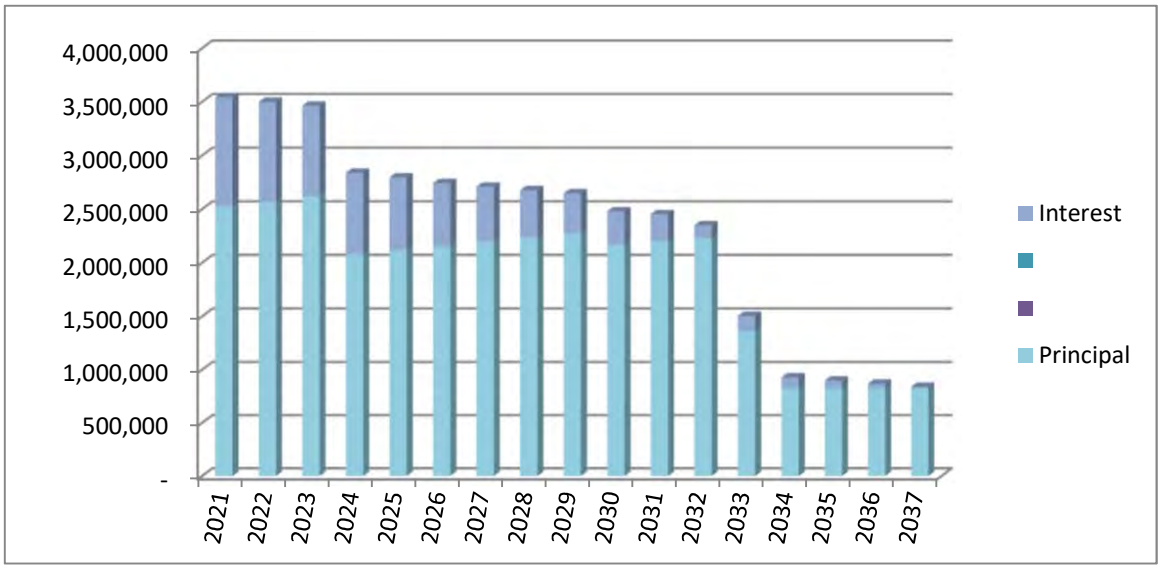
FUND	DEPARTMENT	DIVISION
DEBT SERVICE FUND	DEBT SERVICE	300-300 DEBT SERVICE

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
SERVICES AND CHARGES	**$0**	**$0**	**$0**	**$0**	**$0**
TRANSFERS	**$0**	**$0**	**$0**	**$0**	**$0**
6901 INTEREST-BONDS	$1,443,281	$1,367,451	$1,287,013	$1,090,385	$1,019,318
6906 BOND FEES AND COST	$13,380	$11,583	$14,000	$14,000	$14,000
6907 MISCELLANEOUS BOND FEES	$0	$0	$0	$0	$0
6911 PRINCIPAL-BONDS	$3,249,250	$2,990,250	$3,016,250	$5,794,337	$2,615,972
6915 CAPITAL LEASE PAYMENTS	$73,463	$586,556	$130,000	$130,000	$130,000
DEBT	**$4,779,374**	**$4,955,840**	**$4,447,263**	**$7,028,722**	**$3,779,290**
TOTAL DEBT SERVICE	**$4,779,374**	**$4,955,840**	**$4,447,263**	**$7,028,722**	**$3,779,290**

City of Tomball
Debt Service Fund
Consolidated Debt Payment Schedule
2020-2021 Annual Budget

Fiscal Year	Principal	Interest	Total
2021	2,523,750	1,019,318	3,543,068
2022	2,563,750	935,889	3,499,639
2023	2,618,750	846,282	3,465,032
2024	2,078,750	759,764	2,838,514
2025	2,118,750	676,682	2,795,432
2026	2,149,500	592,406	2,741,906
2027	2,194,500	514,506	2,709,006
2028	2,234,500	442,763	2,677,263
2029	2,274,500	373,208	2,647,708
2030	2,169,500	309,834	2,479,334
2031	2,199,500	252,978	2,452,478
2032	2,229,500	119,998	2,349,498
2033	1,364,500	140,020	1,504,520
2034	824,500	103,063	927,563
2035	824,500	74,205	898,705
2036	824,500	44,832	869,332
2037	824,500	14,944	839,444
Total	$ 32,017,750	$ 7,220,692	$ 39,238,442



City of Tomball
General Obligation Refunding Bonds, Series 2013
$6,370,000 - Tax Supported 90.59%, Utility System 9.41%*
Issue Date : January 1, 2013
Closing Date: January 17, 2013
Refunded Series 2002 Certificates of Obligation (Unrefunded portion of original issue)
and Series 2003 Certificates of Obligation

Fiscal Year	Payment Date	Principal	Coupon	Interest	Total P & I	Fiscal Year Total
2021	2/15/2021	550,000	1.400%	12,975	562,975	
	8/15/2021			9,125	9,125	572,100
2022	2/15/2022	560,000	1.550%	9,125	569,125	
	8/15/2022			4,785	4,785	573,910
2023	2/15/2023	580,000	1.650%	4,785	584,785	584,785
Total		$ 1,690,000		$ 40,795	$ 1,730,795	$ 1,730,795

*Tax supported 100% 2015 to 2023

City of Tomball
Combination Tax & Revenue Certificates of Obligation, Series 2013
$ 8,500,000 - Tax Supported 100%
Issue Date : May 15, 2013
Sale Date: May 23, 2013
Project: Business Park

Fiscal Year	Payment Date	Principal	Coupon	Interest	Total P & I	Fiscal Year Total
2021	2/15/2021	395,000	2.000%	72,306	467,306	
	8/15/2021			68,356	68,356	535,663
2022	2/15/2022	405,000	2.000%	68,356	473,356	
	8/15/2022			64,306	64,306	537,663
2023	2/15/2023	415,000	2.000%	64,306	479,306	
	8/15/2023			60,156	60,156	539,463
2024	2/15/2024	430,000	2.000%	60,156	490,156	
	8/15/2024			55,856	55,856	546,013
2025	2/15/2025	440,000	2.000%	55,856	495,856	
	8/15/2025			51,456	51,456	547,313
2026	2/15/2026	450,000	2.000%	51,456	501,456	
	8/15/2026			46,956	46,956	548,413
2027	2/15/2027	460,000	2.250%	46,956	506,956	
	8/15/2027			41,781	41,781	548,738
2028	2/15/2028	470,000	2.250%	41,781	511,781	
	8/15/2028			36,494	36,494	548,275
2029	2/15/2029	485,000	2.500%	36,494	521,494	
	8/15/2029			30,431	30,431	551,925
2030	2/15/2030	495,000	2.750%	30,431	525,431	
	8/15/2030			23,625	23,625	549,056
2031	2/15/2031	510,000	3.000%	23,625	533,625	
	8/15/2031			15,975	15,975	549,600
2032	2/15/2032	525,000	3.000%	15,975	540,975	
	8/15/2032			8,100	8,100	549,075
2033	2/15/2033	540,000	3.000%	8,100	548,100	548,100
Total		$ 6,020,000		$ 1,079,294	$ 7,099,294	$ 7,099,294

City of Tomball
Combination Tax & Revenue Certificates of Obligation, Series 2016
$20,240,000 - Tax Supported 100%
Issue Date : 12/15/2016
Sale Date: 12/20/16
Projects: Medical Complex Drive Segment 4B; Persimmon Street
85% Debt Service/15% Enterprise

Fiscal Year	Payment Date	Principal	Coupon	Interest	Total P & I	Fiscal Year Total
2021	2/15/2021	828,750.00	4.000%	268,988	1,097,738	
	8/15/2021			252,413	252,413	1,350,151
2022	2/15/2022	828,750.00	5.000%	252,413	1,081,163	
	8/15/2022			231,694	231,694	1,312,857
2023	2/15/2023	828,750.00	5.000%	231,694	1,060,444	
	8/15/2023			210,975	210,975	1,271,419
2024	2/15/2024	828,750.00	5.000%	210,975	1,039,725	
	8/15/2024			190,257	190,257	1,229,982
2025	2/15/2025	828,750.00	5.000%	190,257	1,019,007	
	8/15/2025			169,538	169,538	1,188,544
2026	2/15/2026	824,500.00	5.000%	169,538	994,038	
	8/15/2026			148,925	148,925	1,142,963
2027	2/15/2027	824,500.00	3.000%	148,925	973,425	
	8/15/2027			136,558	136,558	1,109,983
2028	2/15/2028	824,500.00	3.000%	136,558	961,058	
	8/15/2028			124,190	124,190	1,085,248
2029	2/15/2029	824,500.00	3.000%	124,190	948,690	
	8/15/2029			111,823	111,823	1,060,513
2030	2/15/2030	824,500.00	3.000%	111,823	936,323	
	8/15/2030			99,455	99,455	1,035,778
2031	2/15/2031	824,500.00	3.125%	99,455	923,955	
	8/15/2031			86,573	86,573	1,010,528
2032	2/15/2032	824,500.00	3.250%	86,573	911,073	
	8/15/2032			73,174	73,174	984,247
2033	2/15/2033	824,500.00	3.500%	73,174	897,674	
	8/15/2033			58,746	58,746	956,420
2034	2/15/2034	824,500.00	3.500%	58,746	883,246	
	8/15/2034			44,317	44,317	927,563
2035	2/15/2035	824,500.00	3.500%	44,317	868,817	
	8/15/2035			29,888	29,888	898,705
2036	2/15/2036	824,500.00	3.625%	29,888	854,388	
	8/15/2036			14,944	14,944	869,332
2037	2/15/2037	824,500.00	3.625%	14,944	839,444	839,444
Total		$ 14,037,750		$ 4,235,927	$ 18,273,677	$ 18,273,677

City of Tomball
Combination Tax & Revenue Certificates of Obligation, Series 2019
$9,100,000 - Tax Supported 100%
Issue Date : 12/20/2019
Sale Date: 1[illegible] 12/20/2019
Refunded Series 2011 Certificates of Obligation (Unrefunded portion of original issue)
& Series 2011 General Obligation Refunding Bonds

Fiscal Year	Payment Date	Principal	Coupon	Interest	Total P & I	Fiscal Year Total
2020	2/15/2020			46,574	46,574	
	8/15/2020			152,425	152,425	198,999
2021	2/15/2021	620,000.00	4.000%	152,425	772,425	
	8/15/2021			140,025	140,025	912,450
2022	2/15/2022	640,000.00	4.000%	140,025	780,025	
	8/15/2022			127,225	127,225	907,250
2023	2/15/2023	665,000.00	4.000%	127,225	792,225	
	8/15/2023			113,925	113,925	906,150
2024	2/15/2024	690,000.00	4.000%	113,925	803,925	
	8/15/2024			100,125	100,125	904,050
2025	2/15/2025	720,000.00	4.000%	100,125	820,125	
	8/15/2025			85,725	85,725	905,850
2026	2/15/2026	745,000.00	4.000%	85,725	830,725	
	8/15/2026			70,825	70,825	901,550
2027	2/15/2027	780,000.00	4.000%	70,825	850,825	
	8/15/2027			55,225	55,225	906,050
2028	2/15/2028	810,000.00	4.000%	55,225	865,225	
	8/15/2028			39,025	39,025	904,250
2029	2/15/2029	835,000.00	3.000%	39,025	874,025	
	8/15/2029			26,500	26,500	900,525
2030	2/15/2030	850,000.00	2.000%	26,500	876,500	
	8/15/2030			18,000	18,000	894,500
2031	2/15/2031	865,000.00	2.000%	18,000	883,000	
	8/15/2031			9,350	9,350	892,350
2032	2/15/2032	880,000.00	2.125%	9,350	889,350	
	8/15/2032				-	889,350
Total		$ 9,100,000		$ 1,923,324	$ 11,023,324	$ 11,023,324

City of Tomball
2019 Lease Purchase- Pierce Velocity Fire Truck
Issue Date : September 27, 2018

Fiscal Year	Payment Date	Principal	Coupon	Interest	Total P & I	Fiscal Year Total
2021	11/1/2020	130,000	3.650%	42,705	172,705	172,705
2022	11/1/2021	130,000	3.650%	37,960	167,960	167,960
2023	11/1/2022	130,000	3.650%	33,215	163,215	163,215
2024	11/1/2023	130,000	3.650%	28,470	158,470	158,470
2025	11/1/2024	130,000	3.650%	23,725	153,725	153,725
2026	11/1/2025	130,000	3.650%	18,980	148,980	148,980
2027	11/1/2026	130,000	3.650%	14,235	144,235	144,235
2028	11/1/2027	130,000	3.650%	9,490	139,490	139,490
2029	11/1/2028	130,000	3.650%	4,745	134,745	134,745
Total		$ 1,170,000		$ 213,525	$ 1,383,525	$ 1,383,525

City of Tomball
400 Capital Projects Fund
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Transfers from General Fund	$ 1,980,000	$ 1,490,000	$ 1,249,500	$ 590,000	$ 420,000	$ 546,012
Transfers from Enterprise Fund	$ 1,229,505	$ 655,000	$ 2,081,442	$ 150,000	$ 139,000	$ 170,000
Transfers from Other Sources	$ 1,789,524	$ 310,000	$ 353,744	$ 1,099,217	$ 1,261,050	$ -
Certificates of Obligation	$ 21,146,430	$ -	$ -	$ -	$ -	$ -
Other Revenue Sources	$ -	$ 7,653	$ -	$ -	$ -	$ -
Interest	$ 296,907	$ 622,487	$ 794,028	$ 1,000,000	$ 600,000	$ 650,000
Total	$ 26,442,366	$ 3,085,140	$ 4,478,714	$ 2,839,217	$ 2,420,050	$ 1,366,012
Expenditures:						
Capital Outlay - General Fund	$ 2,555,829	$ 3,554,263	$ 2,330,086	$ 3,884,572	$ 10,565,665	$ 10,159,198
Capital Outlay - Enterprise Fund	-	2,625,624	(42,171)	850,000	348,616	63,950
Debt Service	396,430	-	-	-	-	-
Capital Outlay - Drainage	-	-	-	-	-	-
Total	$ 2,952,259	$ 6,179,886	$ 2,287,915	$ 4,734,572	$ 10,914,281	$ 10,223,148
Revenues Over (Under) Expenditures	$ 23,490,107	$ (3,094,746)	$ 2,190,799	$ (1,895,355)	$ (8,494,231)	$ (8,857,136)
Beginning Fund Balance	$ 12,460,282	$ 35,950,389	$ 32,855,643	$ 35,046,442	$ 35,046,442	$ 26,552,211
Ending Fund Balance	$ 35,950,389	$ 32,855,643	$ 35,046,442	$ 33,151,087	$ 26,552,211	$ 17,695,075

CITY OF TOMBALL CAPITAL PROJECTS FUND - 400						
	2017	2018	2019	2020	2020	2021
CAPITAL PROJECTS	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5740 GRANTS	-	-	258,320	-	-	-
5770 TEDC CONTRIBUTIONS	-	-	-	-	-	-
5800 INTEREST INCOME	296,907	622,487	794,028	1,000,000	600,000	650,000
5801 UNREALIZED GAIN ON INVESTMENTS	-	(2,747)	9,582	-	-	-
5820 DRAINAGE CAPITAL RECOVERY FEES	-	-	191,846	-	-	-
5830 DEVELOPER RECOVERY FEES	-	10,400	-	-	-	-
5900 DEBT PROCEEDS	20,234,743	-	-	-	-	-
5901 PREMIUM ON BONDS	911,687	-	-	-	-	-
5910 TRANSFER FROM GENERAL FUND	1,980,000	1,490,000	1,249,500	590,000	420,000	546,012
5911 TRANSFER FROM UTILITY FUND	1,229,505	655,000	2,081,442	150,000	139,000	170,000
5961 TRANSFERS IN	1,789,524	**310,000**	353,744	1,099,217	1,261,050	-
TOTAL CAPITAL PROJECTS	**26,442,366**	**3,085,140**	**4,938,462**	**2,839,217**	**2,420,050**	**1,366,012**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	RED LIGHT	400-121 - RED LIGHT

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6409 SYSTEM EXPANSION	$135,584	$312,990	$0	$299,217	$8,700	$0
CAPITAL OUTLAY	**$135,584**	**$312,990**	**$0**	**$299,217**	**$8,700**	**$0**
TOTAL GENERAL-RED LIGHT	**$135,584**	**$312,990**	**$0**	**$299,217**	**$8,700**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	GENERAL-PARKS	400-153 - PARKS

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6409 SYSTEM EXPANSION	$201,296	$923,525	$407,061	$865,355	$699,357	$0
CAPITAL OUTLAY	**$201,296**	**$923,525**	**$407,061**	**$865,355**	**$699,357**	**$0**
TOTAL GENERAL-PARKS	**$201,296**	**$923,525**	**$407,061**	**$865,355**	**$699,357**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	GENERAL-STREETS	400-154 GENERAL-STREETS

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
SERVICES AND CHARGES	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
6409 SYSTEM EXPANSION	$2,218,949	$2,317,748	$1,923,025	$2,720,000	$9,857,608	$10,159,198
CAPITAL OUTLAY	**$2,218,949**	**$2,317,748**	**$1,923,025**	**$2,720,000**	**$9,857,608**	**$10,159,198**
TOTAL GENERAL-STREETS	**$2,218,949**	**$2,317,748**	**$1,923,025**	**$2,720,000**	**$9,857,608**	**$10,159,198**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	DEBT SERVICE	400-300 DEBT SERVICE

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6906 BOND FEES AND COST	$396,430	$0	$0	$0	$0	$0
DEBT	**$396,430**	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL DEBT SERVICE	**$396,430**	**$0**	**$0**	**$0**	**$0**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	UTILITY-WATER	400-613 UTILITY-WATER

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6304 PROF.SERV.-OTHER	$0	$1,300	$0	$0	$0	$0
SERVICES AND CHARGES	**$0**	**$1,300**	**$0**	**$0**	**$0**	**$0**
6409 SYSTEM EXPANSION	$0	$207,422	($42,171)	$0	$29,234	$0
CAPITAL OUTLAY	**$0**	**$207,422**	**($42,171)**	**$0**	**$29,234**	**$0**
TOTAL UTILITY-WATER	**$0**	**$208,722**	**($42,171)**	**$0**	**$29,234**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	UTILITY-SEWER	400-614 UTILITY-SEWER

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2019 ESTIMATED	2021 BUDGET
6304 PROFESSIONAL SERVICES,OTHER		$0	$0	$0	$0	$0
SERVICES AND CHARGES	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
6409 SYSTEM EXPANSION	$0	$2,418,202	$0	$850,000	$319,382	$63,950
CAPITAL OUTLAY	**$0**	**$2,418,202**	**$0**	**$850,000**	**$319,382**	**$63,950**
TOTAL UTILITY-SEWER	**$0**	**$2,418,202**	**$0**	**$850,000**	**$319,382**	**$63,950**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	UTILITY-GAS	400-615 UTILITY-GAS

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2019 ESTIMATED	2021 BUDGET
6304 PROF.SERV.-OTHER	$0	$0	($382)	$0	$0	$0
SERVICES AND CHARGES	**$0**	**$0**	**($382)**	**$0**	**$0**	**$0**
6409 SYSTEM EXPANSION	$0	$947	$444	$0	$0	$0
CAPITAL OUTLAY	**$0**	**$947**	**$444**	**$0**	**$0**	**$0**
TOTAL UTILITY-GAS	**$0**	**$947**	**$62**	**$0**	**$0**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	WATER CAPITAL RECOVERY	400-731 WATER RECOVERY

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6304 PROF.SERV.-OTHER	$0	$0	$23,229	$400,000	$0	$0
SERVICES AND CHARGES	**$0**	**$0**	**$23,229**	**$400,000**	**$0**	**$0**
6409 SYSTEM EXPANSION	$0	$0	$0	$0	$259,003	$0
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$259,003**	**$0**
TOTAL WATER CAPITAL RECOVERY	**$0**	**$0**	**$23,229**	**$400,000**	**$259,003**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
GENERAL CAPITAL PROJECTS	SEWER CAPITAL RECOVERY	400-741 SEWER RECOVERY

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6304 PROF.SERV.-OTHER	$0	$0	$20,576	$400,000	$0	$0
SERVICES AND CHARGES	**$0**	**$0**	**$20,576**	**$400,000**	**$0**	**$0**
6409 SYSTEM EXPANSION	$0	$947	$0	$0	$259,003	$0
CAPITAL OUTLAY	**$0**	**$947**	**$0**	**$0**	**$259,003**	**$0**
TOTAL SEWER CAPITAL RECOVERY	**$0**	**$947**	**$20,576**	**$400,000**	**$259,003**	**$0**

City of Tomball
460-Capital Projects Fund - Business Park
2020-2021 Proposed Budget

	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:							
Transfers	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Certificates of Obligation	-	-	-	-	-	-	-
Premium on Bonds	-	-	-	-	-	-	-
Interest	16,558	13,264	16,588	13,216	30,000	20,000	15,000
Total	$ 16,558	$ 13,264	$ 16,588	$ 13,216	$ 30,000	$ 20,000	$ 15,000
Expenditures:							
Capital Outlay	$ 5,636,263	$ 125,642	$ -	$ -	$ -	$ -	$ -
Bond Fees and Costs	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total	$ 5,636,263	$ 125,642	$ -	$ -	$ -	$ -	$ -
Revenues Over (Under) Expenditures	$ (5,619,705)	$ (112,378)	$ 16,588	$ 13,216	$ 30,000	$ 20,000	$ 15,000
Beginning Fund Balance	$ 6,655,120	$ 1,035,415	$ 923,037	$ 939,625	$ 952,841	$ 952,841	$ 972,841
Ending Fund Balance	$ 1,035,415	$ 923,037	$ 939,625	$ 952,841	$ 982,841	$ 972,841	$ 987,841

CITY OF TOMBALL
BUSINESS PARK PROJECTS FUND - 460

	2017	2018	2019	2020	2020	2021
BUSINESS PARK PROJECTS	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5800 INTEREST INCOME	13,264	16,588	13,216	30,000	20,000	15,000
TOTAL BUSINESS PARK PROJECTS	**13,264**	**16,588**	**13,216**	**30,000**	**20,000**	**15,000**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
BUSINESS PARK	TEDC BUSINESS PARK	460-460 TEDC BUSINESS PARK

DETAILS

LINE ITEMS	2017 ACTUAL	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 PROJECTION	2021 BUDGET
6409 SYSTEM EXPANSION	$125,642	$33,435	$0	$0	$0	$0
CAPITAL OUTLAY	**$125,642**	**$33,435**	**$0**	**$0**	**$0**	**$0**
DEBT	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL TEDC BUSINESS PARK	**$125,642**	**$33,435**	**$0**	**$0**	**$0**	**$0**

Enterprise Fund - 600
Statement of Revenues, Expenditures, and Changes in Fund Balance
2020-2021 Proposed Budget

	FY2017 Actuals	FY2018 Actuals	FY2019 Actuals	FY2020 Budget	FY2020 Projections	FY2021 Budget
Operating Revenues:						
Water sales	$ 5,092,916	$ 5,347,170	$ 5,421,905	$ 5,000,000	$ 5,500,000	$ 5,500,000
Sewer sales	2,434,143	2,405,689	2,258,881	2,500,000	2,250,000	2,475,000
Gas sales	2,655,884	3,139,726	3,178,622	3,400,000	3,100,000	3,100,000
Tap fees	129,410	290,770	204,035	205,000	355,000	240,000
Reconnect fees	26,681	18,403	12,757	25,000	5,000	10,000
Interest	60,912	103,484	175,224	140,000	100,000	150,000
Contributions	558,148	558,148	558,148	370,000	370,000	370,000
Other	142,892	198,990	204,870	191,750	157,350	157,350
Total Operating Revenues	$ 11,100,984	$ 12,062,380	$ 12,014,440	$ 11,831,750	$ 11,837,350	$ 12,002,350
Expenses:						
Enterprise Administration	$ 3,333,064	$ 3,356,260	$ 5,186,881	$ 3,645,830	$ 3,653,899	$ 3,837,293
Utility Billing	275,695	343,111	322,713	361,541	387,767	401,482
Water	3,032,640	3,668,770	3,891,522	3,941,730	4,096,270	4,456,600
Wastewater	2,777,501	2,041,848	3,246,672	1,629,024	1,583,357	1,632,845
Gas	1,353,339	1,589,411	1,861,313	2,054,638	1,820,130	1,861,572
Total Operating Expenses	$ 10,772,239	$ 10,999,400	$ 14,509,101	$ 11,632,763	$ 11,541,423	$ 12,189,792
Net Revenue Available for Debt	$ 328,745	$ 1,062,980	$ (2,494,661)	$ 198,987	$ 295,927	$ (187,442)
Debt Service	96,284	637,065	60,131	620,135	-	238,262
Total Debt Service	$ 96,284	$ 637,065	$ 60,131	$ 620,135	$ -	$ 238,262
Net Income (Excluding Depr.)	$ 232,462	$ 425,915	$ (2,554,792)	$ (421,148)	$ 295,927	$ (425,704)
Beginning Fund Balance	$ 10,052,330	$ 10,284,791	$ 10,710,706	$ 8,155,915	$ 8,155,915	$ 8,451,842
Ending Fund Balance	$ 10,284,791	$ 10,710,706	$ 8,155,915	$ 7,734,766	$ 8,451,842	$ 8,026,138
Operating Costs per Day						
Fund Balance as % of Operating Costs	95%	97%	56%	66%	73%	66%

CITY OF TOMBALL ENTERPRISE FUND - 600						
	2017	2018	2019	2020	2020	2021
ENTERPRISE FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5500 SALE OF CITY PROPERTY	11,511	4,417	38,462	40,000	10,000	10,000
5550 MISCELLANEOUS INCOME	1,158	13,837	9,491	5,000	2,500	2,500
5560 RETURNED CHECK FINES	626	504	555	750	350	350
5600 WATER SALES	5,092,916	5,347,170	5,421,905	5,000,000	5,500,000	5,500,000
5610 WATER TAPS	46,640	106,435	59,420	60,000	130,000	90,000
5620 WATER RECONNECT FEES	26,681	18,403	12,757	25,000	5,000	10,000
5630 AMP PLAN BALANCE	(2,021)	(595)	(1,225)	1,000	(500)	(500)
5640 SEWER SALES	2,434,143	2,405,689	2,258,881	2,500,000	2,250,000	2,475,000
5650 SEWER TAPS	30,940	76,930	51,370	60,000	50,000	50,000
5670 GAS SALES	2,655,884	3,139,726	3,178,622	3,400,000	3,100,000	3,100,000
5680 GAS TAPS	51,830	107,405	93,245	85,000	175,000	100,000
5690 PENALTIES	86,379	132,085	109,798	100,000	100,000	100,000
5695 ADMINISTRATIVE CHARGES	47,794	48,607	46,944	45,000	45,000	45,000
5770 TEDC CONTRIBUTIONS	558,148	558,148	558,148	370,000	370,000	370,000
5780 OTHER REIMBURSEMENTS	-	-	46,255	-	-	-
5800 INTEREST INCOME	60,912	103,484	175,224	140,000	100,000	150,000
5961 TRANSFER IN	-	-	-	-	-	-
5801 UNREALIZED GAIN ON INVESTMENTS	(2,555)	135	845	-	-	-
TOTAL ENTERPRISE FUND	**11,100,986**	**12,062,380**	**12,060,697**	**11,831,750**	**11,837,350**	**12,002,350**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	ADMINISTRATIVE	600-611 - ADMINISTRATIVE

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$215,640	$204,440	$167,871	$177,562	$171,223
6003 WAGES-FULL TIME	$33,961	$48,905	$97,246	$90,360	$94,310
6005 WAGES-OVERTIME	$1,460	$2,392	$4,120	$4,120	$4,080
6009 WAGES-OTHER	$15,217	$15,298	$14,411	$9,425	$14,298
6011 VACATION PAY	$11,857	$7,827	$19,823	$12,724	$18,050
6012 SICK PAY	$4,455	$9,593	$12,009	$8,411	$11,915
6015 SICK TIME BUYBACK	$0	$0	$3,035	$3,035	$1,698
6019 MISCELLANEOUS PAY	$2,735	$2,900	$2,260	$2,260	$2,505
6021 FICA-MED/SS	$20,434	$22,747	$25,114	$23,574	$25,160
6022 TMRS-EMPLOYER	$38,409	$134,294	$44,934	$43,615	$44,630
6025 WORKER COMPENSATION INS.	$3,255	$2,890	$2,500	$2,789	$2,500
6030 EMPLOYEE TUITION REIMBURSEMENT	$4,000	$1,592	$4,000	$4,000	$4,000
PERSONNEL SERVICES	**$351,423**	**$452,878**	**$397,323**	**$381,875**	**$394,369**
6101 OFFICE AND COMPUTER SUPPLIES	$1,030	$1,225	$2,000	$2,000	$1,600
6102 EDUCATIONAL SUPPLIES	$725	$216	$200	$300	$200
6103 COMPUTER SUPPLIES	$0	$0	$16,500	$16,500	$0
6105 FOOD SUPPLIES	$1,710	$2,872	$1,200	$1,500	$1,500
6107 CLOTHING AND UNIFORMS	$1,293	$1,043	$1,600	$1,300	$1,350
6108 FUEL, OIL AND LUBRICANTS	$1,964	$2,270	$2,500	$2,500	$2,500
6109 POSTAGE	$21	$0	$50	$50	$50
6119 OTHER SUPPLIES	$633	$663	$350	$350	$350
SUPPLIES	**$7,376**	**$8,289**	**$24,400**	**$24,500**	**$7,550**
6201 OFFICE EQUIPMENT MAINTENANCE	$0	$0	$0	$0	$7,500
6203 RADIO EQUIPMENT MAINTENANCE	$0	$0	$300	$0	$0
6205 VEHICLE EQUIPMENT MAINTENANCE	$540	$162	$200	$1,500	$2,000
6206 BUILDING MAINTENANCE	$0	$0	$0	$0	$36,297
REPAIRS AND MAINTENANCE	**$540**	**$162**	**$500**	**$1,500**	**$45,797**
6302 PROFESSIONAL SERVICES,ENGINEER	$44,650	$14,350	$0	$0	$0
6304 PROFESSIONAL SERVICES,OTHER	$0	$11,718	$0	$13,000	$13,000
6312 COMMUNICATION SERVICES	$47,535	$40,877	$40,000	$50,000	$40,000
6320 SOFTWARE SERVICE	$2,539	$0	$0	$0	$0
6329 MISCELLANEOUS SERVICES	$50	$0	$0	$0	$0
6332 TRAVEL AND MEALS	$2,846	$2,241	$2,000	$1,000	$1,000
6333 DUES AND SUBSCRIPTIONS	$463	$165	$200	$600	$600
6334 AUTOMOBILE ALLOWANCES	$6,600	$7,251	$7,200	$7,200	$7,200
6337 TRAINING	$2,294	$3,144	$5,000	$1,000	$3,750
6362 PERMITS AND LICENSES	$333	$0	$275	$300	$500
SERVICES AND CHARGES	**$107,310**	**$79,745**	**$54,675**	**$73,100**	**$66,050**
6402 COMPUTER EQUIPMENT	$0	$0	$1,000	$1,000	$0
6410 DEPRECIATION EXPENSE	$0	$1,475,750	$0	$0	$0
CAPITAL OUTLAY	**$0**	**$1,475,750**	**$1,000**	**$1,000**	**$0**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	ADMINISTRATIVE	600-611 - ADMINISTRATIVE

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6691 TRANSFERS OUT	$2,384,166	$2,530,209	$2,603,335	$2,603,335	$2,668,418
6692 TRANSFER TO EMP. BEN. TRUST	$505,445	$542,349	$542,349	$542,349	$542,349
6998 TRANSFER TO FLEET REPLACEMENT	$0	$97,500	$22,248	$26,240	$112,760
TRANSFERS	**$2,889,611**	**$3,170,058**	**$3,167,932**	**$3,171,924**	**$3,323,527**
TOTAL UTILITY-ADMINISTRATIVE	**$3,356,260**	**$5,186,881**	**$3,645,830**	**$3,653,899**	**$3,837,293**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	UTILITY BILLING	600-612 UTILITY BILLING

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6001 SALARIES-ADMINISTRATIVE	$49,529	$44,186	$44,541	$44,810	$45,419
6003 WAGES-FULL TIME	$116,965	$130,390	$145,008	$178,565	$178,383
6005 WAGES-OVERTIME	$1,435	$1,415	$3,090	$3,500	$4,080
6009 WAGES-OTHER	$9,362	$9,223	$10,620	$6,448	$12,438
6011 VACATION PAY	$7,829	$18,122	$13,041	$9,898	$14,639
6012 SICK PAY	$5,071	$4,566	$8,479	$6,615	$9,986
6015 SICK TIME BUYBACK	$0	$0	$2,017	$1,425	$2,040
6019 MISCELLANEOUS PAY	$1,145	$1,730	$2,015	$2,100	$2,460
6021 FICA-S.S. AND MEDICARE TAXES	$13,431	$15,338	$17,632	$19,228	$20,757
6022 TMRS-EMPLOYER	$25,014	$28,530	$31,548	$34,953	$36,820
6025 WORKER COMPENSATION INS.	$2,613	$2,301	$2,300	$2,175	$2,400
PERSONNEL SERVICES	**$232,394**	**$255,800**	**$280,291**	**$309,717**	**$329,422**
6101 OFFICE AND COMPUTER SUPPLIES	$17,680	$4,390	$3,200	$1,500	$2,560
6105 FOOD SUPPLIES	$114	$12	$100	$100	$100
6106 MATERIALS AND PARTS	$115	$368	$800	$9,000	$800
6107 CLOTHING AND UNIFORMS	$1,325	$1,381	$3,000	$2,000	$2,000
6108 FUEL, OIL AND LUBRICANTS	$1,407	$1,199	$3,500	$1,000	$1,500
6109 POSTAGE	$20,625	$20,342	$22,000	$22,000	$18,000
6119 OTHER SUPPLIES	$483	$288	$250	$250	$250
SUPPLIES	**$41,749**	**$27,980**	**$32,850**	**$35,850**	**$25,210**
6203 RADIO EQUIPMENT MAINTENANCE	$51	$780	$2,000	$1,000	$2,000
6205 VEHICLE MAINTENANCE	$571	$101	$1,000	$500	$1,000
REPAIRS AND MAINTENANCE	**$622**	**$881**	**$3,000**	**$1,500**	**$3,000**
6304 PROFESSIONAL SERVICES,OTHER	$18,652	$19,271	$15,000	$17,000	$17,000
6312 COMMUNICATION SERVICES	$2,613	$1,887	$2,400	$2,500	$2,500
6329 OTHER SERVICES	$17,000	$15,593	$17,000	$17,000	$17,000
6332 TRAVEL AND MEALS	$1,697	$65	$3,600	$1,500	$1,800
6333 DUES AND SUBSCRIPTIONS	$191	$110	$500	$200	$500
6337 TRAINING	$1,200	$904	$3,400	$1,500	$2,550
6362 PERMITS AND LICENSES	$1,992	$222	$3,500	$1,000	$2,500
SERVICES AND CHARGES	**$43,345**	**$38,051**	**$45,400**	**$40,700**	**$43,850**
CAPITAL OUTLAY	**$0**	**$0**	**$0**	**$0**	**$0**
6998 TRANSFER TO FLEET REPLACEMENT	$25,000	$0	$0	$0	$0
TRANSFERS	**$25,000**	**$0**	**$0**	**$0**	**$0**
TOTAL UTILITY BILLING	**$343,111**	**$322,713**	**$361,541**	**$387,767**	**$401,482**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	UTILITY-WATER	600-613 - WATER

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6003 WAGES-FULL TIME	$243,397	$274,529	$286,134	$291,701	$292,589
6004 WAGES-PART TIME	$9,005	$6,971	$5,150	$10,000	$5,100
6005 WAGES-OVERTIME	$18,663	$14,593	$13,648	$13,648	$13,515
6006 WAGES-ON CALL	$2,297	$26,000	$25,750	$10,300	$25,500
6009 WAGES-OTHER	$11,214	$14,533	$16,904	$10,382	$17,249
6011 VACATION PAY	$12,639	($2,318)	$15,911	$14,823	$16,235
6012 SICK PAY	$7,736	$13,490	$12,757	$10,168	$13,018
6013 EMERGENCY PAY	$636	$0	$0	$0	$0
6015 SICK TIME BUYBACK	$0	$0	$1,484	$563	$2,218
6019 MISCELLANEOUS PAY	$3,305	$2,650	$1,630	$1,630	$2,015
6021 FICA-MED/SS	$21,034	$26,611	$29,136	$26,964	$29,788
6022 TMRS-EMPLOYER	$38,574	$49,589	$51,426	$48,658	$52,148
6025 WORKER COMPENSATION INS.	$9,408	$8,354	$8,200	$7,808	$8,200
6030 EMPLOYEE TUITION REIMBURSEMENT	$0	$0	$8,000	$8,000	$8,000
PERSONNEL SERVICES	**$377,908**	**$435,001**	**$476,130**	**$454,645**	**$485,575**
6101 OFFICE SUPPLIES	$296	$389	$300	$0	$0
6106 MATERIALS AND PARTS	$77,550	$121,801	$175,000	$120,000	$130,000
6107 CLOTHING AND UNIFORMS	$5,328	$5,314	$6,300	$6,300	$6,300
6108 FUEL, OIL AND LUBRICANTS	$14,963	$13,585	$12,000	$13,000	$15,000
6110 CHEMICAL SUPPLIES	$55,209	$57,890	$65,000	$60,000	$60,000
6111 TAP SUPPLIES AND COMPONENTS	$50,875	$0	$0	$0	$0
6119 OTHER SUPPLIES	$10,452	$20,428	$24,300	$18,575	$7,000
SUPPLIES	**$214,673**	**$219,406**	**$282,900**	**$217,875**	**$218,300**
6204 OTHER EQUIPMENT MAINTENANCE	$12,921	$8,064	$8,000	$3,000	$8,000
6205 VEHICLE MAINTENANCE	$4,443	$3,007	$2,000	$3,000	$3,000
6206 BUILDING MAINTENANCE	$8,552	$0	$0	$0	$0
6207 SYSTEM MAINTENANCE	$208,085	$135,778	$175,000	$150,000	$75,000
6219 OTHER MAINTENANCE	$0	$0	$0	$0	$0
REPAIRS AND MAINTENANCE	**$234,001**	**$146,849**	**$185,000**	**$156,000**	**$86,000**
6303 PROFESSIONAL SERVICES,LEGAL	$313	$0	$0	$0	$0
6304 PROFESSIONAL SERVICES,OTHER	$17,508	$8,912	$7,000	$16,000	$15,000
6305 N.HARRIS CTY.REG.WATER AUTH.	$2,431,661	$2,713,427	$2,700,000	$3,000,000	$3,300,000
6312 COMMUNICATION SERVICES	$6,276	$4,388	$5,000	$4,000	$4,000
6313 UTILITIES-ELECTRIC	$162,069	$161,249	$175,000	$175,000	$175,000
6329 OTHER SERVICES	$1,074	$9,000	$8,000	$5,000	$8,000
6332 TRAVEL AND MEALS	$726	$10	$300	$0	$0
6333 DUES AND SUBSCRIPTIONS	$225	$0	$1,100	$1,000	$1,000
6335 ADVERTISING COST	$0	$343	$450	$600	$600
6336 EQUIPMENT RENTALS	$0	$601	$1,000	$0	$1,000
6337 TRAINING	$2,425	$8,224	$5,500	$5,500	$4,125
6361 STUDIES AND ANALYSIS	$7,990	$14,702	$10,000	$11,500	$82,500
6362 PERMITS AND LICENSES	$10,066	$10,987	$15,500	$12,000	$15,000

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	UTILITY-WATER	600-613 - WATER

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
SERVICES AND CHARGES	**$2,640,333**	**$2,931,844**	**$2,928,850**	**$3,230,600**	**$3,606,225**
6402 COMPUTER EQUIPMENT	$0	$0	$2,000	$2,000	$0
6403 MACHINERY AND EQUIPMENT	$0	$0	$14,650	$10,150	$5,500
6404 RADIO EQUIPMENT	$0	$0	$2,200	$0	$0
6405 VEHICLE EQUIPMENT	$0	$170	$0	$0	$0
6409 SYSTEM EXPANSION	$56,855	$52,453	$50,000	$25,000	$55,000
CAPITAL OUTLAY	**$56,855**	**$52,623**	**$68,850**	**$37,150**	**$60,500**
BAD DEBTS	**$0**	**$0**	**$0**	**$0**	**$0**
6998 TRANSFER TO FLEET REPLACEMENT	$90,000	$0	$0	$0	$0
6999 TRANSFER TO CAPITAL PROJ. FUND	$55,000	$105,798	$0	$0	$0
TRANSFERS	**$145,000**	**$105,798**	**$0**	**$0**	**$0**
TOTAL UTILITY-WATER	**$3,668,770**	**$3,891,522**	**$3,941,730**	**$4,096,270**	**$4,456,600**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	UTILITY-SEWER	600-614 - SEWER

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6003 WAGES-FULL TIME	$368,886	$371,910	$383,734	$401,435	$393,358
6004 WAGES-PART TIME	$3,678	$8,502	$5,150	$10,000	$5,100
6005 WAGES-OVERTIME	$14,576	$6,074	$15,862	$15,862	$15,708
6006 WAGES-ON CALL	$38,939	$33,813	$25,750	$25,750	$25,500
6009 WAGES-OTHER	$19,980	$21,830	$22,896	$14,259	$23,494
6011 VACATION PAY	$24,260	$48,111	$27,999	$27,486	$29,653
6012 SICK PAY	$21,867	$5,116	$17,280	$11,042	$17,732
6013 EMERGENCY PAY	$802	$8	$0	$1,274	$0
6015 SICK TIME BUYBACK	$0	$0	$5,064	$3,267	$5,275
6019 MISCELLANEOUS PAY	$4,935	$4,245	$4,745	$4,740	$5,340
6022 TMRS-EMPLOYER	$65,390	$63,427	$69,151	$70,973	$70,277
6025 WORKER COMPENSATION INS.	$7,206	$6,611	$7,150	$6,878	$7,150
PERSONNEL SERVICES	**$605,737**	**$603,715**	**$623,824**	**$631,207**	**$638,595**
6101 OFFICE AND COMPUTER SUPPLIES	$517	$766	$500	$0	$0
6105 FOOD SUPPLIES	$34	$36	$100	$0	$0
6106 MATERIALS AND PARTS	$15,016	$34,195	$30,000	$20,000	$30,000
6107 CLOTHING AND UNIFORMS	$5,979	$4,796	$6,550	$6,500	$6,500
6108 FUEL, OIL AND LUBRICANTS	$14,991	$14,236	$15,000	$13,500	$15,000
6109 POSTAGE	$32	$0	$100	$0	$100
6110 CHEMICAL SUPPLIES	$75,125	$75,581	$85,000	$85,000	$85,000
6119 OTHER SUPPLIES	$11,065	$13,113	$32,300	$23,000	$19,000
6203 RADIO EQUIPMENT MAINTENANCE	$0	$0	$300	$300	$300
6204 OTHER EQUIPMENT MAINTENANCE	$15,492	$13,332	$20,000	$15,000	$20,000
6205 VEHICLE MAINTENANCE	$6,980	$6,441	$5,000	$10,000	$6,000
6206 BUILDING MAINTENANCE	$4,962	$45,022	$5,000	$5,000	$5,000
6207 SYSTEM MAINTENANCE	$318,861	$779,824	$250,000	$250,000	$250,000
REPAIRS AND MAINTENANCE	**$346,295**	**$844,619**	**$280,300**	**$280,300**	**$281,300**
6302 PROFESSIONAL SERVICES,ENGINEER	$0	$4,970	$0	$0	$0
6303 PROFESSIONAL SERVICES,LEGAL	$313	$0	$0	$0	$0
6304 PROFESSIONAL SERVICES,OTHER	$11,189	$11,832	$10,000	$20,000	$20,000
6312 COMMUNICATION SERVICES	$3,670	$2,523	$3,000	$3,500	$3,500
6313 UTILITIES-ELECTRIC	$155,847	$153,893	$165,000	$165,000	$165,000
6329 OTHER SERVICES	$63,740	$143,003	$125,000	$125,000	$125,000
6333 DUES AND SUBSCRIPTIONS	$225	$0	$1,500	$100	$100
6335 ADVERTISING COST	$6,197	$0	$0	$0	$0
6336 EQUIPMENT RENTALS	$5,100	$4,240	$4,500	$3,000	$4,500
6337 TRAINING	$1,865	$5,336	$5,000	$6,500	$3,750
6361 STUDIES AND ANALYSIS	$55,369	$53,364	$60,000	$60,000	$60,000
6362 PERMITS AND LICENSES	$34,904	$35,092	$50,000	$45,000	$45,000
SERVICES AND CHARGES	**$338,419**	**$414,251**	**$424,000**	**$428,100**	**$426,850**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	UTILITY-SEWER	600-614 - SEWER

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6402 COMPUTER EQUIPMENT	$0	$0	$3,000	$3,000	$0
6403 MACHINERY AND EQUIPMENT	$0	$12,720	$51,150	$42,750	$5,500
6404 RADIO EQUIPMENT	$0	$0	$2,200	$0	$0
6409 SYSTEM EXPANSION	$28,637	$25,000	$25,000	$0	$25,000
CAPITAL OUTLAY	**$28,637**	**$37,720**	**$81,350**	**$45,750**	**$30,500**
6998 TRANSFER TO FLEET REPLACEMENT	$0	$0	$0	$0	$0
6999 TRANSFER TO CAPITAL PROJ. FUND	$600,000	$1,203,644	$50,000	$50,000	$100,000
TRANSFERS	**$600,000**	**$1,203,644**	**$50,000**	**$50,000**	**$100,000**
DEBT	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL SEWER	**$2,041,848**	**$3,246,672**	**$1,629,024**	**$1,583,357**	**$1,632,845**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	UTILITY-GAS	600-615 - GAS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6003 WAGES-FULL TIME	$217,567	$211,482	$241,236	$239,128	$247,533
6004 WAGES-PART TIME	$2,190	$7,155	$5,150	$10,000	$5,100
6005 WAGES-OVERTIME	$14,416	$11,272	$12,360	$12,360	$12,240
6006 WAGES-ON CALL	$24,774	$11,919	$10,300	$25,750	$10,200
6009 WAGES-OTHER	$13,634	$13,081	$14,451	$8,118	$14,775
6011 VACATION PAY	$15,369	$30,298	$18,210	$14,630	$18,601
6012 SICK PAY	$6,172	$19,973	$10,906	$6,993	$11,151
6013 EMERGENCY PAY	$478	$599	$0	$583	$0
6015 SICK TIME BUYBACK	$0	$0	$2,439	$3,320	$3,386
6019 MISCELLANEOUS PAY	$2,800	$3,815	$2,975	$2,975	$3,330
6021 FICA-MED/SS	$20,992	$21,741	$24,471	$24,266	$25,087
6022 TMRS-EMPLOYER	$39,121	$40,216	$43,079	$43,420	$43,808
6025 WORKER COMPENSATION INS.	$3,104	$3,034	$3,410	$3,166	$3,410
PERSONNEL SERVICES	**$360,617**	**$374,584**	**$388,987**	**$394,709**	**$398,621**
6101 OFFICE SUPPLIES	$296	$622	$300	$0	$0
6105 FOOD SUPPLIES	$278	$0	$0	$0	$0
6106 MATERIALS AND PARTS	$81,677	$149,528	$165,000	$120,000	$165,000
6107 CLOTHING AND UNIFORMS	$4,516	$4,599	$4,200	$5,300	$4,950
6108 FUEL, OIL AND LUBRICANTS	$15,045	$11,929	$12,000	$12,000	$12,000
6109 POSTAGE	$441	$535	$500	$500	$500
6110 CHEMICAL SUPPLIES	$0	$4,571	$4,000	$0	$5,000
6111 TAP SUPPLIES AND COMPONENTS	$14,154	$0	$0	$0	$0
6119 OTHER SUPPLIES	$11,853	$25,666	$27,800	$23,000	$15,000
6129 GAS PURCHASES	$945,743	$1,130,013	$1,000,000	$1,000,000	$1,000,000
SUPPLIES	**$1,074,003**	**$1,327,464.31**	**$1,213,800**	**$1,160,800**	**$1,202,450**
6203 RADIO EQUIPMENT MAINTENANCE	$0	$0	$0	$170	$200
6204 OTHER EQUIPMENT MAINTENANCE	$10,855	$43,197	$43,000	$4,000	$4,000
6205 VEHICLE MAINTENANCE	$1,915	$3,677	$2,500	$2,500	$3,000
6207 SYSTEM MAINTENANCE	$83,285	$64,168	$160,000	$60,000	$60,000
6219 OTHER MAINTENANCE	$99	$0	$0	$0	$0
REPAIRS AND MAINTENANCE	**$96,154**	**$111,042**	**$205,500**	**$66,670**	**$67,200**
6304 PROFESSIONAL SERVICES,OTHER	$18,101	$11,515	$30,000	$45,000	$15,000
6312 COMMUNICATION SERVICES	$2,740	$2,485	$2,700	$4,000	$3,000
6313 UTILITIES-ELECTRIC	$1,431	$1,663	$1,800	$1,800	$1,800
6322 INSPECTION SERVICES	$0	$0	$4,000	$4,000	$4,000
6329 OTHER SERVICES	$5,602	$6,668	$5,000	$5,000	$5,000
6333 DUES AND SUBSCRIPTIONS	$4,591	$4,415	$1,500	$1,500	$1,500
6335 ADVERTISING COST	$7,221	$8,056	$7,000	$7,000	$7,000
6336 EQUIPMENT RENTALS	$710	$212	$1,500	$1,500	$1,500
6337 TRAINING	$14,872	$5,960	$28,000	$18,000	$21,000

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	UTILITY-GAS	600-615 - GAS

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6361 STUDIES AND ANALYSIS	$0	$4,300	$3,000	$1,000	$3,000
6362 PERMITS AND LICENSES	$3,370	$2,950	$3,000	$3,000	$3,000
SERVICES AND CHARGES	**$58,638**	**$48,223**	**$87,501**	**$91,801**	**$65,801**
6402 COMPUTER EQUIPMENT	$0	$0	$3,000	$3,000	$0
6403 MACHINERY AND EQUIPMENT	$0	$0	$23,650	$14,150	$7,500
6404 RADIO EQUIPMENT	$0	$0	$2,200	$0	$0
6409 SYSTEM EXPANSION	$0	($1)	$0	$0	$50,000
CAPITAL OUTLAY	**$0**	**($1)**	**$58,850**	**$17,150**	**$57,500**
6998 TRANSFER TO FLEET REPLACEMENT	$0	$0	$0	$0	$0
6999 TRANSFER TO CAPITAL PROJ. FUND	$0	$0	$100,000	$89,000	$70,000
TRANSFERS	**$0**	**$0**	**$100,000**	**$89,000**	**$70,000**
TOTAL UTILITY-GAS	**$1,589,411**	**$1,861,313**	**$2,054,638**	**$1,820,130**	**$1,861,572**

CITY OF TOMBALL

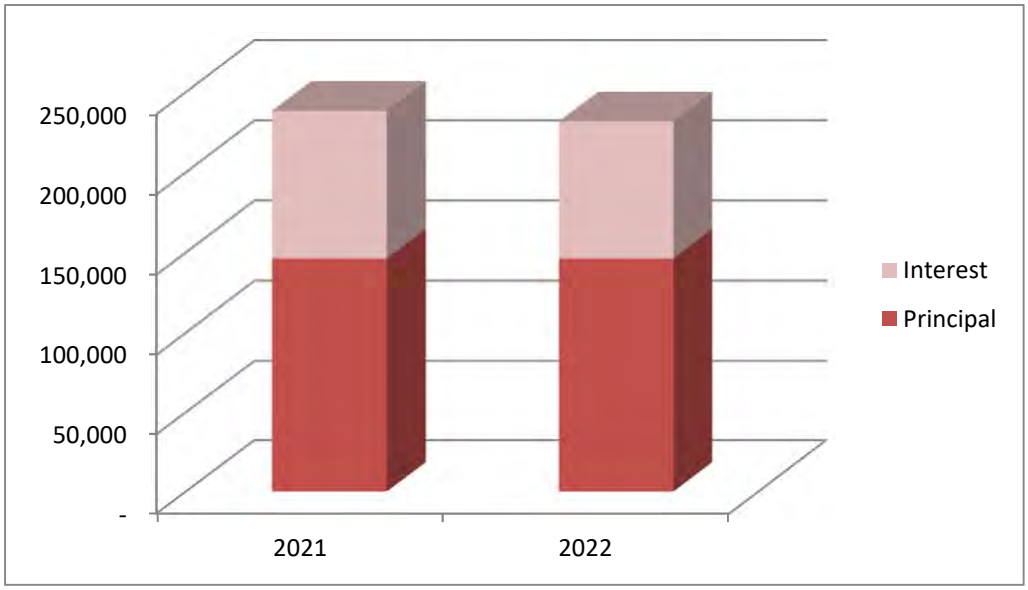
FUND	DEPARTMENT	DIVISION
ENTERPRISE FUND	DEBT	600-616 DEBT

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6901 INTEREST - BONDS	$78,888	$59,663	$55,605	$0	$92,012
6906 BOND FEES AND COST	$770	$468	$780	$0	$0
6911 PRINCIPAL - BONDS	$0	$0	$563,750	$0	$146,250
DEBT	**$637,065**	**$60,131**	**$620,135**	**$0**	**$238,262**
TOTAL DEBT	**$637,065**	**$60,131**	**$620,135**	**$0**	**$238,262**

City of Tomball
Enterprise Fund
Consolidated Debt Payment Schedule
2019-2020 Annual Budget

Fiscal Year	Principal	Interest	Total
2021	146,250	92,012	238,262
2022	146,250	85,431	231,681
2023	146,250	78,118	224,368
2024	146,250	70,806	217,056
2025	146,250	63,493	209,743
2026	145,500	56,199	201,699
2027	145,500	50,379	195,879
2028	145,500	46,014	191,514
2029	145,500	41,649	187,149
2030	145,500	37,284	182,784
2031	145,500	32,828	178,328
2032	145,500	28,191	173,691
2033	145,500	23,280	168,780
2034	145,500	18,188	163,688
2035	145,500	13,095	158,595
2036	145,500	7,912	153,412
2037	145,500	2,637	148,137
Total	$ 2,477,250	$ 747,517	$ 3,224,767



City of Tomball
Combination Tax & Revenue Certificates of Obligation, Series 2016
$20,240,000 - Tax Supported 100%
Issue Date : 12/15/2016
Sale Date: 12/20/16
Projects: Medical Complex Drive Segment 4B; Persimmon Street
85% Debt Service/15% Enterprise

Fiscal Year	Payment Date	Principal	Coupon	Interest	Total P & I	Fiscal Year Total
2021	2/15/2021	146,250.00	4.000%	47,468	193,718	
	8/15/2021			44,543	44,543	238,262
2022	2/15/2022	146,250.00	5.000%	44,543	190,793	
	8/15/2022			40,887	40,887	231,681
2023	2/15/2023	146,250.00	5.000%	40,887	187,137	
	8/15/2023			37,231	37,231	224,368
2024	2/15/2024	146,250.00	5.000%	37,231	183,481	
	8/15/2024			33,575	33,575	217,056
2025	2/15/2025	146,250.00	5.000%	33,575	179,825	
	8/15/2025			29,918	29,918	209,743
2026	2/15/2026	145,500.00	5.000%	29,918	175,418	
	8/15/2026			26,281	26,281	201,699
2027	2/15/2027	145,500.00	3.000%	26,281	171,781	
	8/15/2027			24,098	24,098	195,879
2028	2/15/2028	145,500.00	3.000%	24,098	169,598	
	8/15/2028			21,916	21,916	191,514
2029	2/15/2029	145,500.00	3.000%	21,916	167,416	
	8/15/2029			19,733	19,733	187,149
2030	2/15/2030	145,500.00	3.000%	19,733	165,233	
	8/15/2030			17,551	17,551	182,784
2031	2/15/2031	145,500.00	3.125%	17,551	163,051	
	8/15/2031			15,278	15,278	178,328
2032	2/15/2032	145,500.00	3.250%	15,278	160,778	
	8/15/2032			12,913	12,913	173,691
2033	2/15/2033	145,500.00	3.500%	12,913	158,413	
	8/15/2033			10,367	10,367	168,780
2034	2/15/2034	145,500.00	3.500%	10,367	155,867	
	8/15/2034			7,821	7,821	163,688
2035	2/15/2035	145,500.00	3.500%	7,821	153,321	
	8/15/2035			5,274	5,274	158,595
2036	2/15/2036	145,500.00	3.625%	5,274	150,774	
	8/15/2036			2,637	2,637	153,412
2037	2/15/2037	145,500.00	3.625%	2,637	148,137	148,137
Total		$ 2,477,250		$ 5,635,856	$ 3,224,767	$ 3,224,767

Fleet Replacement Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Transfers - General Fund	$ 141,812	$ 274,500	$ 100,000	$ 108,000	$ 115,505	$ 112,000
Transfers - Enterprise Fund	40,000	115,000	97,500	-	26,240	112,760
Transfers - Special Revenue	20,000	20,000	20,000	-	-	-
Other	10,083	19,875	-	20,000	-	-
Interest	13,390	26,916	24,347	50,000	18,000	15,000
Total	$ 225,285	$ 456,291	$ 241,847	$ 178,000	$ 159,745	$ 239,760
Expenditures:						
Capital Outlay - General Fund	$ 328,291	$ 301,746	$ 354,142	$ 388,000	$ 463,250	$ 638,450
Capital Outlay - Enterprise Fund	88,491	113,783	72,563	336,000	246,000	154,000
Total	$ 416,782	$ 415,528	$ 426,706	$ 724,000	$ 709,250	$ 792,450
Revenues Over (Under) Expenditures	$ (191,497)	$ 40,763	$ (184,859)	$ (546,000)	$ (549,505)	$ (552,690)
Beginning Fund Balance	$ 2,879,089	$ 2,687,592	$ 2,728,355	$ 2,543,496	$ 2,543,496	$ 1,993,991
Ending Fund Balance	$ 2,687,592	$ 2,728,355	$ 2,543,496	$ 1,997,496	$ 1,993,991	$ 1,441,301

CITY OF TOMBALL FLEET REPLACEMENT FUND						
	2017	2018	2019	2020	2020	2021
FLEET REPLACEMENT FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5500 SALE OF CITY PROPERTY	10,083	19,875	-	20,000	-	-
5800 INTEREST INCOME	13,390	26,916	24,347	50,000	18,000	15,000
5910 TRANSFER FROM GENERAL FUND	141,812	274,500	100,000	108,000	115,505	112,000
5911 TRANSFER FROM UTILITY FUND	40,000	115,000	97,500	-	26,240	112,760
5961 TRANSFER IN	20,000	20,000	20,000	-	-	-
TOTAL FLEET REPLACEMENT FUND	**225,285**	**456,291**	**241,847**	**178,000**	**159,745**	**239,760**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
FLEET REPLACEMENT	GEN FUND FLEET REPLACEMEN	650-651 GEN FUND FLEET

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6304 PROF. SERV. - OTHER	$5,000	$0	$0	$0	$0
6403 MACHINERY AND EQUIPMENT	$94,556	$29,716	$0	$0	$0
6405 VEHICLE EQUIPMENT	$253,188	($29,995)	$388,000	$463,250	$638,450
6410 DEPRECIATION EXPENSE	($50,999)	$354,421	$0	$0	$0
CAPITAL OUTLAY	**$301,746**	**$354,142**	**$388,000**	**$463,250**	**$638,450**
TOTAL GEN FUND FLEET REPLACEMEN	**$301,746**	**$354,142**	**$388,000**	**$463,250**	**$638,450**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
FLEET REPLACEMENT	UTILITY FUND FLEET REPLAC	650-652 UTILITY FUND FLEET

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6403 MACHINERY AND EQUIPMENT	$59,556	($8,377)	$162,000	$72,000	$154,000
6405 VEHICLE EQUIPMENT	$54,227	$8,656	$174,000	$174,000	$0
6410 DEPRECIATION EXPENSE	$0	$72,284	$0	$0	$0
CAPITAL OUTLAY	**$113,783**	**$72,563**	**$336,000**	**$246,000**	**$154,000**
TOTAL UTILITY FUND FLEET REPLAC	**$113,783**	**$72,563**	**$336,000**	**$246,000**	**$154,000**

730 - Water Capital Recovery Fund

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Water Capital Recovery Fee	$ 240,182	$ 415,109	$ 362,149	$ 400,000	$ 450,000	$ 400,000
Interest	12,295	28,787	49,759	52,000	25,000	20,000
Total	$ 252,477	$ 443,896	$ 411,908	$ 452,000	$ 475,000	$ 420,000
Expenditures:						
Services and Charges	$ -	$ -	$ -	$ -	$ -	$ -
Transfers Out	465,983	-	106,656	400,000	455,000	-
Total	$ 465,983	$ -	$ 106,656	$ 400,000	$ 455,000	$ -
Revenues Over (Under) Expenditures	$ (213,505)	$ 443,897	$ 305,253	$ 52,001	$ 20,001	$ 420,001
Beginning Fund Balance	$ 1,870,135	$ 1,656,630	$ 1,656,630	$ 1,961,883	$ 1,961,883	$ 1,981,884
Ending Fund Balance	$ 1,656,630	$ 2,100,527	$ 1,961,883	$ 2,013,884	$ 1,981,884	$ 2,401,885

CITY OF TOMBALL
WATER CAPITAL RECOVERY FUND - 730

	2017	2018	2019	2020	2020	2021
WATER CAPITAL RECOVERY FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5800 INTEREST INCOME	12,295	28,787	49,759	52,000	25,000	20,000
5810 WATER CAPITAL RECOVERY FEE	240,183	415,107	362,149	400,000	450,000	400,000
TOTAL WATER CAPITAL RECOVERY FUND	**252,478**	**443,894**	**411,908**	**452,000**	**475,000**	**420,000**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
WATER CAPITAL RECOVERY	WATER CAPITAL RECOVERY	730-731 WATER CAPITAL

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
SERVICES AND CHARGES	**$0**	**$0**	**$0**	**$0**	**$0**
6691 TRANSFERS OUT	$0	$106,656	$400,000	$455,000	$0
TRANSFERS	**$0**	**$0**	**$400,000**	**$455,000**	**$0**
TOTAL WATER CAPITAL RECOVERY	**$0**	**$0**	**$400,000**	**$455,000**	**$0**

740 - Sewer Capital Recovery Fund

Statement of Revenues, Expenditures and Changes in Fund Balance
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Sewer Capital Recovery Fee	$ 208,850	$ 417,256	$ 360,885	$ 400,000	$ 400,000	$ 360,000
Interest	12,139	23,827	40,811	40,000	25,000	25,000
Total	$ 220,989	$ 441,083	$ 401,696	$ 440,000	$ 425,000	$ 385,000
Expenditures:						
Transfers	$ 1,000,000	$ -	$ 322,088	$ 400,000	$ 479,000	$ -
Total	$ 1,000,000	$ -	$ 322,088	$ 400,000	$ 479,000	$ -
Revenues Over (Under) Expenditures	$ (779,010)	$ 441,084	$ 79,609	$ 40,001	$ (53,999)	$ 385,001
Beginning Fund Balance	$ 2,097,549	$ 1,318,539	$ 1,759,623	$ 1,839,232	$ 1,839,232	$ 1,785,233
Ending Fund Balance	$ 1,318,539	$ 1,759,623	$ 1,839,232	$ 1,879,233	$ 1,785,233	$ 2,170,234

CITY OF TOMBALL
SEWER CAPITAL RECOVERY FUND - 740

	2017	2018	2019	2020	2020	2021
SEWER CAPITAL RECOVERY FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5800 INTEREST	12,139	23,827	40,811	40,000	25,000	25,000
5840 SEWER CAPITAL RECOVERY FEE	208,850	417,256	360,885	400,000	400,000	360,000
TOTAL SEWER CAPITAL RECOVERY FUND	**220,989**	**441,083**	**401,696**	**440,000**	**425,000**	**385,000**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
SEWER CAPITAL RECOVERY	SEWER CAPITAL RECOVERY	740-741 SEWER CAPITAL

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
SERVICES AND CHARGES	**$0**	**$0**	**$0**	**$0**	**$0**
6691 TRANSFERS OUT	$0	$322,088	$400,000	$479,000	$0
TRANSFERS	**$0**	**$322,088**	**$400,000**	**$479,000**	**$0**
TOTAL SEWER CAPITAL RECOVERY	**$0**	**$322,088**	**$400,000**	**$479,000**	**$0**

City of Tomball
910 Employee Benefit Trust Fund
2020-2021 Proposed Budget

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 2020 Projection	FY 2021 Budget
Revenues:						
Transfers	$ 2,598,249	$ 2,736,910	$ 2,862,477	$ 2,862,477	$ 2,862,477	$ 2,889,477
ESD#15 Reimbursement	26,692	92,232	164,000	164,000	164,000	164,000
Interest	7,948	19,597	30,000	30,000	30,000	26,000
Total	$ 2,632,889	$ 2,848,739	$ 3,056,477	$ 3,056,477	$ 3,056,477	$ 3,079,477
Expenditures:						
Health Insurance Costs	$ 2,458,772	$ 2,545,128	$ 2,803,574	$ 2,959,758	$ 2,959,758	$ 2,725,111
Services and Charges	41,975	36,881	43,461	63,135	63,135	64,131
Total	$ 2,500,747	$ 2,582,009	$ 2,847,035	$ 3,022,893	$ 3,022,893	$ 2,789,242
Revenues Over (Under) Expenditures	$ 132,142	$ 266,730	$ 209,442	$ 33,584	$ 33,584	$ 290,235
Beginning Fund Balance	$ 1,165,768	$ 1,297,913	$ 1,564,644	$ 1,774,086	$ 1,774,086	$ 1,807,670
Ending Fund Balance	$ 1,297,913	$ 1,564,644	$ 1,774,086	$ 1,807,670	$ 1,807,670	$ 2,097,905

CITY OF TOMBALL EMPLOYEE TRUST FUND - 910						
	2017	2018	2019	2020	2020	2021
EMPLOYEE TRUST FUND	**ACTUAL**	**ACTUAL**	**ACTUAL**	**BUDGET**	**PROJECTION**	**BUDGET**
5474 ESD#15 STATION 5 PAYROLL REIMBURSE.	26,692	92,232	131,806	164,000	164,000	164,000
5800 INTEREST	7,948	19,597	26,780	30,000	30,000	26,000
5961 TRANSFER IN	2,598,249	2,736,910	2,863,167	2,862,477	2,862,477	2,889,477
TOTAL EMPLOYEE TRUST FUND	**2,632,889**	**2,848,739**	**3,021,753**	**3,056,477**	**3,056,477**	**3,079,477**

CITY OF TOMBALL

FUND	DEPARTMENT	DIVISION
EMPLOYEE BENEFITS TRUST	HEALTH INSURANCE	910-920 HEALTH INSURANCE

DETAILS

LINE ITEMS	2018 ACTUAL	2019 ACTUAL	2020 BUDGET	2020 ESTIMATED	2021 BUDGET
6024 HEALTH INSURANCE	$2,545,128	$2,803,574	$2,959,758	$2,959,758	$2,725,111
PERSONNEL SERVICES	**$2,545,128**	**$2,803,574**	**$2,959,758**	**$2,959,758**	**$2,725,111**
6304 PROF. SERVICES- OTHER	$36,291	$42,874	$45,135	$45,135	$46,131
6329 OTHER SERVICES	$590	$587	$18,000	$18,000	$18,000
SERVICES AND CHARGES	**$36,881**	**$43,461**	**$63,135**	**$63,135**	**$64,131**
TOTAL HEALTH INSURANCE	**$2,582,009**	**$2,847,035**	**$3,022,893**	**$3,022,893**	**$2,789,242**

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve Resolution 2020-20, A Resolution Of The City Council Of The City Of Tomball, Texas, Accepting The Preliminary Service And Assessment Plan For Authorized Improvements Within The Raburn Reserve Public Improvement District; Setting A Date For Public Hearing On The Proposed Levy Of Assessments; Authorizing The Publication And Mailing Of Notice; And Enacting Other Provisions Relating Thereto

Background:
Resolution 2020-20 accepts the Preliminary Service and Assessment Plan for the Raburn Reserve Public Improvement District (TPID 10) and sets the date for the Public Hearing on the proposed levy of assessments for September 8, 2020.

The boundaries of the district include approximately 105 Acres of Land within the City of Tomball, generally located on the east side of South Persimmon Road from Lizzie Lane to Agg Road.

Origination:
HT Raburn Reserve Development L.P.

Recommendation:
Approval

Party(ies) responsible for placing this item on agenda:
Craig T. Meyers, Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Resolution 2020-20

RESOLUTION NO. 2020-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ACCEPTING THE PRELIMINARY SERVICE AND ASSESSMENT PLAN FOR AUTHORIZED IMPROVEMENTS WITHIN THE RABURN RESERVE PUBLIC IMPROVEMENT DISTRICT; SETTING A DATE FOR PUBLIC HEARING ON THE PROPOSED LEVY OF ASSESSMENTS; AUTHORIZING THE PUBLICATION AND MAILING OF NOTICE; AND ENACTING OTHER PROVISIONS RELATING THERETO

* * * * * * * *

WHEREAS, on July 26, 2019, Raburn Commercial Resources, LLC a Texas limited liability company (the "*Petitioner*"), the owner of approximately 103.7 acres within the corporate limits of the City, submitted and filed with the City Secretary of the City a petition (the "*Petition*") requesting the establishment of a PID to be known as the Reserve at Raburn Public Improvement District (the "*District*") within the corporate limits of the City; and

WHEREAS, on July 26, 2019, the City Council of the City (the "*City Council*") received the Petition which was signed by the owners of more than 50% of the appraised value of the taxable real property liable for assessment and the record owners of more than 50% of the area of all taxable real property within the proposed boundaries of the District that was liable for assessment, and as such, the Petition complies with the Act; and

WHEREAS, on August 5, 2019, the City Council accepted the Petition and called a public hearing for September 3, 2019, on the creation of the District and the advisability of the improvements; and

WHEREAS, notice of the hearing was published in a newspaper of general circulation in the City in which the District is to be located on August 14, 2019; and,

WHEREAS, on August 16, 2019, notice to the owners of property within the proposed District was sent by first-class mail to the owners of 100% of the property subject to assessment under the proposed District containing the information required by the Act such that such owners had actual knowledge of the public hearing to be held on September 3, 2019; and

WHEREAS, the City Council opened and conducted such public hearing on the advisability of the improvements and the creation of the District, and closed such hearing on September 3, 2019; and

WHEREAS, the City Council approved the creation of the PID by Resolution No. 2019-41 approved on October 7, 2019 (the "Original Creation Resolution") and published the Original Creation Resolution as authorized by the Act; and

WHEREAS, the City subsequently abandoned approximately two (2) acres of right of way within the PID (the "Additional Land") and the Developer requested that the City add such Additional Land to the PID in order for such Additional Land to be developed within the PID; and

WHEREAS, on October 7, 2019 the City approved Resolution No. 2019-42 calling a public hearing on adding the Additional Land to the boundaries of the PID; and

WHEREAS, on October 9, 2019, notice of public hearing was mailed to the owners of the Property within the PID and notice of the public hearing was published in a newspaper of general circulation on October 23, 2019; and

WHEREAS, the City Council opened and conducted such public hearing on the addition of the Additional Land to the PID and closed such hearing on November 4, 2019 and approved and amended and restated resolution creating the PID (the "Amended Creation Resolution") to add the Additional Land to the boundaries of the PID; and

WHEREAS, upon adoption of the Amended Creation Resolution, the boundaries of the District were amended and the boundaries now include the property depicted on Exhibit A and described in Exhibit B attached to the Amended Creation Resolution; and

WHEREAS, the City re-published the Amended Creation Resolution in a newspaper of general circulation in the City and the PID; and

WHEREAS, no written protests of the District from any owners of record of property within the District were filed with the City Secretary within 20 days after such publication; and

WHEREAS, the District is to be developed in phases and assessments are anticipated to be levied in each development phase (each an "Improvement Area"); and

WHEREAS, pursuant to Sections 372.013, 372.014, and 372.016 of the Act, the City Council has directed the preparation of a Preliminary Service and Assessment Plan for certain public improvements (the "Authorized Improvements") within Improvement Area #1 of the District (the "Preliminary Plan"), such Preliminary Plan attached hereto as Exhibit B, covers a period of at least five years and defines the annual indebtedness and the projected costs of the Authorized Improvements within Improvement Area #1; and

WHEREAS, the Preliminary Plan also includes assessment plans that apportion the cost of an Authorized Improvement to be assessed against property within Improvement Area #1 of the District and such apportionment is made on the basis of special benefits accruing to the assessed property within Improvement Area #1 of the District because of the Authorized Improvements; and

WHEREAS, the City Council also directed the preparation of an assessment roll for the District that states the assessment against each parcel of land within Improvement Area #1 of the District (the "Assessment Roll") and such Assessment Roll is attached to and a part of the Preliminary Plan; and

WHEREAS, after determining the total costs of the Authorized Improvements for Improvement Area #1 of the District, the City Council notes that the Preliminary Plan and proposed Assessment Roll may be changed as the City Council deems appropriate before such Preliminary Plan and Assessment Roll are adopted as final by the City Council; and

WHEREAS, the City has determined to call a public hearing regarding the proposed levy of assessments pursuant to the Preliminary Plan and the proposed Assessment Roll on property within Improvement Area #1 of the District, pursuant to Section 372.016 of the Act; and

WHEREAS, the City desires to publish and mail notice of such public hearing in order to provide notice to all interested parties of the City's proposed levy of assessments against such property in the District, pursuant to Section 372.016 of the Act; and

WHEREAS, the City desires to file the Preliminary Plan and Assessment Roll with the City Secretary such that they are available for public inspection pursuant to Section 372.016 of the Act.

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

Section 1. Findings. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. Calling Public Hearing. The City Council hereby calls a public hearing (the "Public Hearing") for 6:00 p.m. on September 8, 2020 at the regular meeting place of the City, the City Council Chamber at Tomball City Hall, 401 Market Street, Tomball, Texas 77375 (unless alternative meeting arrangements are required to address public health concerns, which meeting arrangements will be specified in the notice of such meeting posted in accordance with applicable law), to consider approving the Preliminary Plan, with such changes and amendments as the City Council deems necessary, and the proposed Assessment Roll with such amendments to the assessments on any parcel as the City Council deems necessary, as the final Service and Assessment Plan (the "Final Plan") and final Assessment Roll (the "Final Roll") for the District. After all objections made at such hearing have been heard, the City Council may (i) levy the assessments as special assessments against each parcel of property in the District as set forth in the Final Plan, including the Final Roll; (ii) specify the method of payment of the assessments; and (iii) provide that assessments be paid in periodic installments. Notice of the Public Hearing setting out the matters required by Section 372.016 of the Act shall be given by publication at least eleven (11) days before the date of the hearing, in a newspaper of general circulation in the City. Notice of such hearing shall also be given by the City Secretary, by mailing a copy of the notice containing the information required by Section 372.016(b) of the Act to the last known address of each owner of property liable for an assessment in the proposed Final Roll as reflected on the tax rolls of the Harris County Appraisal District. All residents and property owners within the District, and all other persons, are hereby invited to appear in person, or by their attorney, and contend for or contest the Preliminary Plan and the Final Roll, and the proposed assessments and offer testimony pertinent to any issue presented on the amount of the assessments, purpose of the assessments, special benefit of the assessments, and the costs of collection and the penalties and interest on delinquent assessments. At or on the adjournment of the hearing

conducted pursuant to Section 372.016 on the proposed assessments, the City Council must hear and pass on any objection to a proposed assessment. The City Council may amend a proposed assessment on any parcel in the District. The failure of a property owner to receive notice does not invalidate the proceeding.

Section 3. Publication of Notice. The City Council hereby directs the City Secretary to cause the publication and mailing of notice of the Public Hearing substantially in the form attached as Exhibit A. Such publication shall occur before the 10th day before the date of the Public Hearing.

Section 4. Conduct of Public Hearing. The City Council shall convene at the location and at the time specified in the notice described above for the Public Hearing and shall conduct the Public Hearing in connection with its consideration of the Final Plan, including the Final Roll, for the District and the levy of the proposed assessments, including costs of collection, penalties and interest on delinquent assessments. At the Public Hearing, the City Council will hear and pass on any objections to the Preliminary Service and Assessment Plan and the proposed Assessment Roll and the levy of the proposed assessments (which objections may be written or oral). At or on the adjournment of the Public Hearing, the City Council may amend a proposed assessment on any parcel in the District. After all objections, if any, have been heard and passed upon, the City may (i) levy the assessments as special assessments against each parcel of property in Improvement Area #1 of the District as set forth in the Final Plan and Final Roll for the District, (ii) specify the method of payment of the assessments, and (iii) provide that the assessments be paid in periodic installments.

Section 5. Filing of Proposed Assessment Roll. The proposed Final Roll shall be filed in the office of the City Secretary and be made available to any member of the public who wishes to inspect the same.

Section 6. Further Action. The City Secretary is hereby authorized and directed to take such other actions as are required, including providing notice of the Public Hearing as required by the Texas Open Meetings Act and placing the Public Hearing on the agenda for the September 8, 2020 meeting of the City Council.

[Signature Page Follows]

DULY RESOLVED by the City Council of the City of Tomball, Texas, on the ____ day of ____, 2020.

_____
Mayor

ATTEST:

_____
City Secretary

APPROVED:

_____
City Attorney

Signature Page to Resolution Accepting SAP

EXHIBIT A

CITY OF TOMBALL
NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL, TEXAS

TUESDAY, SEPTEMBER 8, 2020

6:00 P.M.

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF TOMBALL REGARDING PROPOSED ASSESSMENTS TO BE LEVIED AGAINST CERTAIN ASSESSABLE PROPERTY IN THE RABURN RESERVE PUBLIC IMPROVEMENT DISTRICT (THE "DISTRICT") PURSUANT TO THE PROVISIONS OF CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED (THE "ACT").

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of the City of Tomball, Texas for 6:00 p.m. on September 8, 2020 at the regular meeting place of the City, the City Council Chamber at Tomball City Hall, 401 Market Street, Tomball, Texas 77375 (unless alternative meeting arrangements are required to address public health concerns, which meeting arrangements will be specified in the notice of such meeting posted in accordance with applicable law). The public hearing will be held to consider proposed assessments to be levied against certain assessable property in the Raburn Reserve Public Improvement District (the "District") pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the "Act").

THE GENERAL NATURE OF THE AUTHORIZED IMPROVEMENTS ARE: (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) design, construction and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction and other allowed costs related to gas, water, wastewater and drainage (including detention) improvements and facilities; (v) design, construction and other allowed costs related to projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (v) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

THE ESTIMATED COST TO DESIGN, ACQUIRE AND CONSTRUCT THE AUTHORIZED IMPROVEMENTS within Improvement Area #1, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in establishment, administration and operation of the District is approximately $6,300,000, plus the annual cost of supplemental services, if any, and operation and maintenance costs, if any. The City will pay no costs of the Authorized Improvements, supplemental services or operation and maintenance costs from funds other than assessments levied on property within the District. The remaining costs of the proposed improvements will be paid from sources other than those described above.

THE BOUNDARIES OF THE DISTRICT include approximately 105 Acres of Land within the City of Tomball, Harris County, Texas, Said Property Being Generally Located on the East Side of South Persimmon Road from Lizzie Lane to Agg Road. A metes and bounds description is available for inspection at the offices of the City Secretary at the location described below.

All written or oral objections relating to the levy of the proposed assessments will be considered at the public hearing.

A copy of the Preliminary Service and Assessment Plan, including the proposed Assessment Roll, for the District, which includes the assessments to be levied against each parcel in Improvement Area #1 of the District is available for public inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas 77375.

All interested persons are invited to attend such public hearing to express their views with respect to the inclusion of the Additional Land within the PID and the Authorized Improvements to be made therein.

This Notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

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 4th day of August 2020 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meetings.

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.

EXHIBIT B

PRELIMINARY SERVICE AND ASSESSMENT PLAN

Raburn Reserve Public Improvement District

SERVICE AND ASSESSMENT PLAN

JULY 28, 2020

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INTRODUCTION

Capitalized terms used in this Service and Assessment Plan shall have the meanings given to them in Section I unless otherwise defined in this Service and Assessment Plan or unless the context in which a term is used clearly requires a different meaning. Unless otherwise defined, a reference to a "Section" or an "Exhibit" shall be a reference to a Section of this Service and Assessment Plan or an Exhibit attached to and made a part of this Service and Assessment Plan for all purposes.

On October 7, 2019, the City passed and approved Resolution No. 2019-41 authorizing the creation of the District in accordance with the PID Act, as amended, which authorization was effective upon publication as required by the PID Act.

On November 4, the City passed and approved Resolution No. 2019-45 which amends and restates Resolution No. 2019-41 by incorporating the increased area of the District as a result of right-of-way abandonments. The revised boundary of the District encompasses approximately 105 acres.

The purpose of the District is to finance the Actual Costs of Authorized Improvements that confer a special benefit on approximately 105 acres located within the City, as described by metes and bounds on **Exhibit A** and depicted on **Exhibit B**.

The PID Act requires a service plan covering a period of at least five years and defining the annual indebtedness and projected cost of the Authorized Improvements. The Service Plan is contained in **Section IV**.

The PID Act requires that the Service Plan include an assessment plan that assesses the Actual Costs of the Authorized Improvements against the District based on the special benefits conferred on the District by the Authorized Improvements. The Assessment Plan is contained in **Section V**.

The PID Act requires an assessment roll that states the assessment against each parcel determined by the method chosen by the City Council. The Assessment against each Parcel must be sufficient to pay the share of the Actual Costs apportioned to the Parcel and cannot exceed the special benefit conferred on the Parcel by the Authorized Improvements. The Improvement Area #1 Assessment Roll is included as **Exhibit F.**

SECTION I: DEFINITIONS

"Actual Costs" mean, with respect to Authorized Improvements, the Owner's demonstrated, reasonable, allocable, and allowable costs of constructing such Authorized Improvements, as specified in a payment request in a form that has been reviewed and approved by the City and in an amount not to exceed the amount for each Authorized Improvement as set forth in this Service and Assessment Plan, except for authorized reallocations, which include Cost Underruns (as defined in the Development Agreement) in any category of Authorized Improvements being reallocated to cover Cost Overruns (as defined in the Development Agreement) in any different category of Authorized Improvements as approved by the City. Actual Costs may include: (1) the costs incurred by, caused to be incurred by, or on behalf of the Owner (either directly or through affiliates) for the design, planning, financing, administration/management, acquisition, installation, construction and/or implementation of such Authorized Improvements; (2) the fees paid for obtaining permits, licenses, or other governmental approvals for such Authorized Improvements; (3) construction management fees equal to 4% of cost of the Authorized Improvements; (4) the costs incurred by or on behalf of the Owner for external professional costs, such as engineering, geotechnical, surveying, land planning, architectural landscapers, appraisals, legal, accounting, and similar professional services; (5) all labor, bonds, and materials, including equipment and fixtures, by contractors, builders, and materialmen in connection with the acquisition, construction, or implementation of the Authorized Improvements; and (6) all related permitting and public approval expenses, architectural, engineering, and consulting fees, taxes, and governmental fees and charges.

"Additional Interest" means the amount collected by application of the Additional Interest Rate.

"Additional Interest Rate" means an amount not to exceed 0.50% additional interest charged on Assessments pursuant to Section 372.018 of the PID Act. The Additional Interest Rate is not charged on Improvement Area #1 Assessments securing the Improvement Area #1 Reimbursement Obligation.

"Administrative Expense Fund" means the fund established pursuant to the Indenture where the funds to pay the Annual Collection Costs will be deposited.

"Administrator" means the City or the person or firm designated by the City who shall have the responsibility provided in this Service and Assessment Plan, an Indenture, or any other agreement or document approved by the City related to the duties and responsibilities of the administration of the District.

"Annual Collection Costs" mean the actual or budgeted costs and expenses related to the creation and operation of the District, the issuance and sale of PID Bonds, and the construction,

operation, and maintenance of the Authorized Improvements, including, but not limited to, costs and expenses for: (1) the Administrator and City staff; (2) legal counsel, engineers, accountants, financial advisors, and other consultants engaged by the City; (3) calculating, collecting, and maintaining records with respect to Assessments and Annual Installments, including the costs of foreclosure; (4) preparing and maintaining records with respect to Assessment Rolls and Annual Service Plan Updates; (5) issuing, paying, and redeeming PID Bonds; (6) investing or depositing Assessments and Annual Installments; (7) complying with this Service and Assessment Plan and the PID Act with respect to the issuance and sale of PID Bonds, the administration of the Improvement Area #1 Reimbursement Agreement, including continuing disclosure requirements; (8) the paying agent/registrar and Trustee in connection with PID Bonds, including their respective legal counsel; and (9) administering the construction of the Authorized Improvements. Annual Collection Costs collected but not expended in any year shall be carried forward and applied to reduce Annual Collection Costs for subsequent years.

"Annual Installment" means the annual installment payment on the Assessment as calculated by the Administrator and approved by the City Council, that includes: (1) principal; (2) interest; (3) Annual Collection Costs; and (4) Additional Interest, as applicable.

"Annual Service Plan Update" means an update to the Service and Assessment Plan prepared no less frequently than annually by the Administrator and approved by the City Council.

"Assessed Property" means any Parcel within the District against which an Assessment is levied and does not include Non-Benefitted Parcels.

"Assessment" means an assessment (including interest thereon) levied against a Parcel within the District and imposed pursuant to an Assessment Ordinance and the provisions herein, as shown on an Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and the PID Act.

"Assessment Ordinance" means an ordinance adopted by the City Council in accordance with the PID Act that levies an Assessment.

"Assessment Plan" means the methodology employed to assess the Actual Costs of the Authorized Improvements against the District based on the special benefits conferred on the District by the Authorized Improvements, more specifically described in **Section V**.

"Assessment Roll" means the assessment roll for the Assessed Property within the District, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including any Annual Service Plan Updates. The Improvement Area #1 Assessment Roll is included in this Service and Assessment Plan as **Exhibit F.**

"Authorized Improvements" means improvements authorized by Section 372.003 of the PID Act, including District Formation Costs and Bond Issuance Costs, as described in **Section III**.

"Bond Issuance Costs" means the costs associated with issuing PID Bonds, including but not limited to attorney fees, financial advisory fees, consultant fees, appraisal fees, printing costs, publication costs, City costs, capitalized interest, reserve fund requirements, first year District administration reserves, underwriter discount, fees charged by the Texas Attorney General, and any other cost or expense directly associated with the issuance of PID Bonds.

"City" means the City of Tomball, Texas.

"City Council" means the duly elected governing body of the City.

"County" means Harris County, Texas.

"Delinquency and Prepayment Reserve Fund" means the funds established pursuant to the Indenture where the Additional Interest will be deposited.

"Delinquent Collection Costs" mean costs related to the foreclosure of the lien on Assessed Property and the costs of collection of delinquent Assessments, delinquent Annual Installments, or any other delinquent amounts due under this Service and Assessment Plan including penalties and reasonable attorney's fees to the extent permitted by law, but excluding amounts representing interest and penalty interest.

"Developer" means HT Raburn Reserve Development, L.P. a Texas limited partnership.

"Development Agreement" means that certain Raburn Reserve Development Agreement between the City and the Developer dated as of October 7, 2019, as amended by that certain First Amendment to Raburn Reserve Development Agreement effective June 15, 2020.

"District" means the Raburn Reserve Public Improvement District containing approximately 105 acres located within the City as shown on **Exhibit B** and more specifically described on **Exhibit A.**

"District Formation Costs" means costs incurred by the Developer including attorney fees, financial consultant fees, and other fees related to the formation of the District and the levy of Assessments.

"Estimated Buildout Value" means the estimated buildout value of an Assessed Property, and shall be determined by the Administrator and confirmed by the City Council by considering such factors as density, lot size, proximity to amenities, view premiums, location, market conditions, historical sales, builder contracts, discussions with homebuilders, reports from third party consultants, or any other factors that may impact value.

"Future Improvement Areas" means the property within the District, excluding Improvement Area #1. Future Improvement Areas may be developed in phases after Improvement Area #1.

"Future Improvement Area Bonds" mean bonds issued to fund Future Improvement Area Improvements (or a portion thereof) in a Future Improvement Area that are secured by Assessments levied on Assessed Property within such Future Improvement Area.

"Future Improvement Area Improvements" mean those Authorized Improvements which will confer a special benefit solely on the related Future Improvement Area.

"Improvement Area" means specifically defined and designated portions of the District that are developed in phases, including Improvement Area #1 and each area within the Future Improvement Areas that is specifically defined and designated as a phase of the District.

"Improvement Area #1" means approximately 40 acres located within the District, as shown on **Exhibit A** and more specifically detailed on the Improvement Area #1 Plat attached as **Exhibit L**.

"Improvement Area #1 Annual Installment" means the annual installment payment on the Improvement Area #1 Assessment as calculated by the Administrator and approved by the City Council that includes: (1) principal, (2) interest, (3) Annual Collection Costs, and (4) Additional Interest, as applicable.

"Improvement Area #1 Assessed Property" means any Parcel within Improvement Area #1 against which an Improvement Area #1 Assessment is levied.

"Improvement Area #1 Assessment" means an Assessment levied against a Parcel within Improvement Area #1 and imposed pursuant to an Assessment Ordinance and the provisions herein, as shown on the Improvement Area #1 Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the PID Act.

"Improvement Area #1 Improvements" mean those Authorized Improvements that only benefit Improvement Area #1.

"Improvement Area #1 Plat" means the plat recorded in the Official Public Records of the County on _____ and attached as **Exhibit L**.

"Improvement Area #1 Reimbursement Agreement" means that certain "Raburn Reserve Public Improvement District Improvement Area #1 Acquisition and Reimbursement Agreement" effective _____ entered into by and between the City and Developer, whereby all or a portion of the Actual Costs will be paid to the Developer from Improvement Area #1 Assessments to reimburse the Developer for Actual Costs paid by the Developer, that are eligible to be paid with Improvement Area #1 Assessments plus interest.

"Improvement Area #1 Reimbursement Obligation" means an amount not to exceed $1,690,000 secured by Improvement Area #1 Assessments to be paid to Developer pursuant to the Improvement Area #1 Reimbursement Agreement.

"Improvement Area #1 Series A Bonds" means those certain "City of Tomball, Texas, Special Assessment Revenue Bonds, Series 2020 (Raburn Reserve Public Improvement District Improvement Area #1)", that are secured by Improvement Area #1 Assessments.

"Indenture" means an Indenture of Trust entered into in connection with the issuance of PID Bonds, as amended or supplemented from time to time, between the City and a Trustee setting forth terms and conditions related to PID Bonds.

"Lot" means a tract of land upon which the levy of Assessments is based in this Service and Assessment Plan, that is (1) a "lot" in a subdivision plat recorded in the official records of the County, (2) a development/concept plan or (3) a preliminary plat.

"Lot Type" means a classification of final building Lots with similar characteristics (e.g. general retail, light industrial, multi-family, single family residential, etc.), as determined by the Administrator and confirmed and approved by the City Council.

"Lot Type 1" means a residential Lot within Improvement Area #1 marketed to homebuilders as a 50' Lot.

"**Maximum Assessment**" means for Lot Type 1, $31,429, as reduced annually by the principal portion of the Annual Installment and as shown on **Exhibit H**.

"Non-Benefited Property" means Parcels within the boundaries of the District that accrue no special benefit from the Authorized Improvements. Property is identified as Non-Benefited Property at the time the Assessments (1) are levied or (2) are reallocated pursuant to a subdivision of a Parcel that receives no benefit. Assessed Property converted to Non-Benefited Property, if the Assessments are not reallocated pursuant to the provisions herein, remain subject to the Assessments and requires the Assessments to be prepaid as provided herein.

"Owner" means the Developer and any successor developer of property in the District or any portion thereof.

"Parcel(s)" means a property, within the District, identified by either a tax map identification number assigned by the Harris County Appraisal District for real property tax purposes, by metes and bounds description, or by lot and block number in a final subdivision plat recorded in the official public records of the County, or by any other means determined by the City.

"PID Act" means Chapter 372, Texas Local Government Code, as amended.

"PID Bonds" means bonds issued by the City to finance the Authorized Improvements and secured in whole or in part by Assessments, including Annual Installments thereof.

"Prepayment" means the payment of all or a portion of an Assessment before the due date thereof. Amounts received at the time of a Prepayment which represent a payment of principal, interest, or penalties on a delinquent Annual Installment of an Assessment are not to

be considered a Prepayment, but rather are to be treated as the payment of the regularly scheduled Assessment.

"Prepayment Costs" means principal and interest, including Additional Interest, and Annual Collection Costs incurred up to the date of Prepayment, and including any penalties.

"Reimbursement Agreement" means any reimbursement agreement, including the Improvement Area #1 Reimbursement Agreement, between the City and the Developer pursuant to which the City agrees to levy Assessments on an Improvement Area and all or a portion of such Assessments are paid to the Developer to reimburse the Actual Costs related to such Improvement Area.

"Reimbursement Obligation" means the amount to be paid to the Developer pursuant to a Reimbursement Agreement.

"Residential Lot" means a Lot designed to include a residential home within a final subdivision plat and as determined by the Administrator and confirmed by the City Council.

"Service and Assessment Plan" means this Service and Assessment Plan as updated and amended from time to time.

"Service Plan" means the plan that defines the annual indebtedness and projected costs of the Authorized Improvements, and covers a period of at least five years, more specifically described in **Section IV**.

"Trustee" means a trustee (or successor trustee) under the applicable Indenture.

SECTION II: THE DISTRICT

The District includes approximately 105 contiguous acres located within the City, as more particularly described by metes and bounds on **Exhibit A** and depicted on **Exhibit B.** Development of the District is anticipated to include approximately 362 single-family homes, as shown on **Exhibit I**.

Improvement Area #1 includes approximately 40 acres as more particularly described in the Improvement Area #1 Plat on **Exhibit L** and depicted on **Exhibit B.** Development of Improvement Area #1 is anticipated to contain 133 single-family homes.

It is anticipated there will be two additional Future Improvement Areas within the District. As Future Improvement Areas are developed and in connection with the issuance of any Future Improvement Area Bonds, this Service and Assessment Plan will be amended to update the Exhibits. A map of the property that will comprise the Future Improvement Areas is depicted on **Exhibit B**.

SECTION III: AUTHORIZED IMPROVEMENTS

The City, based on information provided by the Owner and its engineer and reviewed by the City staff and by third-party consultants retained by the City, has determined that the Authorized Improvements confer a special benefit on the Assessed Property. The budget for the Authorized Improvements, as well as the allocation of the Actual Costs of the Authorized Improvements, is shown on **Exhibit C** and depicted on **Exhibit J**.

A. Improvement Area #1 Improvements

- *Roadway*

  Improvements including subgrade stabilization (including lime treatment and compaction), concrete and reinforcing steel for roadways, testing, handicapped ramps, and street lights. All related earthwork, excavation, erosion control, retaining walls, intersections, signage, lighting and re-vegetation of all disturbed areas within the right-of-way are included. The street improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

- *Water*

  Improvements including trench excavation and embedment, trench safety, plastic/metal piping, service connections, water mains, valves, fire hydrants, testing, earthwork, excavation, erosion control, and all necessary appurtenances required to provide water service. The water improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

- *Wastewater*

  Improvements including trench excavation and embedment, trench safety, plastic/metal piping, manholes, service connections, sewer mains, testing, related earthwork, excavation, erosion control, and all necessary appurtenances required to provide wastewater service. The wastewater improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

- *Storm Water*

  Improvements including earthen channels, swales, curb and drop inlets, storm sewer mains, RCP piping and boxes, headwalls, concrete flumes, rock rip rap, concrete outfalls, and testing as well as all related earthwork, excavation, and erosion control necessary to provide storm water. The storm water improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by

the City.

- *Natural Gas*

  Improvements including trench excavation and embedment, trench safety, plastic/metal piping, manholes, service connections, gas mains, valves, testing, earthwork, excavation, erosion control, and all necessary appurtenances required to provide natural gas service. The Natural Gas improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

- *Soft Costs*

  Costs incurred in the establishment, administration and operation of the District; costs related to designing, constructing, and installing the Authorized Improvements including land planning and design, City fees, engineering, soil testing, survey, construction management, and contingency; and, costs associated with financing the Authorized Improvements.

- *District Formation Costs*

  Costs incurred by the Developer including attorney fees, financial consultant fees, and other fees related to the formation of the District allocable to Improvement Area #1 and the levy of Improvement Area #1 Assessments.

B. Future Improvement Area Improvements

As Future Improvement Areas are developed and Assessments are levied on Assessed Property within the Future Improvement Areas, this Service and Assessment Plan will be amended to identify the specific Future Improvement Area Improvements that confer a special benefit to the Assessed Property inside each Future Improvement Area.

C. Bond Issuance Costs

- *Debt Service Reserve Fund*

  Equals the amount required to fund a reserve under an applicable Indenture.

- *Capitalized Interest*

  Equals the amount of capitalized interest available for payment of interest on PID Bonds as reflected in an applicable Indenture.

- *Underwriter's Discount*

  Equals a percentage of the par amount of a particular series of PID Bonds and includes a

fee for underwriter's counsel.

- *Deposit to Delinquency and Prepayment Reserve Fund*

  Includes initial deposit to Delinquency and Prepayment Reserve Fund.

- *Deposit to Administrative Expense Fund*

  Includes first year Annual Collection Costs.

- *Cost of Issuance*

  Costs associated with issuing PID Bonds, including but not limited to attorney fees, financial advisory fees, consultant fees, appraisal fees, printing costs, publication costs, City costs, fees charged by the Texas Attorney General, paying agent fees, Trustee fees and any other cost or expense directly associated with the issuance of PID Bonds.

Upon completion of construction of the Authorized Improvements, any cost underruns within a line item of Authorized Improvements, may be available to pay cost overruns on any other Authorized Improvement line item with the approval of the City; such changes shall be set forth in an Annual Update to the Service and Assessment Plan.

SECTION IV: SERVICE PLAN

The PID Act requires the Service Plan to cover a period of at least five years. The Service Plan is required to define the annual projected costs and indebtedness for the Authorized Improvements undertaken within the District during the five-year period. The Service Plan must be reviewed and updated, at least annually, and approved by the City Council. The Service Plan for the District is summarized on **Exhibit D**.

The sources and uses of funds required to construct the Authorized Improvements and pay the District Formation Costs and Bond Issuance Costs are summarized on **Exhibit E**. The sources and uses of funds shown on **Exhibit E** shall be updated each year in the Annual Service Plan Update to reflect any budget revisions and Actual Costs.

SECTION V: ASSESSMENT PLAN

The PID Act allows the City Council to apportion the costs of the Authorized Improvements to the Assessed Property based on the special benefit received from the Authorized Improvements. The PID Act provides that such costs may be apportioned: (1) equally per front foot or square foot; (2) according to the value of property as determined by the City Council, with or without regard to improvements constructed on the property; or (3) in any other

manner approved by the City Council that results in imposing equal shares of such costs on property similarly benefited. The PID Act further provides that the governing body may establish by ordinance or order reasonable classifications and formulas for the apportionment of the cost between the City and the area to be assessed and the methods of assessing the special benefits for various classes of improvements.

The determination by the City Council of the assessment methodologies set forth below is the result of the discretionary exercise by the City Council of its legislative authority and governmental powers and is conclusive and binding on the Owner and all future owners and developers of the Assessed Property.

A. Assessment Methodology

The City Council, acting in its legislative capacity based on information provided by the Owner and its engineer and reviewed by the City staff and by third-party consultants retained by the City, has determined that the Improvement Area #1 Improvements shall be allocated according to the formula in **Section VI.A**, and all Lots within Improvement Area #1 are determined to be Lot Type 1 Lots. As such, each Lot within Improvement Area #1 is allocated the same Assessment and all Lots within Improvement Area #1 are equally benefitted by the Improvement Area #1 Improvements. Upon subdivision or consolidation of an Improvement Area #1 Assessed Property, the Improvement Area #1 Improvements shall be reallocated to each Lot Type based on Estimated Buildout Value described in **Section VI**.

When, and if, Future Improvement Areas are developed and the issuance of Future Improvement Area Bonds are contemplated, this Service and Assessment Plan will be amended to determine the assessment methodology necessary to apply equal shares of Actual Costs of Future Improvement Area Improvements on Assessed Property similarly benefited within that Future Improvement Area.

B. Assessments

Improvement Area #1 Assessments will be levied on the Improvement Area #1 Assessed Property as shown on the Improvement Area #1 Assessment Roll, attached hereto as **Exhibit F**. The projected Improvement Area #1 Annual Installments are shown on **Exhibit G-1** and the projected Annual Installments for Lot Type 1 are shown on **Exhibit G-2**, subject to revisions made during any Annual Service Plan Update.

The Maximum Assessment for Lot Type 1 is shown on **Exhibit H**. In no case will the Assessment for Lot Type 1 exceed the Maximum Assessment.

When, and if, Future Improvement Areas are developed and the issuance of Future Improvement Area Bonds are contemplated, this Service and Assessment Plan will be amended to determine the Assessment and Annual Installment associated with the costs of Future

Improvement Area Improvements or each Lot located within a Future Improvement Area. The Assessment shall not exceed the benefit received by the Assessed Property.

C. Findings of Special Benefit

The City Council, acting in its legislative capacity based on information provided by the Owner and its engineer and reviewed by the City staff and by third-party consultants retained by City, has found and determined:

- *Improvement Area #1*

  1. The cost of Improvement Area #1 Improvements equal $5,951,204 as shown on **Exhibit C**; and

  2. The Improvement Area #1 Improvements, and the issuance of PID Bonds, including financing costs, allow the Improvement Area #1 Assessed Property to be developed into residential lots, which are inherently more valuable than raw, undeveloped vacant land. As such, the Developer intends for the increase in value of the land resulting from the construction of the Improvement Area #1 Improvements to be greater than the cost of the Improvement Area #1 Improvements, with the difference equaling the Developer's profit. As such, the City Council has determined that the Improvement Area #1 Assessed Property receives special benefit equal to or greater than the costs of the Improvement Area #1 Improvements; and

  3. The Improvement Area #1 Assessed Property will be allocated 100% of the Improvement Area #1 Assessments levied for the Improvement Area #1 Improvements, which equal $4,180,000 as shown on the Improvement Area #1 Assessment Roll, attached hereto on **Exhibit F**; and

  4. The special benefit ($5,951,204) received by the Improvement Area #1 Assessed Property from the Improvement Area #1 Improvements is equal or greater than the amount of the Improvement Area #1 Assessments ($4,180,000) levied on the Improvement Area #1 Assessed Property for the Improvement Area #1 Improvements; and

  5. At the time the City Council approved the Assessment Ordinance for the Improvement Area #1 Assessments, the Developer owned 100% of the Improvement Area #1 Assessed Property. The Developer has acknowledged that the Improvement Area #1 Improvements confer a special benefit on the Improvement Area #1 Assessed Property and consented to the imposition of the Improvement Area #1 Assessments to pay for the Actual Costs associated therewith. The Developer has ratified, confirmed, accepted, agreed to, and approved: (1) the determinations and findings by the City Council as to the special benefits described herein and the

Assessment Ordinance for the Improvement Area #1 Assessments; (2) the Service and Assessment Plan and the Assessment Ordinance for the Improvement Area #1 Assessments, and (3) the levying of Improvement Area #1 Assessments on the Improvement Area #1 Assessed Property.

Exhibit H shows the estimated special benefit per Lot Type within Improvement Area #1 based on the Improvement Area #1 Plat attached as **Exhibit L**.

D. Annual Collection Costs

The Annual Collection Costs shall be paid for on a pro rata basis by each Assessed Property based on the amount of outstanding Assessments remaining on the Assessed Property. The Annual Collection Costs shall be collected as part of Annual Installments in the amounts shown on **Exhibit G-1**, which may be revised based on Actual Costs incurred in Annual Service Plan Updates.

E. Additional Interest

The interest rate on Assessments levied on the Assessed Property for purposes of paying debt service on the PID Bonds shall exceed the interest rate on the PID Bonds by the Additional Interest Rate. Additional Interest will not be collected on the Improvement Area #1 Reimbursement Obligation. Additional Interest shall be collected as part of each Annual Installment collected for purposes of paying debt service on the PID Bonds *and* shall be deposited into the Delinquency and Prepayment Reserve Fund, pursuant to the Indenture.

F. Future Bonds to Finance Improvement Area #1 Reimbursement Obligation

The City may issue PID Bonds to finance the remaining Improvement Area #1 Reimbursement Obligation. At the time of such financing, the interest currently charged and paid on the portion of the Improvement Area #1 Assessments allocated to Improvement Area #1 Reimbursement Obligation shall cease being paid to the Developer and the portion of the Improvement Area #1 Assessments currently allocated to the Improvement Area #1 Reimbursement Obligation shall then bear interest at the rate of the PID Bonds issued to finance the Improvement Area #1 Reimbursement Obligation plus the Additional Interest.

SECTION VI: TERMS OF THE ASSESSMENTS

A. Reallocation of Assessments

1. Upon Division Prior to Recording of Subdivision Plat

Upon the division of any Assessed Property (without the recording of subdivision plat), the Administrator shall reallocate the Assessment for the Assessed Property prior to the

division among the newly divided Assessed Properties according to the following formula:

A = B x (C ÷ D)

Where the terms have the following meanings:

A = the Assessment for the newly divided Assessed Property

B = the Assessment for the Assessed Property prior to division

C = the Estimated Buildout Value of the newly divided Assessed Property

D = the sum of the Estimated Buildout Value for all the newly divided Assessed Properties

The sum of the Assessments for all newly divided Assessed Properties shall equal the Assessment for the Assessed Property prior to subdivision. The calculation shall be made separately for each newly divided Assessed Property. The reallocation of an Assessment for an Assessed Property that is a homestead under Texas law may not exceed the Assessment prior to the reallocation. Any reallocation pursuant to this section shall be reflected in an update to this Service and Assessment Plan approved by the City Council.

2. Upon Subdivision by a Recorded Subdivision Plat

Upon the subdivision of any Assessed Property based on a recorded subdivision plat, the Administrator shall reallocate the Assessment for the Assessed Property prior to the subdivision among the new subdivided Parcel according to the following formula:

A = [B x (C ÷ D)]/E

Where the terms have the following meanings:

A = the Assessment for the newly subdivided Lot

B = the Assessment for the Parcel prior to subdivision

C = the sum of the Estimated Buildout Value of all newly subdivided Lots with the same Lot Type

D = the sum of the Estimated Buildout Value for all the newly subdivided Lots excluding Non-Benefitted Property

E= the number of Lots with the same Lot Type

Prior to the recording of a subdivision plat, the Developer shall provide the City an Estimated Buildout Value as of the date of the recorded subdivision plat for each Lot created by the recorded subdivision plat.

The sum of the Assessments for all newly subdivided Parcels shall not exceed the Assessment for the portion of the Assessed Property subdivided prior to subdivision.

The calculation shall be made separately for each newly subdivided Assessed Property. The reallocation of an Assessment for an Assessed Property that is a homestead under Texas law may not exceed the Assessment prior to the reallocation. Any reallocation pursuant to this section shall be reflected in an update to this Service and Assessment Plan approved by the City Council.

3. Upon Consolidation

If two or more Assessed Properties are consolidated, the Administrator shall allocate the Assessments against the Assessed Properties before the consolidation to the consolidated Assessed Property, which allocation shall be approved by the City Council in the next Annual Service Plan Update.

The Assessment for any resulting Lot will not exceed the Maximum Assessment, shown on **Exhibit H** for the applicable Lot Type, and compliance may require a mandatory Prepayment of Assessments pursuant to **Section VI.B.**

B. True-up of Assessments if Maximum Assessment Exceeded

Prior to the City approving a final subdivision plat for Improvement Area #1 Assessed Property, the Administrator will certify that such plat will not result in the Assessment for Lot Type 1 exceeding the Maximum Assessment. If the Administrator determines that the resulting Assessment for Lot Type 1 exceeds the Maximum Assessment, then (1) the Assessment applicable to Lot Type 1 shall each be reduced to the Maximum Assessment, and (2) the person or entity filing the plat shall pay to the City the amount the Assessment was reduced, plus Prepayment Costs and Delinquent Collection Costs, if any, prior to the City approving the final plat.

C. Mandatory Prepayment of Assessments

If Assessed Property is transferred to a person or entity that is exempt from payment of the Assessment, the owner transferring the Assessed Property shall pay to the City the full amount of the Assessment, plus Prepayment Costs and Delinquent Collection Costs, prior to the transfer. If the owner of the Assessed Property causes the Assessed Property to become Non-Benefited Property, the owner causing the change in status shall pay to the City the full amount of the Assessment, plus Prepayment Costs and Delinquent Collection Costs, prior to the change in status.

D. Reduction of Assessments

If, as a result of cost savings or an Authorized Improvement not being constructed, the Actual Costs of completed Authorized Improvements are less than the costs estimated herein, each Assessment shall be reduced on a pro-rata basis such that the sum of the resulting reduced Assessments for all Assessed Properties equals the reduced Actual Costs. Any excess PID Bond

proceeds remaining as a result of a cost savings for Authorized Improvements shall be applied to redeem the applicable series of outstanding PID Bonds. Any such reduction in the costs of the Authorized Improvements shall also reduce the Reimbursement Obligation under the related Reimbursement Agreement. The Assessments for each Improvement Area shall not, however, be reduced to an amount less than the related outstanding PID Bonds.

The Administrator shall update (and submit to the City Council for review and approval as part of the next Annual Service Plan Update) the Assessment Roll and corresponding Annual Installments to reflect the reduced Assessments.

Similarly, if a portion of the Authorized Improvements to be funded with a series of PID Bonds or pursuant to a Reimbursement Agreement are not undertaken resulting in excess PID Bond proceeds or excess Assessment revenues, then the City may, in its discretion (i) in accordance with the applicable Indenture, reduce the Assessment for each Assessed Property securing the applicable PID Bonds on a pro-rata basis, or as otherwise determined by the City in accordance with the Indenture, to reflect only the Actual Costs that were expended and deposit and apply such excess PID Bond proceeds as described in the paragraph above or as authorized in the Indenture or (ii) reduce the applicable Improvement Area Assessment and the corresponding Reimbursement Obligation.

The Assessments shall not be reduced to an amount less than the amount due on the related outstanding series of PID Bonds and any related Reimbursement Obligation, as such Reimbursement Obligation may be reduced pursuant to this Section. If all of the Authorized Improvements are not completed, the City may reduce the Assessments in another method if it determines such method would better reflect the benefit received by the Assessed Properties from the Authorized Improvements completed.

If all the Authorized Improvements are not undertaken in any Improvement Area resulting in excess PID Bonds proceeds and excess Assessment revenues, then the City shall, at its discretion (i) in accordance with the applicable Indenture, reduce Assessments and Annual Installments for each applicable Assessed Property on a pro-rata basis to reflect only the amounts required to repay the PID Bonds, including interest on the PID Bonds, Additional Interest, Annual Collection Costs, and/or (ii) reduce the outstanding Reimbursement Obligation relating to the applicable Reimbursement Agreement and reduce the applicable Assessments and Annual Installments to reflect only the amount required to repay the resulting reduced Reimbursement Obligation, if any. The applicable excess PID Bond proceeds shall be applied to redeem PID Bonds as set forth in the applicable Indenture. The Assessments shall not, however, be reduced to an amount less than the amount due on the related outstanding PID Bonds.

The City Council may reduce the Assessments and the Annual Installments for Assessed Property (1) in an amount that represents the Authorized Improvements provided for each property; (2) by an equal percentage per Residential Lot; or (3) In any other manner determined by the City Council to be the most fair and practical means of reducing the Assessments for Assessed Property, such that the sum of the resulting reduced Assessments equals the amount required to repay the PID Bonds, including interest on the PID Bonds, Additional Interest, the Annual Collection Costs portion of the Assessment, and any Reimbursement Obligation.

E. Prepayment of Assessments

The owner of the Assessed Property may pay, at any time, all or any portion of an Assessment in accordance with the PID Act, including all Prepayment Costs. If Prepayments will result in redemption of PID Bonds, the payment amount shall be reduced by the amount, if any, of reserve funds applied to the redemption under the Indenture, net of any other costs applicable to the redemption of PID Bonds as set forth in the applicable Indenture. If an Annual Installment has been billed prior to the Prepayment, the Annual Installment shall be due and payable and shall be credited against the Prepayment.

If the principal portion of an Assessment is paid in full, with interest accrued to the date of Prepayment: (1) the Administrator shall cause the Assessment to be reduced to zero and the Assessment Roll to be revised accordingly; (2) the Administrator shall prepare the revised Assessment Roll and submit to the City Council for review and approval as part of the next Annual Service Plan Update; (3) the obligation to pay the Assessment and corresponding Annual Installments shall terminate; and (4) the City shall provide the Owner with a recordable "Notice of PID Assessment Termination," a form of which is attached hereto as **Exhibit K**.

If an Assessment is paid in part, with interest: (1) the Administrator shall cause the Assessment to be reduced and the Assessment Roll revised accordingly; (2) the Administrator shall prepare the revised Assessment Roll and submit to the City Council for review and approval as part of the next Annual Service Plan Update; and (3) the obligation to pay the Assessment and corresponding Annual Installments shall be reduced to the extent of the prepayment made.

F. Prepayment as a result of Eminent Domain Proceeding or Taking

If any portion of any Parcel of Assessed Property is taken from an owner as a result of eminent domain proceedings or if a transfer of any portion of any Parcel of Assessed Property is made to an entity with the authority to condemn all or a portion of the Assessed Property in lieu of or as a part of an eminent domain proceeding (a "**Taking**"), the portion of the Assessed Property that was taken or transferred (the "**Taken Property**") shall be reclassified as Non-Benefited Property.

For the Assessed Property that is subject to the Taking as described in the preceding paragraph, the Assessment that was levied against the Assessed Property (when it was included in the Taken Property) prior to the Taking shall remain in force against the remaining Assessed Property (the Assessed Property less the Taken Property), (the "**Remaining Property**") following the reclassification of the Taken Property as Non-Benefited Property. The owner will remain liable to pay in Annual Installments, or payable as otherwise provided by this Service and Assessment Plan, as updated, or the PID Act, the Assessment that remains due on the Remaining Property.

Following the initiation of the Taking, the Administrator will be required to determine the portion of the Assessment that was levied against the Assessed Property that would have been allocated to the Taken Property prior to its reclassification as Non-Benefitted Property based on a manner that results in imposing equal shares of the costs of the applicable Authorized Improvements on property similarly benefitted.

The owner shall make a Prepayment of the Assessment in an amount equal to the amount determined by the Administrator in the above paragraph prior to the transfer of ownership of the Taken Property.

By way of illustration, if an owner owns 100 acres of Assessed Property subject to a $100 Assessment and 10 acres is taken through a Taking, the 10 acres of Taken Property shall be reclassified as Non-Benefited Property and the remaining 90 acres of Remaining Property shall be subject to the $100 Assessment, and the Owner shall owe $10 as a prepayment for the Taken Property.

Notwithstanding the previous paragraphs in this subsection if the Administrator determines that the Taking prevents the Remaining Property from being developed as shown on the final plat, the owner shall be required to prepay the total amount of the Assessment levied against the Remaining Property within sixty (60) days of such determination.

G. Payment of Assessment in Annual Installments

Exhibit G-1 shows the projected Annual Installments, **Exhibit G-2** shows the Lot Type 1 Annual Installments. Assessments that are not paid in full shall be due and payable in Annual Installments. Annual Installments are subject to adjustment in each Annual Service Plan Update.

If any Parcel shown on the Assessment Roll is assigned multiple tax identification numbers, the Annual Installment shall be allocated pro rata based on the acreage of the property as shown by Harris County Appraisal District for each tax identification number.

The Administrator shall prepare and submit to the City Council for its review and approval an Annual Service Plan Update to allow for the billing and collection of Annual Installments. Each Annual Service Plan Update shall include updated Assessment Rolls and updated calculations of Annual Installments. Annual Collection Costs shall be allocated pro rata among Assessed Property for which Assessments remain unpaid based on the amount of the outstanding Assessment on each Assessed Property. Annual Installments shall be collected in the same manner and at the same time as ad valorem taxes. Annual Installments shall be subject to the penalties, procedures, and foreclosure sale in case of delinquencies as set forth in the PID Act and in the same manner as ad valorem taxes for the City. The City Council may provide for other means of collecting Annual Installments. Assessments shall have the lien priority specified in the PID Act.

Foreclosure sales of the Assessed Property for nonpayment of Annual Installments shall be subject to the lien for the remaining unpaid Annual Installments against the Assessed Property, and the Assessed Property may again be sold at a judicial foreclosure sale if the purchaser fails to timely pay the non-delinquent Annual Installments as they become due and payable.

The City reserves the right to refund PID Bonds in accordance with the PID Act, Indenture, and Development Agreement. In the event of a refunding, the Administrator shall recalculate the Annual Installments so that total Annual Installments will be sufficient to pay the refunding bonds, and the refunding bonds shall constitute "PID Bonds."

Each Annual Installment of an Assessment, including interest on the unpaid principal of the Assessment, shall be updated annually. Each Annual Installment shall be due when billed and shall be delinquent if not paid prior to February 1 of the following year. The initial Annual Installments relating to PID Bonds issued for Improvement Area #1 shall be due when billed and shall be delinquent if not paid prior to February 1, 2021.

Failure of an Owner to receive an invoice for an Annual Installment on the property tax bill shall not relieve the Owner of the responsibility for payment of the Assessment. Assessments, or Annual Installments thereof, that are delinquent shall incur Delinquent Collection Costs. The City may provide for other means of collecting the Annual Installments to the extent permitted by the PID Act.

H. Allocating Annual Installments if Assessed Property is Sold

If Assessed Property is sold, the Annual Installment shall be allocated between the buyer and seller in the same methodology as property taxes.

SECTION VII: ASSESSMENT ROLL

The Improvement Area #1 Assessment Roll is attached as **Exhibit F**. The Administrator shall prepare and submit to the City Council for review and approval, proposed revisions to the Assessment Roll and Annual Installments for each Parcel as part of each Annual Service Plan Update.

As Future Neighborhood Improvement Areas are developed, this Service and Assessment Plan will be amended to determine the Assessment for each Lot located within such Future Improvement Areas.

SECTION VIII: ADDITIONAL PROVISIONS

A. Administrative Review

To the extent consistent with the PID Act, an Owner of Assessed Property claiming that a calculation error has been made in the Assessment Roll, including the calculation of the Annual Installment, shall send a written notice describing the error to the City not later than thirty (30) days after the date the invoice or other bill for the Annual Installment is received. If the Owner fails to give such notice, such Owners shall be deemed to have accepted the calculation of the Assessment Roll (including the Annual Installments) and to have waived any objection to the calculation. The Administrator shall promptly review the notice, and if necessary, meet with the owner, consider written and oral evidence regarding the alleged error and decide whether, in fact, such a calculation error occurred. The City may elect to designate a third party who is not an officer or employee of the City to serve as administrator of the District.

If the Administrator determines that a calculation error has been made and the Assessment Roll should be modified or changed in favor of the Assessed Property Owner, such change or modification shall be presented to the City Council for approval to the extent permitted by the PID Act. A cash refund may not be made for any amount previously paid by the Assessed Property owner (except for the final year during which the Annual Installment shall be collected or if it is determined there are sufficient funds to meet the expenses of the District for the current year), but an adjustment may be made in the amount of the Annual Installment to be paid in the following year. The decision of the Administrator regarding a calculation error relating to the Assessment Roll may be appealed to the City Council. Any amendments made to the Assessment Roll pursuant to calculation errors shall be made pursuant to the PID Act.

The decision of the Administrator, or if such decision is appealed to the City Council, the decision of the City Council, shall be conclusive as long as there is a reasonable basis for such

determination. This procedure shall be exclusive and its exhaustion by any property Owner shall be a condition precedent to any other appeal or legal action by such Owner.

B. Termination of Assessments

Each Assessment shall be extinguished on the date the Assessment is paid in full, including unpaid Annual Installments and Delinquent Collection Costs, if any. After the extinguishment of an Assessment and the collection of any delinquent Annual Installments and Delinquent Collection Costs, the City shall provide the Owner of the affected Assessed Property a recordable "Notice of the PID Assessment Termination," attached hereto as **Exhibit K**.

C. Amendments

Amendments to this Service and Assessment Plan must be made by the City Council in accordance with the PID Act. To the extent permitted by the PID Act, this Service and Assessment Plan may be amended without notice to owners of the Assessed Property: (1) to correct mistakes and clerical errors; (2) to clarify ambiguities; (3) to provide procedures to collect Assessments, Annual Installments, and other charges imposed by this Service and Assessment Plan; and (4) for any other purpose authorized by the PID Act.

D. Administration and Interpretation

The Administrator shall: (1) perform the obligations of the Administrator as set forth in this Service and Assessment Plan; (2) administer the District for and on behalf of and at the direction of the City Council; and (3) interpret the provisions of this Service and Assessment Plan. Interpretations of this Service and Assessment Plan by the Administrator shall be in writing and shall be appealable to the City Council by owners or developers adversely affected by the interpretation. Appeals shall be decided by the City Council during which all interested parties have an opportunity to be heard. Decisions by the City Council shall be final and binding on the owners and developers and their successors and assigns.

E. Severability

If any provision of this Service and Assessment Plan is determined by a governmental agency or court to be unenforceable, the unenforceable provision shall be deleted and, to the maximum extent possible, shall be rewritten to be enforceable. Every effort shall be made to enforce the remaining provisions.

LIST OF EXHIBITS

The following Exhibits are attached to and made a part of this Service and Assessment Plan for all purposes:

Exhibit A	District Legal Description
Exhibit B	District Boundary Map
Exhibit C	Authorized Improvements
Exhibit D	Service Plan
Exhibit E	Sources and Uses
Exhibit F	Improvement Area #1 Assessment Roll
Exhibit G-1	Improvement Area #1 Annual Installments
Exhibit G-2	Lot Type 1 Annual Installments
Exhibit H	Maximum Assessment and Special Benefit per Lot Type
Exhibit I	Concept Plan
Exhibit J	Improvement Area #1 Improvements Map
Exhibit K	Notice of PID Assessment Termination
Exhibit L	Improvement Area #1 Plat

EXHIBIT A – DISTRICT LEGAL DESCRIPTION

105.0452 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, City of Tomball, Harris County, Texas, being those certain Outlots 338, 339, 341, 342, 343, 344, 346, 349, 350, 352, 353, 355, 356, 358, 359, 361, 362, 363, 364, 365, a portion of Outlot 354 all as shown on the Corrected Map of Tomball Outlots, a subdivision as shown on map or plat recorded under Volume 4, Page 75 of the Map Records of Harris County, Texas, all of that certain called 0.2616 of one acre, 0.7990 of one acre and 0.2732 of one acre of land all described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2019-400099, said 105.0452 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found in the Easterly right-of-way line of South Persimmon Road (30 foot right-of-way), for the Northwesterly corner of said Outlot 338;

Thence, N 87°35'04" E, along the Southerly line of that certain Lot 1 of Persimmon Properties, a subdivision as shown on map or plat recorded under Film Code Number 679815 of the Map Records of Harris County, Texas, a distance of 1,156.29 feet to a 5/8 inch iron rod with cap set in the Westerly right-of-way line of an Unimproved right-of-way (variable width right-of-way) as shown on said Corrected Map of Tomball Outlots, for the Northeasterly corner of said Outlot 339, from which a found 5/8 inch iron rod with cap bears N 49°09'38" W, 3.69 feet;

Thence, S 02°32'22" E, along the Westerly right-of-way line of said Unimproved right-of-way, a distance of 1,132.81 feet to a 5/8 inch iron rod with cap set for the Northeasterly corner of that certain Outlot 347 of said Corrected Map of Tomball Outlots, from which a found 5/8 inch iron rod bears S 87°44'47" W, 6.90 feet;

Thence, S 87°44'47" W, along the common line of said Outlots 344 and 347, a distance of 584.30 feet to a 5/8 inch iron rod with cap set for the common corner of said Outlots 343, 344, 346 and 347;

Thence, S 02°18'20" E, along the common line of said Outlots 346 and 347, a distance of 377.60 feet to a 5/8 inch iron rod with cap set for the common corner of said Outlots 346, 347, 349 and 350;

Thence, N 87°44'47" E, along the common line of said Outlots 347 and 350, a distance of 585.84 feet to a 5/8 inch iron rod with cap set in the Westerly right-of-way line of said Unimproved right-of-way, for the Southeasterly corner of said Outlot 347, from which a found 5/8 inch iron rod bears S 87°44'47" W, 4.31 feet;

Thence, S 02°32'22" E, along the Westerly right-of-way line of said Unimproved right-of-way, a distance of 162.27 feet to the Northwesterly corner of said 0.2616 acre tract;

Thence, N 87°47'53" E, along the Southerly line of that certain Tract C of Truss Houston, Inc., a subdivision as shown on map or plat recorded under Volume 335, Page 107 of the Map Records of Harris County, Texas and a projection thereof, at 30.00 feet crossing said Unimproved right-of-way, in all a total distance of 508.88 feet to a 5/8 inch iron rod with cap found in the Westerly right-of-way line of Huffsmith Kohrville Road (right-of-way width varies);

Thence, S 02°08'45" E, along the Westerly right-of-way line of said Huffsmith Kohrville Road, a distance of 375.13 feet to a 1 inch iron rod found at the intersection with the Northerly right-of-way line of Sutton Lane (30 foot Unimproved right-of-way) as shown on said Corrected Map of Tomball Outlots, from which a found 5/8 inch iron rod with cap bears N 61°10'47" W, 0.87 feet;

Thence, S 87°15'14" W, along the Northerly right-of-way line of said Sutton Lane and a projection thereof, at 476.29 feet pass the Southeasterly corner of said 0.2616 acre tract, in all a total distance of 506.29 feet to the Southwesterly corner of said 0.2616 acre tract;

Thence, S 02°32'22" E, along the Westerly right-of-way line of said Unimproved right-of-way (30 foot right-of-way along this course), a distance of 832.20 feet to the Northwesterly corner of said 0.2732 acre tract;

Thence, N 87°15'10" E, along the Southerly line of that certain Reserve “B” of the Final Plat of Calvary Baptist of Tomball Subdivision, a subdivision as shown on map or plat recorded under Film Code Number 520133 of the Map Records of Harris County, Texas and a projection thereof, at 30.00 feet crossing said Unimproved right-of-way, in all a total distance of 572.96 feet to a 5/8 inch iron rod with cap found for the Northwesterly corner of that certain Reserve “C” of said Final Plat of Calvary Baptist of Tomball Subdivision and the Northeasterly corner of said Outlot 365;

Thence, S 02°32'04" E, along the Westerly line of said Reserve “C”, a distance of 397.96 feet to a 1/2 inch iron rod found for the most Northerly Northeast corner of that certain called 10.27 acres of land described in deed and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk’s File Number G259047 and the Northeasterly corner of said Outlot 368;

Thence, S 87°22'37" W, along the Northerly line of said 10.27 acre tract and the Northerly line of said Outlot 368 and a projection thereof, at 542.93 feet pass the Southeasterly corner of said 0.2732 acre tract, in all a total distance of 572.93 feet to the Southwesterly corner of said 0.2732 acre tract;

Thence, S 02°32'22" E, along the Westerly right-of-way line of said Unimproved right-of-way (30 foot right-of-way along this course), a distance of 496.74 feet to a 5/8 inch iron rod with cap set for the Southeasterly corner of said Outlot 364 and the Northeasterly corner of that certain Outlot 367 of said Corrected Map of Tomball Outlots, from which a found 1/2 inch iron pipe bears N 87°51'27" E, 30.70 feet;

Thence, S 87°51'27" W, along the Northerly line of that certain Outlot 366 of said Corrected Map of Tomball Outlots and said Outlot 367, a distance of 1,162.57 feet to a PK Nail found in the Easterly right-of-way line of South Persimmon Road (30 foot right-of-way), for the Northwesterly corner of said Outlot 366 and the Southwesterly corner of said Outlot 363;

Thence, N 02°26'40" W, along the Easterly right-of-way line of said South Persimmon Road, a distance of 3,772.74 feet to the POINT OF BEGINNING and containing 105.0452 acres of land.

EXHIBIT B – DISTRICT BOUNDARY MAP

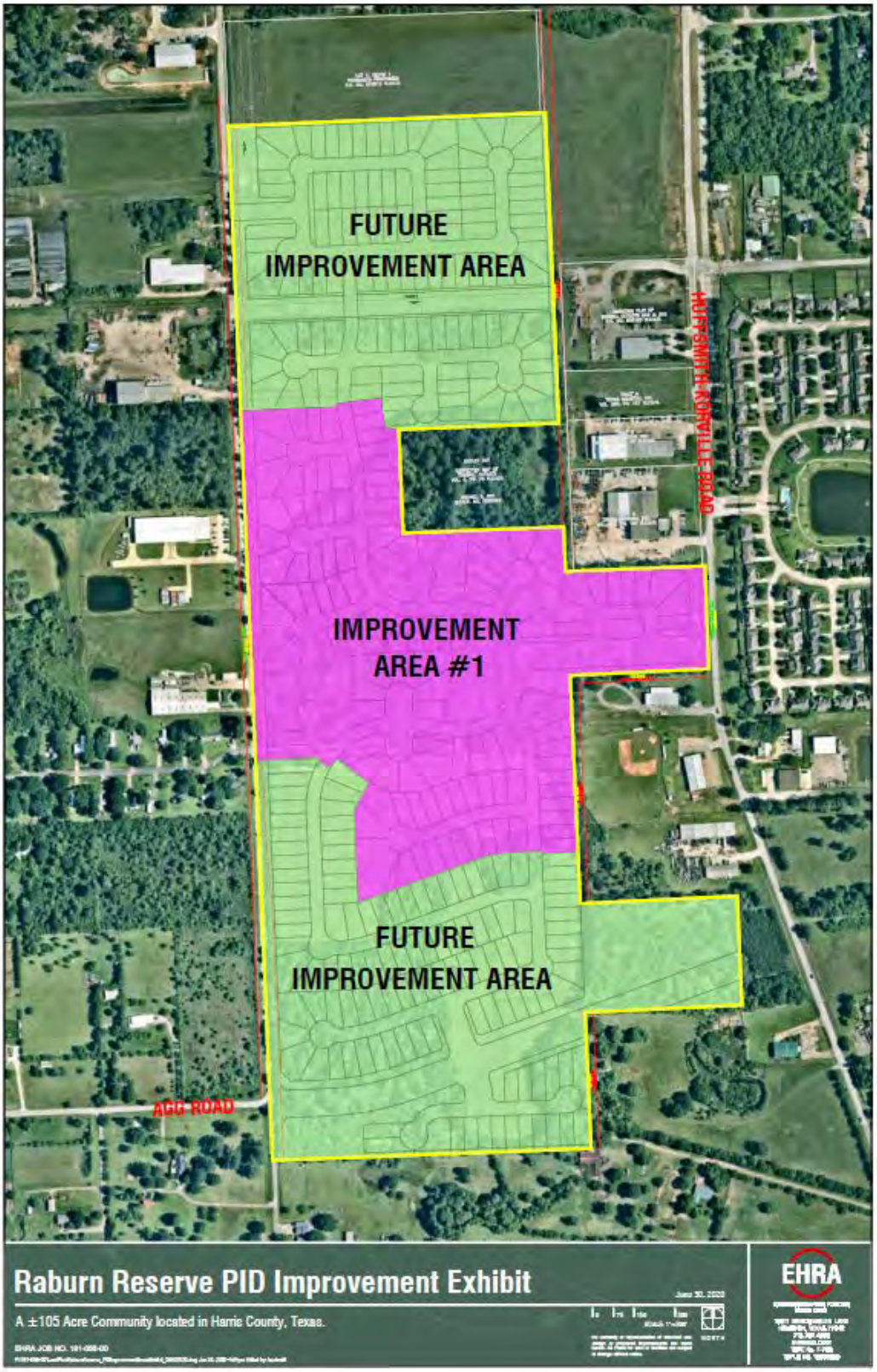


EXHIBIT C – AUTHORIZED IMPROVEMENTS

Authorized Improvements	Total Costs [a]	Improvement Area #1 %	Improvement Area #1 Cost
Improvement Area #1 Improvements			
Roadway [b]	1,882,152	100.00%	$ 1,882,152
Water	212,679	100.00%	212,679
Wastewater	499,294	100.00%	499,294
Storm Water [c]	1,362,175	100.00%	1,362,175
Natural Gas	150,840	100.00%	150,840
Soft Costs [d]	760,656	100.00%	760,656
	$ 4,867,795		$ 4,867,795
Bond Issuance Costs [e]			
District Formation Costs	$ 150,000		$ 150,000
Debt Service Reserve Fund	231,113		231,113
Capitalized Interest	112,396		112,396
Deposit to Delinquency and Prepayment Reserve	20,900		20,900
Deposit to Administrative Expense Fund	60,000		60,000
Underwriter's Discount	200,000		200,000
Cost of Issuance	309,000		309,000
	$ 1,083,408		$ 1,083,408
Total	**$ 5,951,204**		**$ 5,951,204**

Footnotes:

[a] Costs pursuant to EHRA Engineering's Preliminary Cost Estimate.

[b] Roadway includes excavation, paving, clearing, grubbing and site prep.

[c] Storm Water includes on and off-site costs as well as storm water pollution prevention plan.

[d] Soft Costs include engineering fees, geotech and construction materials testing fees and construction staking fees.

[e] Bond Issuance Costs include estimated costs for issuing PID Bonds to refund the Improvement Area #1 Reimbursement Obligation.

EXHIBIT D – SERVICE PLAN

Improvement Area #1						
Annual Installments Due		**1/31/2021**	**1/31/2022**	**1/31/2023**	**1/31/2024**	**1/31/2025**
Improvement Area #1 Series A Bonds						
Principal		$ -	$ 35,000.00	$ 40,000.00	$ 40,000.00	$ 45,000.00
Interest		$ 112,395.83	$ 124,500.00	$ 122,750.00	$ 120,750.00	$ 118,750.00
Capitalized Interest		$ (112,395.83)	$ -	$ -	$ -	$ -
	(1)	$ -	$ 159,500.00	$ 162,750.00	$ 160,750.00	$ 163,750.00
Improvement Area #1 Reimbursement Obligation						
Principal		$ -	$ 30,000.00	$ 25,000.00	$ 30,000.00	$ 30,000.00
Interest		$ -	$ 80,275.00	$ 78,850.00	$ 77,662.50	$ 76,237.50
	(2)	$ -	$ 110,275.00	$ 103,850.00	$ 107,662.50	$ 106,237.50
Annual Collection Costs	(3)	$ -	$ 53,000.00	$ 53,000.00	$ 53,000.00	$ 53,000.00
Prepayment and Delinquency Reserve	(4)	$ -	$ 12,450.00	$ 12,275.00	$ 12,075.00	$ 11,875.00
Total Annual Installment	**(5)=(1)+(2)+(3)+(4)**	**$ -**	**$ 335,225.00**	**$ 331,875.00**	**$ 333,487.50**	**$ 334,862.50**
Total Annual Expenditures	(6)	$ 2,525,779.00	$ 2,342,015.00	$ -	$ -	$ -

Preliminary and subject to change.

EXHIBIT E – SOURCES AND USES

	Improvement Area #1 Series A Bond	Improvement Area #1 Reimbursement Obligation	Developer Contribution	Improvement Area #1 Total
Sources of Funds				
Improvement Area #1 Series A Bond	$ 2,490,000	$ -	$ -	$ 2,490,000
Improvement Area #1 Reimbursement Obligation	-	1,690,000	-	1,690,000
Developer Contribution	-	-	1,771,204	1,771,204
Total Sources	**$ 2,490,000**	**$ 1,690,000**	**$ 1,771,204**	**$ 5,951,204**
Uses of Funds				
Improvement Area #1 Improvements	$ 1,857,154	$ 1,389,438	$ 1,621,204	$ 4,867,795
Bond Issuance Costs				
District Formation Costs	$ -	$ -	$ 150,000	$ 150,000
Debt Service Reserve Fund	173,500	57,613	-	231,113
Capitalized Interest	112,396	-	-	112,396
Deposit to Delinquency and Prepayment Reserve	12,450	8,450	-	20,900
Deposit to Administrative Expense Fund	60,000	-	-	60,000
Underwriter's Discount	100,000	100,000	-	200,000
Cost of Issuance	174,500	134,500	-	309,000
	$ 632,846	**$ 300,563**	**$ 150,000**	**$ 1,083,408**
Total Uses	**$ 2,490,000**	**$ 1,690,000**	**$ 1,771,204**	**$ 5,951,204**

Note: Bond Issuance Costs are estiamtes and will be updated at the time of bond issuance.

Preliminary and subject to change.

EXHIBIT F – IMPROVEMENT AREA #1 ASSESSMENT ROLL

		Improvement Area #1	
Lot and Block	Lot Type	Outstanding Assessment	Annual Installment due 1/31/21[1]
Block 1, Lot 1	1	$ 31,428.57	$ -
Block 1, Lot 2	1	$ 31,428.57	$ -
Block 1, Lot 3	1	$ 31,428.57	$ -
Block 1, Lot 4	1	$ 31,428.57	$ -
Block 1, Lot 5	1	$ 31,428.57	$ -
Block 1, Lot 6	1	$ 31,428.57	$ -
Block 1, Lot 7	1	$ 31,428.57	$ -
Block 1, Lot 8	1	$ 31,428.57	$ -
Block 1, Lot 9	1	$ 31,428.57	$ -
Block 1, Lot 10	1	$ 31,428.57	$ -
Block 1, Lot 11	1	$ 31,428.57	$ -
Block 1, Lot 12	1	$ 31,428.57	$ -
Block 1, Lot 13	1	$ 31,428.57	$ -
Block 1, Lot 14	1	$ 31,428.57	$ -
Block 1, Lot 15	1	$ 31,428.57	$ -
Block 1, Lot 16	1	$ 31,428.57	$ -
Block 1, Lot 17	1	$ 31,428.57	$ -
Block 1, Lot 18	1	$ 31,428.57	$ -
Block 1, Lot 19	1	$ 31,428.57	$ -
Block 1, Lot 20	1	$ 31,428.57	$ -
Block 1, Lot 21	1	$ 31,428.57	$ -
Block 1, Lot 22	1	$ 31,428.57	$ -
Block 1, Lot 23	1	$ 31,428.57	$ -
Block 1, Lot 24	1	$ 31,428.57	$ -
Block 1, Lot 25	1	$ 31,428.57	$ -
Block 1, Lot 26	1	$ 31,428.57	$ -
Block 1, Lot 27	1	$ 31,428.57	$ -
Block 1, Lot 28	1	$ 31,428.57	$ -
Block 1, Lot 29	1	$ 31,428.57	$ -
Block 1, Lot 30	1	$ 31,428.57	$ -
Block 1, Lot 31	1	$ 31,428.57	$ -
Block 1, Lot 32	1	$ 31,428.57	$ -
Block 1, Lot 33	1	$ 31,428.57	$ -
Block 1, Lot 34	1	$ 31,428.57	$ -
Block 1, Lot 35	1	$ 31,428.57	$ -
Block 1, Lot 36	1	$ 31,428.57	$ -
Block 1, Lot 37	1	$ 31,428.57	$ -
Block 1, Lot 38	1	$ 31,428.57	$ -
Block 1, Lot 39	1	$ 31,428.57	$ -
Block 1, Lot 40	1	$ 31,428.57	$ -

Preliminary and subject to change.

		Improvement Area #1	
Lot and Block	Lot Type	Outstanding Assessment	Annual Installment due 1/31/21[1]
Block 1, Lot 41	1	$ 31,428.57	$ -
Block 1, Lot 42	1	$ 31,428.57	$ -
Block 1, Lot 43	1	$ 31,428.57	$ -
Block 1, Lot 44	1	$ 31,428.57	$ -
Block 1, Lot 45	1	$ 31,428.57	$ -
Block 1, Lot 46	1	$ 31,428.57	$ -
Block 1, Lot 47	1	$ 31,428.57	$ -
Block 1, Lot 48	1	$ 31,428.57	$ -
Block 1, Lot 49	1	$ 31,428.57	$ -
Block 1, Lot 50	1	$ 31,428.57	$ -
Block 1, Lot 51	1	$ 31,428.57	$ -
Block 1, Lot 52	1	$ 31,428.57	$ -
Block 1, Lot 53	1	$ 31,428.57	$ -
Block 1, Lot 54	1	$ 31,428.57	$ -
Block 1, Lot 55	1	$ 31,428.57	$ -
Block 1, Lot 56	1	$ 31,428.57	$ -
Block 2, Lot 1	1	$ 31,428.57	$ -
Block 2, Lot 2	1	$ 31,428.57	$ -
Block 2, Lot 3	1	$ 31,428.57	$ -
Block 2, Lot 4	1	$ 31,428.57	$ -
Block 2, Lot 5	1	$ 31,428.57	$ -
Block 2, Lot 6	1	$ 31,428.57	$ -
Block 2, Lot 7	1	$ 31,428.57	$ -
Block 2, Lot 8	1	$ 31,428.57	$ -
Block 2, Lot 9	1	$ 31,428.57	$ -
Block 2, Lot 10	1	$ 31,428.57	$ -
Block 2, Lot 11	1	$ 31,428.57	$ -
Block 2, Lot 12	1	$ 31,428.57	$ -
Block 2, Lot 13	1	$ 31,428.57	$ -
Block 2, Lot 14	1	$ 31,428.57	$ -
Block 2, Lot 15	1	$ 31,428.57	$ -
Block 2, Lot 16	1	$ 31,428.57	$ -
Block 2, Lot 17	1	$ 31,428.57	$ -
Block 2, Lot 18	1	$ 31,428.57	$ -
Block 2, Lot 19	1	$ 31,428.57	$ -
Block 2, Lot 20	1	$ 31,428.57	$ -
Block 2, Lot 21	1	$ 31,428.57	$ -
Block 2, Lot 22	1	$ 31,428.57	$ -
Block 2, Lot 23	1	$ 31,428.57	$ -
Block 2, Lot 24	1	$ 31,428.57	$ -
Block 2, Lot 25	1	$ 31,428.57	$ -
Block 2, Lot 26	1	$ 31,428.57	$ -
Block 2, Lot 27	1	$ 31,428.57	$ -
Block 2, Lot 28	1	$ 31,428.57	$ -
Block 2, Lot 29	1	$ 31,428.57	$ -
Block 2, Lot 30	1	$ 31,428.57	$ -
Block 2, Lot 31	1	$ 31,428.57	$ -
Block 2, Lot 32	1	$ 31,428.57	$ -
Block 3, Lot 1	1	$ 31,428.57	$ -
Block 3, Lot 2	1	$ 31,428.57	$ -

Preliminary and subject to change.

		Improvement Area #1	
Lot and Block	Lot Type	Outstanding Assessment	Annual Installment due 1/31/21[1]
Block 3, Lot 3	1	$ 31,428.57	$ -
Block 3, Lot 4	1	$ 31,428.57	$ -
Block 3, Lot 5	1	$ 31,428.57	$ -
Block 3, Lot 6	1	$ 31,428.57	$ -
Block 3, Lot 7	1	$ 31,428.57	$ -
Block 3, Lot 8	1	$ 31,428.57	$ -
Block 3, Lot 9	1	$ 31,428.57	$ -
Block 3, Lot 10	1	$ 31,428.57	$ -
Block 3, Lot 11	1	$ 31,428.57	$ -
Block 4, Lot 1	1	$ 31,428.57	$ -
Block 4, Lot 2	1	$ 31,428.57	$ -
Block 4, Lot 3	1	$ 31,428.57	$ -
Block 4, Lot 4	1	$ 31,428.57	$ -
Block 4, Lot 5	1	$ 31,428.57	$ -
Block 4, Lot 6	1	$ 31,428.57	$ -
Block 4, Lot 7	1	$ 31,428.57	$ -
Block 4, Lot 8	1	$ 31,428.57	$ -
Block 4, Lot 9	1	$ 31,428.57	$ -
Block 4, Lot 10	1	$ 31,428.57	$ -
Block 4, Lot 11	1	$ 31,428.57	$ -
Block 4, Lot 12	1	$ 31,428.57	$ -
Block 4, Lot 13	1	$ 31,428.57	$ -
Block 4, Lot 14	1	$ 31,428.57	$ -
Block 4, Lot 15	1	$ 31,428.57	$ -
Block 4, Lot 16	1	$ 31,428.57	$ -
Block 4, Lot 17	1	$ 31,428.57	$ -
Block 4, Lot 18	1	$ 31,428.57	$ -
Block 4, Lot 19	1	$ 31,428.57	$ -
Block 4, Lot 20	1	$ 31,428.57	$ -
Block 4, Lot 21	1	$ 31,428.57	$ -
Block 4, Lot 22	1	$ 31,428.57	$ -
Block 4, Lot 23	1	$ 31,428.57	$ -
Block 4, Lot 24	1	$ 31,428.57	$ -
Block 4, Lot 25	1	$ 31,428.57	$ -
Block 4, Lot 26	1	$ 31,428.57	$ -
Block 4, Lot 27	1	$ 31,428.57	$ -
Block 4, Lot 28	1	$ 31,428.57	$ -
Block 4, Lot 29	1	$ 31,428.57	$ -
Block 4, Lot 30	1	$ 31,428.57	$ -
Block 4, Lot 31	1	$ 31,428.57	$ -
Block 4, Lot 32	1	$ 31,428.57	$ -
Block 4, Lot 33	1	$ 31,428.57	$ -
Block 4, Lot 34	1	$ 31,428.57	$ -
Total		**$ 4,180,000.00**	**$ -**

[1] These lots have not been assigned a Property ID by the Harris County Appraisal District. Capitalized interest will cover the debt service requirements through the first installment which is due 1/31/2022. The Outstanding Assessment shown is the principal portion of the Assessment only and does not include accrued interest. Totals may not sum due to rounding.

Preliminary and subject to change.

EXHIBIT G-1 – IMPROVEMENT AREA #1 ANNUAL INSTALLMENTS

	Improvement Area #1 Series A Bonds			IA #1 Reimbursement Obligation				
Annual Installments Due	Principal	Interest[1]	Capitalized Interest	Principal	Interest[2]	Additional Interest	Annual Collection Costs[3]	Total Annual Installment
1/31/2021	$ -	$ 112,396	$ (112,396)	$ -	$ -	$ -	$ -	$ -
1/31/2022	$ 35,000	$ 124,500	$ -	$ 30,000	$ 80,275	$ 12,450	$ 53,000	$ 335,225
1/31/2023	$ 40,000	$ 122,750	$ -	$ 25,000	$ 78,850	$ 12,275	$ 53,000	$ 331,875
1/31/2024	$ 40,000	$ 120,750	$ -	$ 30,000	$ 77,663	$ 12,075	$ 53,000	$ 333,488
1/31/2025	$ 45,000	$ 118,750	$ -	$ 30,000	$ 76,238	$ 11,875	$ 53,000	$ 334,863
1/31/2026	$ 45,000	$ 116,500	$ -	$ 35,000	$ 74,813	$ 11,650	$ 53,000	$ 335,963
1/31/2027	$ 50,000	$ 114,250	$ -	$ 30,000	$ 73,150	$ 11,425	$ 53,000	$ 331,825
1/31/2028	$ 50,000	$ 111,750	$ -	$ 35,000	$ 71,725	$ 11,175	$ 53,000	$ 332,650
1/31/2029	$ 55,000	$ 109,250	$ -	$ 35,000	$ 70,063	$ 10,925	$ 53,000	$ 333,238
1/31/2030	$ 55,000	$ 106,500	$ -	$ 40,000	$ 68,400	$ 10,650	$ 53,000	$ 333,550
1/31/2031	$ 60,000	$ 103,750	$ -	$ 40,000	$ 66,500	$ 10,375	$ 53,000	$ 333,625
1/31/2032	$ 65,000	$ 100,750	$ -	$ 40,000	$ 64,600	$ 10,075	$ 53,000	$ 333,425
1/31/2033	$ 65,000	$ 97,500	$ -	$ 45,000	$ 62,700	$ 9,750	$ 53,000	$ 332,950
1/31/2034	$ 70,000	$ 94,250	$ -	$ 50,000	$ 60,563	$ 9,425	$ 53,000	$ 337,238
1/31/2035	$ 75,000	$ 90,750	$ -	$ 50,000	$ 58,188	$ 9,075	$ 53,000	$ 336,013
1/31/2036	$ 80,000	$ 87,000	$ -	$ 50,000	$ 55,813	$ 8,700	$ 53,000	$ 334,513
1/31/2037	$ 80,000	$ 83,000	$ -	$ 60,000	$ 53,438	$ 8,300	$ 53,000	$ 337,738
1/31/2038	$ 85,000	$ 79,000	$ -	$ 60,000	$ 50,588	$ 7,900	$ 53,000	$ 335,488
1/31/2039	$ 90,000	$ 74,750	$ -	$ 65,000	$ 47,738	$ 7,475	$ 53,000	$ 337,963
1/31/2040	$ 95,000	$ 70,250	$ -	$ 65,000	$ 44,650	$ 7,025	$ 53,000	$ 334,925
1/31/2041	$ 100,000	$ 65,500	$ -	$ 70,000	$ 41,563	$ 6,550	$ 53,000	$ 336,613
1/31/2042	$ 105,000	$ 60,500	$ -	$ 75,000	$ 38,238	$ 6,050	$ 53,000	$ 337,788
1/31/2043	$ 115,000	$ 55,250	$ -	$ 75,000	$ 34,675	$ 5,525	$ 53,000	$ 338,450
1/31/2044	$ 120,000	$ 49,500	$ -	$ 80,000	$ 31,113	$ 4,950	$ 53,000	$ 338,563
1/31/2045	$ 125,000	$ 43,500	$ -	$ 85,000	$ 27,313	$ 4,350	$ 53,000	$ 338,163
1/31/2046	$ 135,000	$ 37,250	$ -	$ 85,000	$ 23,275	$ 3,725	$ 53,000	$ 337,250
1/31/2047	$ 140,000	$ 30,500	$ -	$ 95,000	$ 19,238	$ 3,050	$ 53,000	$ 340,788
1/31/2048	$ 150,000	$ 23,500	$ -	$ 95,000	$ 14,725	$ 2,350	$ 53,000	$ 338,575
1/31/2049	$ 155,000	$ 16,000	$ -	$ 105,000	$ 10,213	$ 1,600	$ 53,000	$ 340,813
1/31/2050	$ 165,000	$ 8,250	$ -	$ 110,000	$ 5,225	$ 825	$ 53,000	$ 342,300
Total	**$ 2,490,000**	**$ 2,428,146**	**$ (112,396)**	**$ 1,690,000**	**$ 1,481,525**	**$ 231,575**	**$ 1,537,000**	**$ 9,745,850**

[1] Interest on the Improvement Area #1 Bonds is calculated at a 5.00% rate.

[2] Interest on the Improvement Area #1 Reimbursement Obligation is calculated at a 4.75% rate.

[3] $60 per lot ($7,980 for Improvement Area #1) is budgeted for costs incurred by City staff for administering the PID.

Note: The figures shown above are estimates only and subject to change in Annual Service Plan Updates. Changes in Annual Collection Costs, reserve fund requirements, interest earnings, or other available offsets could increase or decrease the amounts shown.

Preliminary and subject to change.

EXHIBIT G-2 – LOT TYPE 1 ANNUAL INSTALLMENTS

	Improvement Area #1 Series A Bonds			IA #1 Reimbursement Obligation				
Annual Installments Due	Principal	Interest[1]	Capitalized Interest	Principal	Interest[2]	Additional Interest	Annual Collection Costs	Total Annual Installment
1/31/2021	$ -	$ 845.08	$ (845.08)	$ -	$ -	$ -	$ -	$ -
1/31/2022	$ 263.16	$ 936.09	$ -	$ 225.56	$ 603.57	$ 93.61	$ 398.50	$ 2,520.49
1/31/2023	$ 300.75	$ 922.93	$ -	$ 187.97	$ 592.86	$ 92.29	$ 398.50	$ 2,495.30
1/31/2024	$ 300.75	$ 907.89	$ -	$ 225.56	$ 583.93	$ 90.79	$ 398.50	$ 2,507.42
1/31/2025	$ 338.35	$ 892.86	$ -	$ 225.56	$ 573.21	$ 89.29	$ 398.50	$ 2,517.76
1/31/2026	$ 338.35	$ 875.94	$ -	$ 263.16	$ 562.50	$ 87.59	$ 398.50	$ 2,526.03
1/31/2027	$ 375.94	$ 859.02	$ -	$ 225.56	$ 550.00	$ 85.90	$ 398.50	$ 2,494.92
1/31/2028	$ 375.94	$ 840.23	$ -	$ 263.16	$ 539.29	$ 84.02	$ 398.50	$ 2,501.13
1/31/2029	$ 413.53	$ 821.43	$ -	$ 263.16	$ 526.79	$ 82.14	$ 398.50	$ 2,505.55
1/31/2030	$ 413.53	$ 800.75	$ -	$ 300.75	$ 514.29	$ 80.08	$ 398.50	$ 2,507.89
1/31/2031	$ 451.13	$ 780.08	$ -	$ 300.75	$ 500.00	$ 78.01	$ 398.50	$ 2,508.46
1/31/2032	$ 488.72	$ 757.52	$ -	$ 300.75	$ 485.71	$ 75.75	$ 398.50	$ 2,506.95
1/31/2033	$ 488.72	$ 733.08	$ -	$ 338.35	$ 471.43	$ 73.31	$ 398.50	$ 2,503.38
1/31/2034	$ 526.32	$ 708.65	$ -	$ 375.94	$ 455.36	$ 70.86	$ 398.50	$ 2,535.62
1/31/2035	$ 563.91	$ 682.33	$ -	$ 375.94	$ 437.50	$ 68.23	$ 398.50	$ 2,526.41
1/31/2036	$ 601.50	$ 654.14	$ -	$ 375.94	$ 419.64	$ 65.41	$ 398.50	$ 2,515.13
1/31/2037	$ 601.50	$ 624.06	$ -	$ 451.13	$ 401.79	$ 62.41	$ 398.50	$ 2,539.38
1/31/2038	$ 639.10	$ 593.98	$ -	$ 451.13	$ 380.36	$ 59.40	$ 398.50	$ 2,522.46
1/31/2039	$ 676.69	$ 562.03	$ -	$ 488.72	$ 358.93	$ 56.20	$ 398.50	$ 2,541.07
1/31/2040	$ 714.29	$ 528.20	$ -	$ 488.72	$ 335.71	$ 52.82	$ 398.50	$ 2,518.23
1/31/2041	$ 751.88	$ 492.48	$ -	$ 526.32	$ 312.50	$ 49.25	$ 398.50	$ 2,530.92
1/31/2042	$ 789.47	$ 454.89	$ -	$ 563.91	$ 287.50	$ 45.49	$ 398.50	$ 2,539.76
1/31/2043	$ 864.66	$ 415.41	$ -	$ 563.91	$ 260.71	$ 41.54	$ 398.50	$ 2,544.74
1/31/2044	$ 902.26	$ 372.18	$ -	$ 601.50	$ 233.93	$ 37.22	$ 398.50	$ 2,545.58
1/31/2045	$ 939.85	$ 327.07	$ -	$ 639.10	$ 205.36	$ 32.71	$ 398.50	$ 2,542.58
1/31/2046	$ 1,015.04	$ 280.08	$ -	$ 639.10	$ 175.00	$ 28.01	$ 398.50	$ 2,535.71
1/31/2047	$ 1,052.63	$ 229.32	$ -	$ 714.29	$ 144.64	$ 22.93	$ 398.50	$ 2,562.31
1/31/2048	$ 1,127.82	$ 176.69	$ -	$ 714.29	$ 110.71	$ 17.67	$ 398.50	$ 2,545.68
1/31/2049	$ 1,165.41	$ 120.30	$ -	$ 789.47	$ 76.79	$ 12.03	$ 398.50	$ 2,562.50
1/31/2050	$ 1,240.60	$ 62.03	$ -	$ 827.07	$ 39.29	$ 6.20	$ 398.50	$ 2,573.68
Total	**$ 18,721.80**	**$ 18,256.74**	**$ (845.08)**	**$ 12,706.77**	**$ 11,139.29**	**$ 1,741.17**	**$ 11,556.39**	**$ 73,277.07**

[1] Interest on the Improvement Area #1 Bonds is calculated at a 5.00% rate.

[2] Interest on the Improvement Area #1 Reimbursement Obligation is calculated at a 4.75% rate.

[3] $60 per lot ($7,980 for Improvement Area #1) is budgeted for costs incurred by City staff for administering the PID.

Note: The figures shown above are estimates only and subject to change in Annual Service Plan Updates and subject to the recording of the Preliminary Plat attached as Exhibit L. Changes in Annual Collection Costs, reserve fund requirements, interest earnings, or other available offsets could increase or decrease the amounts shown.

Preliminary and subject to change.

EXHIBIT H – MAXIMUM ASSESSMENT AND SPECIAL BENEFIT PER LOT TYPE

Lot Type	Units	Assessment	Maximum Assessment per Lot Type	Special Benefit	Special Benefit per Lot Type
Improvement Area #1					
1	133	$ 4,180,000	$ 31,429	$ 5,951,204	$ 44,746
Total	**133**	**$ 4,180,000**		**$ 5,951,204**	

Note: Subject to the Improvement Area #1 Plat attached as **Exhibit L**.

Preliminary and subject to change.

EXHIBIT I – CONCEPT PLAN

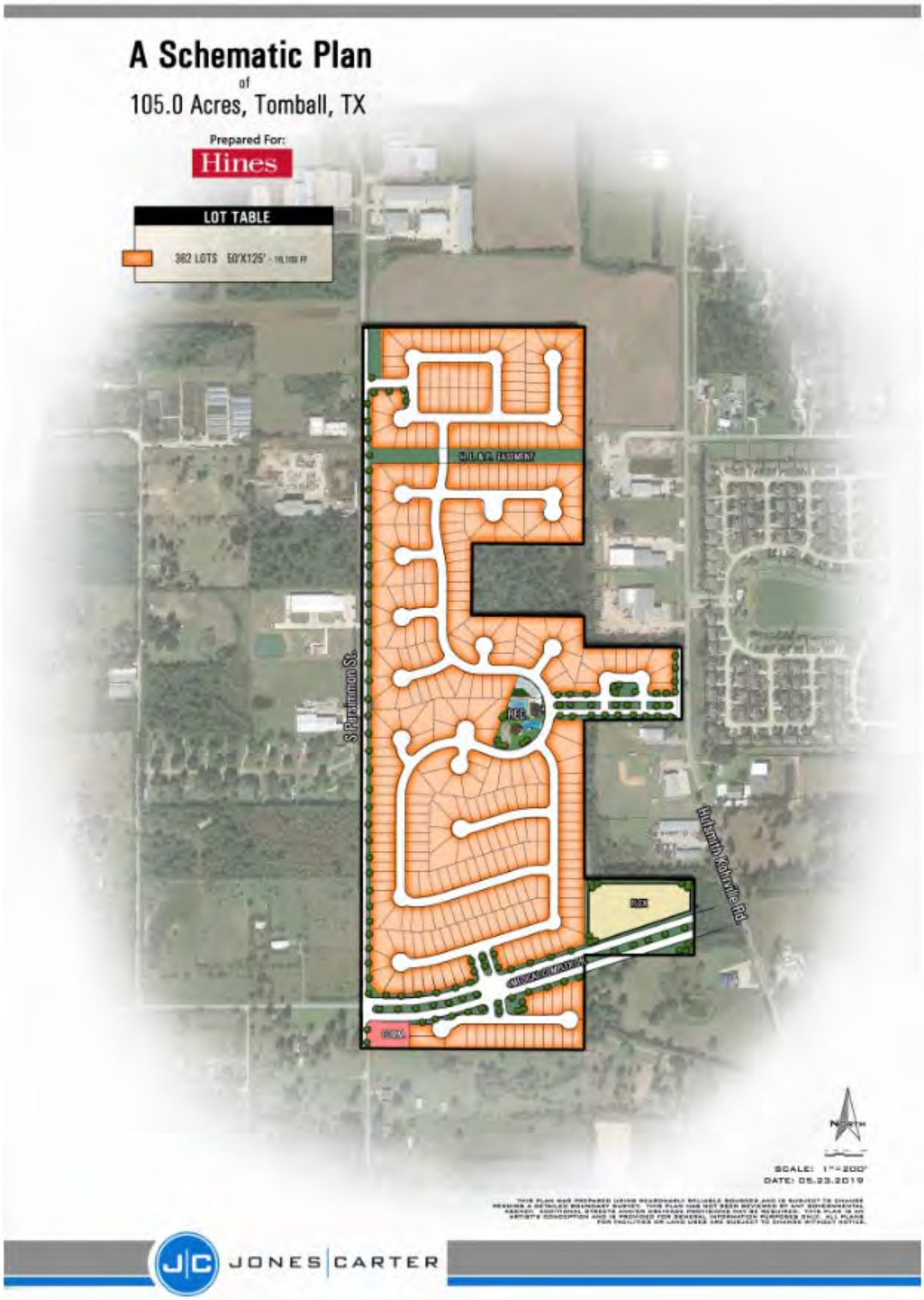


EXHIBIT J– IMPROVEMENT AREA #1 IMPROVEMENTS MAP

[NEED MAP]

EXHIBIT K – NOTICE OF PID ASSESSMENT TERMINATION

P3Works, LLC
9284 Huntington Square, Suite 100
North Richland Hills, TX 76182

[Date]
Harris County Civil Courthouse
Honorable [County Clerk Name]
201 Caroline, Suite 310
Houston, Texas 77002

Re: **City of Tomball Lien Release documents for filing**

Dear Ms./Mr. [County Clerk Name],

Enclosed is a lien release that the City of Tomball is requesting to be filed in your office. Lien release for [insert legal description]. Recording Numbers: [Plat]. Please forward copies of the filed documents below:

City of Tomball
Attn: [City Secretary]
401 Market Street
Tomball, Texas 77375

Please contact me if you have any questions or need additional information.

Sincerely,
[Signature]

P3Works, LLC
P: (817)393-0353
admin@p3-works.com

AFTER RECORDING RETURN TO:

[City Secretary]
City of Tomball
401 Market Street
Tomball, Texas 77375

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

FULL RELEASE OF PUBLIC IMPROVEMENT DISTRICT LIEN

STATE OF TEXAS	**§**	
	§	**KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF ____	**§**	

THIS FULL RELEASE OF PUBLIC IMPROVEMENT DISTRICT LIEN (this "Full Release") is executed and delivered as of the Effective Date by the City of Tomball, Texas.

RECITALS

WHEREAS, the governing body (hereinafter referred to as the "City Council") of the City of Tomball, Texas (hereinafter referred to as the "City "), is authorized by Chapter 372, Texas Local Government Code, as amended (hereinafter referred to as the "Act"), to create public improvement districts within the corporate limits and extraterritorial jurisdiction of the City; and

WHEREAS, on or about October 7, 2019 the City Council for the City, approved Resolution No. 2019-41, creating the Raburn Reserve Public Improvement District; and

WHEREAS, on or about November 4, 2019 the City Council for the City, approved Resolution No. 2019-45, amending and restating Resolution No. 2019-41 by incorporating an increased area of the Raburn Reserve Public Improvement District; and

WHEREAS, the Raburn Reserve Public Improvement District consists of approximately 105 contiguous acres located within the City; and

WHEREAS, on or about _____, 2020, the City Council, approved Ordinance No. ____, (hereinafter referred to as the "Assessment Ordinance") approving a service and assessment plan and assessment roll for the Property within the Raburn Reserve Public Improvement District; and

WHEREAS, the Assessment Ordinance imposed an assessment in the amount of $_____ (hereinafter referred to as the "Lien Amount") for the following property:

[legal description], a subdivision in Harris County, Texas, according to the map or plat of record in Document/Instrument No. _____ of the Plat Records of Harris County, Texas (hereinafter referred to as the "Property"); and

WHEREAS, the property owners of the Property have paid unto the City the Lien Amount.

RELEASE

NOW THEREFORE, the City, the owner and holder of the Lien, as established by Ordinance No. _____, which levied the Assessment in the amount of the Lien Amount against the Property releases and discharges, and by these presents does hereby release and discharge, the above-described Property from said lien held by the undersigned securing said indebtedness.

EXECUTED to be **EFFECTIVE** this the _____ day of _____, 20__.

CITY OF TOMBALL, TEXAS,

By: _____
[Name], [Title]

ATTEST:

_____
[Secretary Name], City Secretary

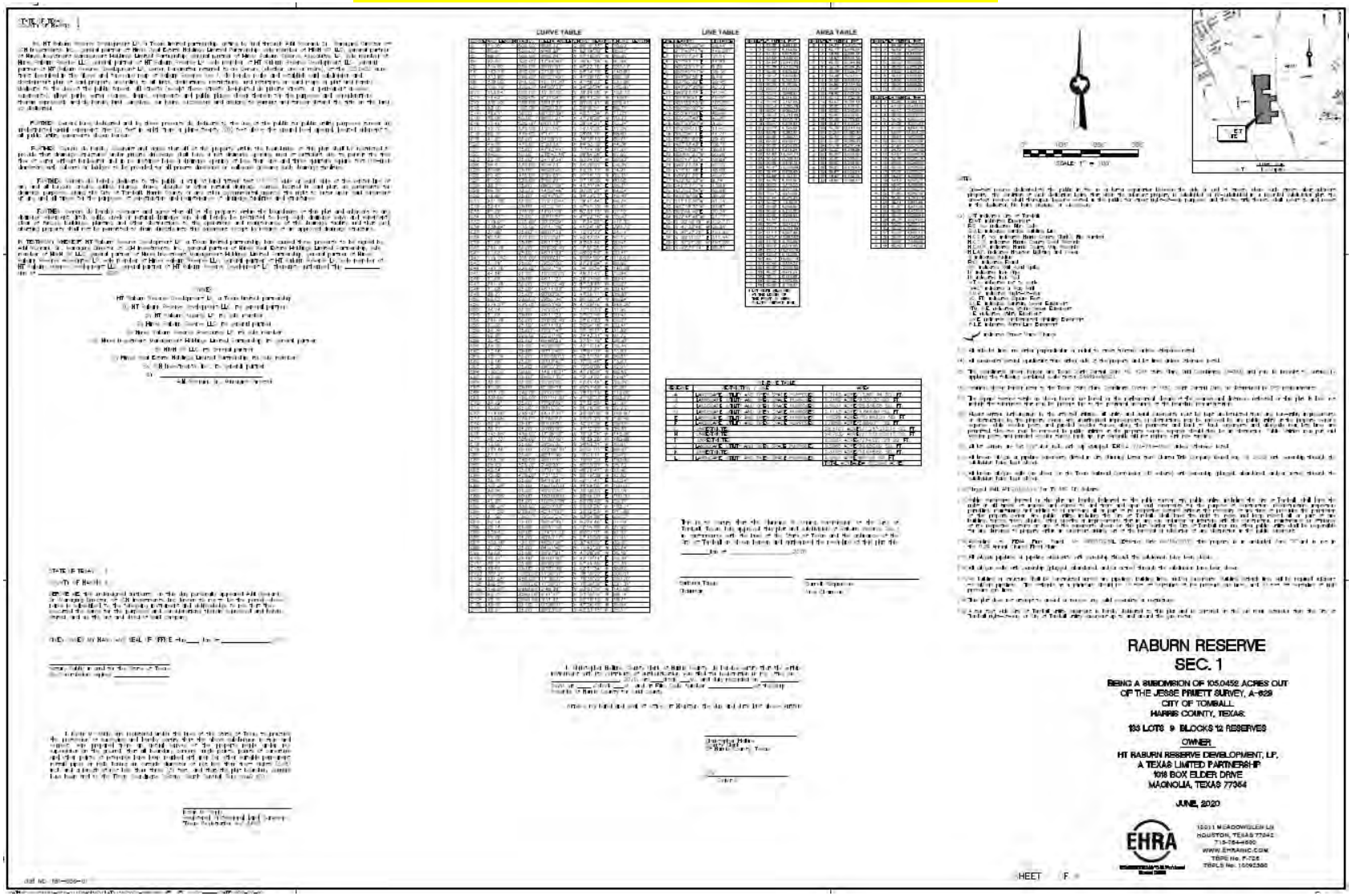
STATE OF TEXAS **§**
§
COUNTY OF _____ **§**

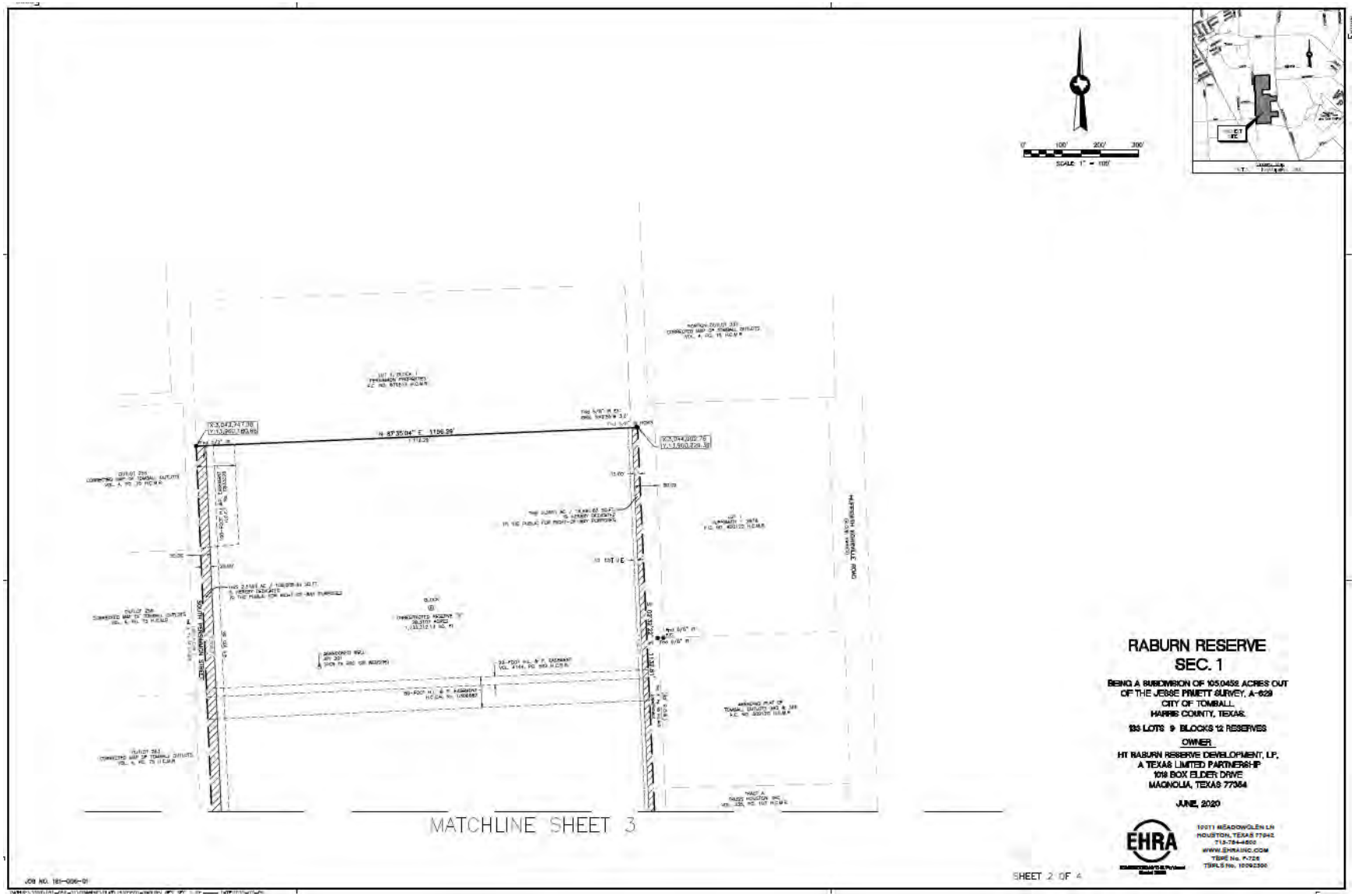
This instrument was acknowledged before me on the ____ day of _____, 20__, by [Name], [Title] for the City of Tomball, Texas, on behalf of said municipality.

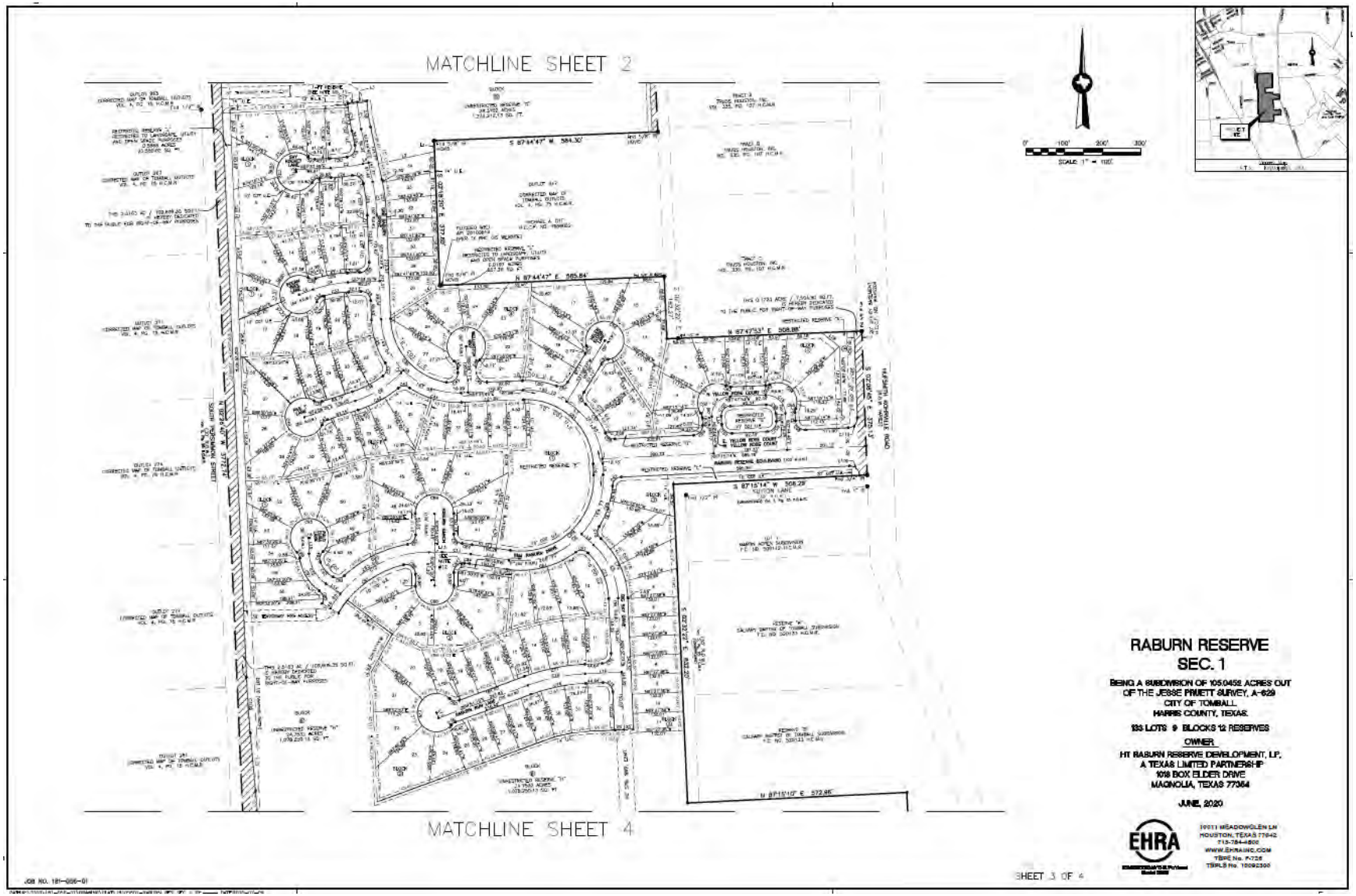
_____
Notary Public, State of Texas

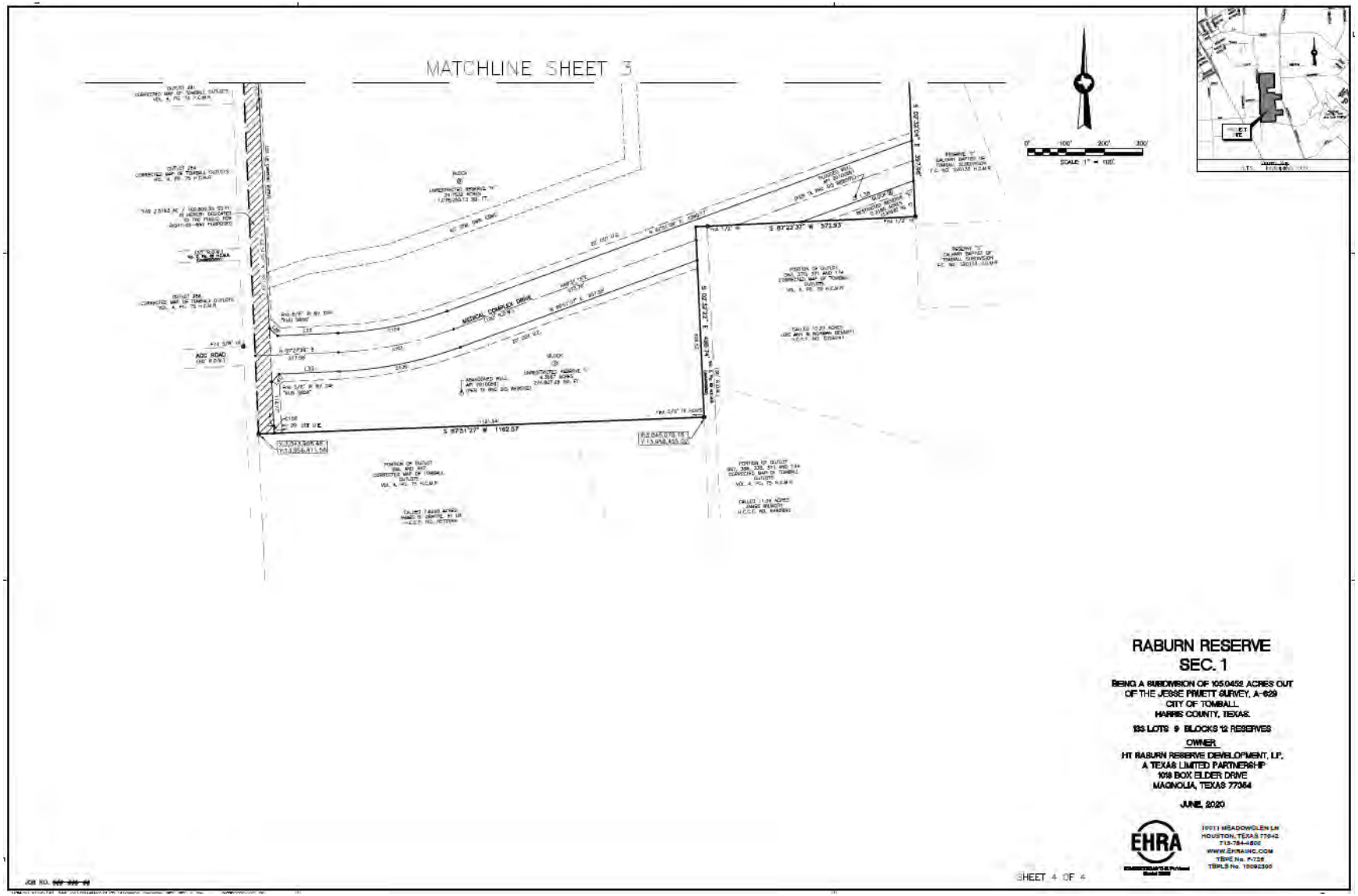
EXHIBIT L – IMPROVEMENT AREA #1 PLAT

[WILL BE UPDATED ONCE PLAT IS RECORDED. **EST: JULY 2020**]




RABURN RESERVE
SEC. 1
BEING A SUBDIVISION OF 105.0456 ACRES OUT
OF THE JESSE PINETT SURVEY, A-629
CITY OF TOMBALL
HARRIS COUNTY, TEXAS
133 LOTS 9 BLOCKS 12 RESERVES
OWNER
HT RABURN RESERVE DEVELOPMENT, LP,
A TEXAS LIMITED PARTNERSHIP
1018 BOX ELDER DRIVE
MAGNOLIA, TEXAS 77354
JUNE, 2020
EHRA
MATCHLINE SHEET 3
SHEET 2 OF 4


MATCHLINE SHEET 2
MATCHLINE SHEET 4
RABURN RESERVE
SEC. 1
BEING A SUBDIVISION OF 105.0458 ACRES OUT
OF THE JESSE PRUETT SURVEY, A-629
CITY OF TOMBALL
HARRIS COUNTY, TEXAS.
133 LOTS 9 BLOCKS 12 RESERVES
OWNER
HT RABURN RESERVE DEVELOPMENT, LP,
A TEXAS LIMITED PARTNERSHIP
1018 BOX ELDER DRIVE
MAGNOLIA, TEXAS 77354
JUNE, 2020
EHRA
SHEET 3 OF 4


MATCHLINE SHEET 3
MEDICAL COMPLEX DRIVE
ADD ROAD
S 87°22'37" W 571.93
S 87°31'27" W 1162.57
0' 100' 200' 300'
SCALE: 1" = 100'
RABURN RESERVE
SEC. 1
BEING A SUBDIVISION OF 105.0458 ACRES OUT
OF THE JESSE PRIMETT SURVEY, A-629
CITY OF TOMBALL
HARRIS COUNTY, TEXAS.
133 LOTS 9 BLOCKS 12 RESERVES
OWNER
HT RABURN RESERVE DEVELOPMENT, LP,
A TEXAS LIMITED PARTNERSHIP
1018 BOX ELDER DRIVE
MAGNOLIA, TEXAS 77354
JUNE, 2020
EHRA
SHEET 4 OF 4

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

Approve Resolution No. 2020-24, a Resolution of the City Council of the City of Tomball, Texas Authorizing the City of Tomball to participate in the Texas Enterprise Zone program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code; Defining Available Tax Incentives; Nominating North Houston - TRMC, LLC (HCA Houston Healthcare Tomball) to the Office of the Governor Economic Development and Tourism through the Economic Development Bank for Designation as an Enterprise Project under The Act; and Designating a Liaison for overseeing Enterprise Projects and Communicating with Interested Parties.

Background:

The Texas Enterprise Zone Program (TEZ) encourages local communities to partner with the State of Texas in job creation efforts and capital investment, particularly in economically distressed areas of the state.

Designated projects are eligible to apply for a refund of State sales and use taxes paid on expenditures at the qualified business site during the designation period. No local sales tax is rebated to the company through this program. The designation is for a five year period.

North Houston - TRMC, LLC (d/b/a HCA Houston Healthcare Tomball) is proposing a $5 million renovation project that will improve facility access to individuals with disabilities. The project includes upgrades to sidewalks, building entrances as well as improvements to convenience features such as automatic doors and hand rails. The facility plans to create additional accessible parking spaces as well as create dedicated service animal relief area stations. In exchange for the State designation, HCA Houston Healthcare Tomball would commit to retain the existing level of employment, 1,038 employees and create 10 new full-time positions.

Staff recommends the nomination of HCA Houston Healthcare Tomball's proposed project as a TEZ project.

Origination:

Omar Khan, Manager - Credits and Incentives Ryan

Recommendation:

staff recommends approval

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

David Esquivel, PE

ACTION TAKEN

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

ATTACHMENTS:

RESOLUTION NO. 2020-24

A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, NOMINATING NORTH HOUSTON - TRMC, LLC TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM ("OOGEDT") THROUGH THE ECONOMIC DEVELOPMENT BANK ("BANK") FOR DESIGNATION AS A QUALIFIED BUSINESS AND AN ENTERPRISE PROJECT ("PROJECT") UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT"); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Tomball City Council has previously passed Ordinance No. 2013-07 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 2013-07; and

WHEREAS, the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") will consider NORTH HOUSTON - TRMC, LLC as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City of Tomball ("City") desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), NORTH HOUSTON - TRMC, LLC has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that NORTH HOUSTON - TRMC, LLC meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. NORTH HOUSTON - TRMC, LLC is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction located outside of an enterprise zone and at least thirty-five percent (35.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and

2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and

3. The designation of NORTH HOUSTON - TRMC, LLC as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that NORTH HOUSTON - TRMC, LLC meets the criteria for tax relief and other incentives adopted by the City and nominates NORTH HOUSTON - TRMC, LLC for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate NORTH HOUSTON - TRMC, LLC as an enterprise project pursuant to the Act;

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

That the findings of the City and its actions approving this resolution taken at the council meeting are hereby approved and adopted.

BE IT FURTHER RESOLVED that NORTH HOUSTON - TRMC, LLC is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act.

BE IT FURTHER RESOLVED that the enterprise project shall take effect on the date of designation of the enterprise project by the agency and terminate five (5) years from the date of designation.

DULY PASSED AND APPROVED this 3rd day of August 2020.

_____
Gretchen Fagan, MAYOR

ATTEST:

_____
Doris Speer, CITY SECRETARY

HCA Houston Healthcare Tomball

605 Holderrieth Blvd
Tomball, Texas 77375

P 281.401.7500

July 28, 2020

Mr. Robert Hauck
City Manager
City of Tomball
401 Market St.
Tomball, TX 77375

Ms. Adriana Cruz
Executive Director
Economic Development & Tourism
Office of the Governor
1100 San Jacinto Blvd, 3rd Floor
Austin, Texas 78701

Re: Project Description Letter for NORTH HOUSTON – TRMC, LLC
d/b/a HCA Houston Healthcare Tomball
City of Tomball Enterprise Project Application
Tax Identification Number: 3-20-6358313-5

Dear Mr. Hauck and Ms. Cruz:

NORTH HOUSTON – TRMC, LLC ("HCA Houston Healthcare Tomball"), a subsidiary of HCA Healthcare, Inc., provides advanced healthcare services to residents of Tomball, northwest Houston, and the greater Harris County area. HCA Healthcare, Inc., headquartered in Nashville, Tennessee, is comprised of approximately 2,000 sites of care, including hospitals, surgery centers, emergency rooms, urgent care centers, and physician clinics. HCA Houston Healthcare Tomball, a member of the HCA Houston Healthcare system, began serving the region in 1948 and has since grown to a 350-bed hospital, spanning a 150-acre campus with employees and physicians specializing in various medical fields. The campus hosts multiple specialty medical centers, including the Orthopedic Center, the Women's Center, the Texas Sports Medicine Center, as well as the Robert F. Schaper Heart Center dedicated to the detection, management and control of cardiovascular disease in adults. Accredited by the Joint Commission, HCA Houston Healthcare Tomball is also designated as an Advanced Primary Stroke Center and a Level II Neonatal Intensive Care Unit. In 2019, the Texas Department of State Health Services designated HCA Houston Healthcare Tomball as a level III Trauma Center and received a patient safety grade of 'A' from the Leapfrog Group.

HCA Houston Healthcare Tomball fully appreciates the importance of their role in ensuring that individuals with disabilities have complete facility access. In consideration of this responsibility, a renovation project has been designed which exceeds the standards set forth in the Americans with Disabilities Act ("ADA") as well as Texas Accessibility Standards ("TAS"). More specifically, over the next five years, HCA Houston Healthcare Tomball will upgrade sidewalks,

building entrances, and hallways with improvements to convenience features such as hand railings and automatic doors. Furthermore, plans have been developed to create more than the mandated number of accessible parking spaces to accommodate patients and family members with disabilities. Although not required by ADA or TAS, HCA Houston Healthcare Tomball understands the importance of service animals in assisting with various disabilities and will create dedicated Service Animal Relief Area stations to provide animal toileting areas. Further, whereas the ADA requires 5% of clustered toilet and bathing units to be compliant, the planned renovations will ensure all single-user toilet or bathing facilities in the hospital are fully compliant with ADA standards. In addition to this expanded ADA design plan, mechanical systems in isolation rooms will be upgraded, each with a planned investment of approximately $350,000.

The combined capital investment will fall into the following categories:

Description	**Amount**
Development	$450,000
Construction	$4,500,000
Engineering	$200,000
Other	$200,000
Total	**$5,350,000**

Section 2303.406(a)(4)(D) of the Texas Government Code allows a project or activity of a qualified business to be designated as an Enterprise Project and receive job retention benefits "if the business has clearly demonstrated that the business is able to employ individuals in accordance with Section 2303.402." To meet this requirement, HCA Houston Healthcare Tomball, located at 605 Holderrieth Blvd., Tomball, Texas in Census Tract 5554.02, Block Group 2, will actively monitor employment to ensure that 35% of new or replacement personnel certified for benefit are residents of an enterprise zone, or Veterans, or economically disadvantaged as required during the Texas Enterprise Program designation.

HCA Houston Healthcare Tomball posted revenue of $1.4B in 2019 and employs 1,038 employees at the qualified business site, while anticipating 10 new hires. Of those jobs, 500 meet the definition of a "retained job" in Texas Government Code § 2303.401(2) because they currently exist, provide and will continue to provide at least 1,820 hours of employment annually, and will be employment positions for the longer of the duration of the project's designation period or three years after the expiration date of the claim period for receipt of state benefit. Given the proposed investment, no layoffs or reductions in employment are contemplated and there are no transportation needs to be addressed by the Governor's Office at this time. Payroll and tax records

of the business activity conducted at the qualified business site will be maintained separately from all other HCA facilities.

HCA Houston Healthcare Tomball recognizes the significant impact of giving back to the local community and participates in many different charitable and educational causes annually, including Crush the Crisis, *March of Dimes*, and the Tomball Health Academy which hosts free, physician-led presentations at the hospital monthly with the goal of creating greater awareness on healthcare. Through its affiliation with the HCA Houston Healthcare network, HCA Houston Healthcare Tomball recently distributed $150,000 in grants to Gulf Coast-area coronavirus relief efforts, including $110,000 for the Greater Houston COVID-19 Recovery Fund, $10,000 for the United Way Galveston County Mainland, $10,000 for the United Way of the Coastal Bend COVID-19 Response and Recovery Fund and $20,000 for the Food Bank of the Rio Grande Valley. Additionally, 1,000 ventilators were provided as part of American Hospital Association's collaboration with the federal government and health system.

HCA Houston Healthcare Tomball's commitment to its facility is impactful to the residents of Tomball and the surrounding community. We look forward to participating in the Texas Enterprise Zone Program and continuing to build our relationship with the City of Tomball in the coming years.

Sincerely,

Richard Ervin
Chief Financial Officer
NORTH HOUSTON – TRMC, LLC

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

Adopt, on First Reading, Ordinance No. 2020-11, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars ($200.00) for the Violation of this Ordinance

Background:

In May 2020, staff conducted an engineering and traffic study along Medical Complex to capture the traffic count and speeds traveled. Based on the study completed and the original design speed of 45 MPH on Medical Complex Drive, staff recommends raising the posted speed limit to 40 MPH.
The recommended revisions include the following speed zone:

> Along Medical Complex Drive, east from the intersection of State Highway Business 249 Frontage for approximately 6,415 feet, a distance of approximately 1.21 miles, the speed limit shall be 40 MPH

Once adopted, staff anticipates the new speed limits to be posted within 30 days, pending the delivery of the speed limit signs.

Origination:

Public Works Department

Recommendation:

Adopt Ordinance Number 2020-11 on first reading.

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

Beth Jones, Public Works Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2020-11
Staff Recommendation - Medical Complex Speed Limit Change

ORDINANCE NO. 2020-11

AN ORDINANCE ALTERING THE *PRIMA FACIE* SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF §545.356, TEXAS TRANSPORTATION CODE, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF TOMBALL AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE IN AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS ($200.00) FOR THE VIOLATION OF THIS ORDINANCE.

* * * * * * * * * *

WHEREAS, §545.356, Texas Transportation Code, provides that, whenever the governing body of the City shall determine, upon the basis of an engineering and traffic investigation, any *prima facie* speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe *prima facie* speed limit thereat or there on by the passage of an Ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

Section 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of §545.356, Texas Transportation Code, the following *prima facie* speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

Along Medical Complex Drive, east from the intersection of State Highway Business 249 Frontage for approximately 6,415 feet, a distance of approximately 1.21 miles, the speed limit shall be 40 MPH.

Section 2. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not more than Two Hundred Dollars ($200.00).

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 3RD DAY OF AUGUST 2020.

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

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 17TH DAY OF AUGUST 2020.

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

_____
GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

_____
DORIS SPEER, City Secretary
City of Tomball

City of Tomball
Public Works Department

* 501 James St. * Tomball, Texas 77375 * 281.290.1466 * FAX 281.351.4735 *

* Utilities * Streets * Parks * Fleet Maintenance * Facilities Maintenance * Solid Waste *

Interoffice Memorandum

To: Robert Hauck - City Manager
David Esquivel, PE - Assistant City Manager

From: Beth Jones, PE - Director of Public Works

Re: Recommendation to Change Medical Complex Drive Speed Limit

Date: July 24, 2020

Recommendation:

It is my recommendation that the speed limit on Medical Complex Drive between Business 249 and Cherry St be raised from 30 mph to 40 mph.

Rationale:

- Medical Complex Drive was engineered as a minor arterial roadway with a design speed limit of 45 mph.
- TxDOT standard minimum spacing for driveways on a state highway with a speed limit of 40 mph is 305 feet, which all of our existing development along Medical Complex exceeds.
- The average speed of vehicles driving on Medical Complex is 40 mph.
- In the past year, no speed related accidents have occurred on Medical Complex with vehicles already traveling an average of 40 mph.

Report:

Medical Complex Drive was engineered for a speed limit of 45 mph as is shown in Appendix A, Signing and Pavement Marking sheet of the design plans for Medical Complex Segment 3.

TxDOT has publishes standards and minimums for the safe spacing of driveways based on roadway speeds. This allows for the safe entrance of vehicles onto the roadway and the response time of drivers already on the road. As is shown in Appendix B – TxDOT Driveway Spacing Guidance, the minimum recommended spacing between driveways on a roadway such as Medical Complex is 305 feet. All of the existing driveways on Medical Complex exceed this minimum standard; thus, there is no adverse risk with an increased speed limit to 40 mph.

Public Works and Tomball Police Department conducted a traffic study from May 18, 2020, through July 13, 2020, along Medical Complex using two traffic trailers to capture the traffic count and speeds traveled. The trailers were placed in the median and able to obtain data for both

directions of traffic, as is shown in Appendix C – Trailer Location Map. The first trailer was facing west located near Medical Complex and Lawrence St. The second trailer was placed facing east and located on Medical Complex just west of Cherry St. The data from Trailer #1 (see Appendix D) showed that an average of over 84% of vehicles were driving above the posted speed limit even after drivers saw the trailer and it registered the traveling speed. The average speed, at that location, was 38 mph. The data from Trailer #2 (see Appendix E) showed that an average of 67% of vehicles were driving above the posted speed limit with an average speed of 37 mph.

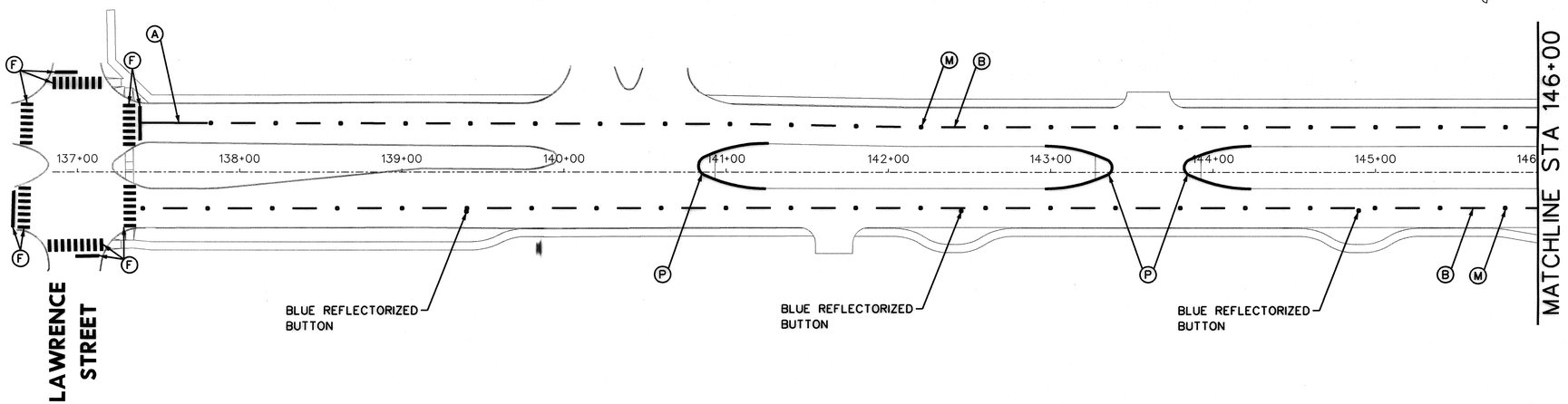
Furthermore, the data from traffic trailers are biased on the low side because of how they capture the data. The trailer displays the traveling speed and flashes the speed when traveling over the programmed speed limit, thereby causing most drivers to slow down. Thus, it is likely that the average speed of vehicular traffic for both trailer locations would be even higher without the presence of speed trailers.

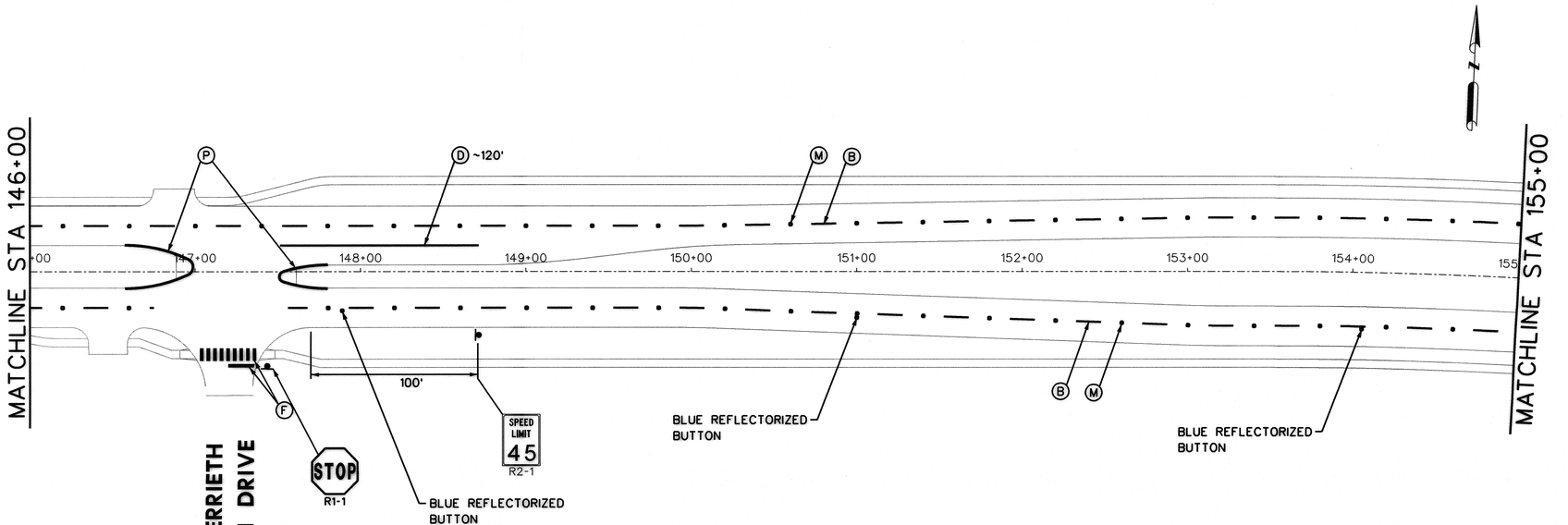
Upon review of police records, there were no speed related accidents that occurred on Medical Complex in the past year. The increase in the posted speed limit poses no threat to public safety because the it would be congruent with the design of the roadway and the existing speed patterns.

Attachments:

Appendix A- Signing and Pavement Marking sheet of the design plans for Medical Complex Segment 3
Appendix B – TxDOT Driveway Spacing Guidance
Appendix C - Trailer Location Map
Appendix D – Trailer #1 Data
Appendix E – Trailer #2 Data

Appendix A – Signing and Pavement Marking sheet of the design plans for Medical Complex Segment 3





LEGEND

- (A) REFL PAV MRK (W)(4")(SLD)
- (B) REFL PAV MRK (W)(4")(BRK)
- (C) REFL PAV MRK (W)(4")(CAT TRAC)
- (D) REFL PAV MRK (W)(8")(SLD)
- (E) REFL PAV MRK (W)(12")(SLD)
- (F) REFL PAV MRK (W)(24")(SLD)
- (G) REFL PAV MRK (W)(ARROW)
- (H) REFL PAV MRK (W)(WORD)
- (I) REFL PAV MRK (Y)(4")(SLD)
- (J) REFL PAV MRK (Y)(4")(BRK)
- (K) REFL PAV MARK (Y)(24")(SLD)
- (L) RAIS PAV MRK (REFL) TY I-C
- (M) RAIS PAV MRK (REFL) TY II C-R
- (N) RAIS PAV MRK (REFL) TY II A-A
- (P) MEDIAN NOSE PAINT (Y)
- TRAFFIC SIGN

NOTES:

1. PRIOR TO THE START OF CONSTRUCTION, DOCUMENT EXISTING TRAFFIC AND STREET NAME SIGNS WITHIN THE PROJECT LIMITS.
2. SAFE-GUARD EXISTING SIGNS TO REMAIN. STORE REMOVED SIGNS IN A SECURE AREA FOR REUSE.
3. REINSTALL EXISTING SIGNS THAT HAVE BEEN STORED PER CITY STANDARDS FOR RETRO-REFLECTIVITY, MATERIALS, SIZE, ETC.
4. REMOVED SIGNS NOT FOR REUSE SHALL BE DELIVERED TO THE CITY OF TOMBALL. SIGNS MUST BE REMOVED FROM POLES AND REASONABLY CLEAN.

STATE OF TEXAS
MAHMOUD SALEHI
89552
LICENSED
PROFESSIONAL ENGINEER
1/28/2014

CobbFendley
Texas Registration No. 274
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040
713.462.3242 | fax 713.462.3262 | www.cobbfendley.com

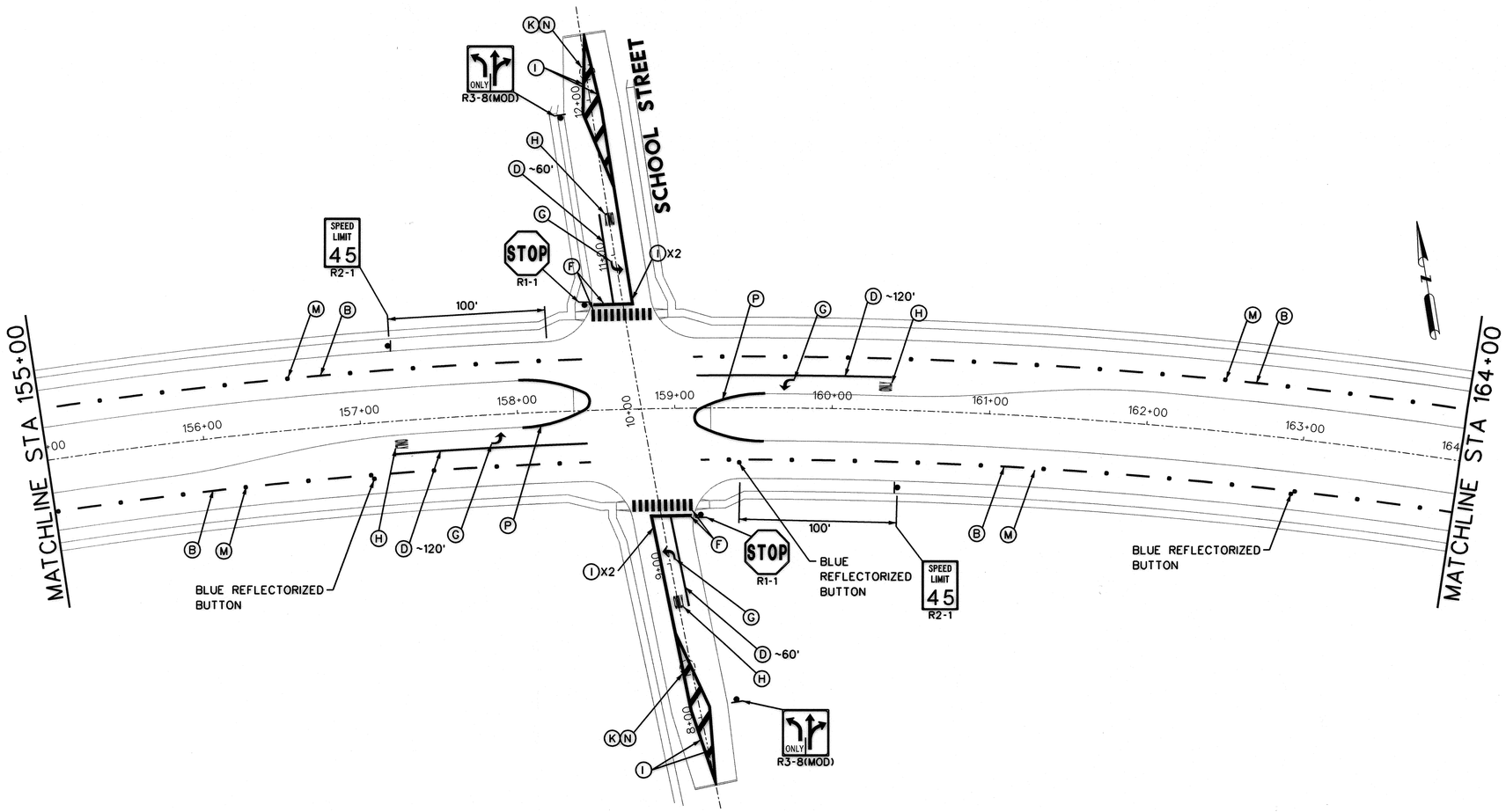
CITY OF TOMBALL
TOMBALL, TEXAS

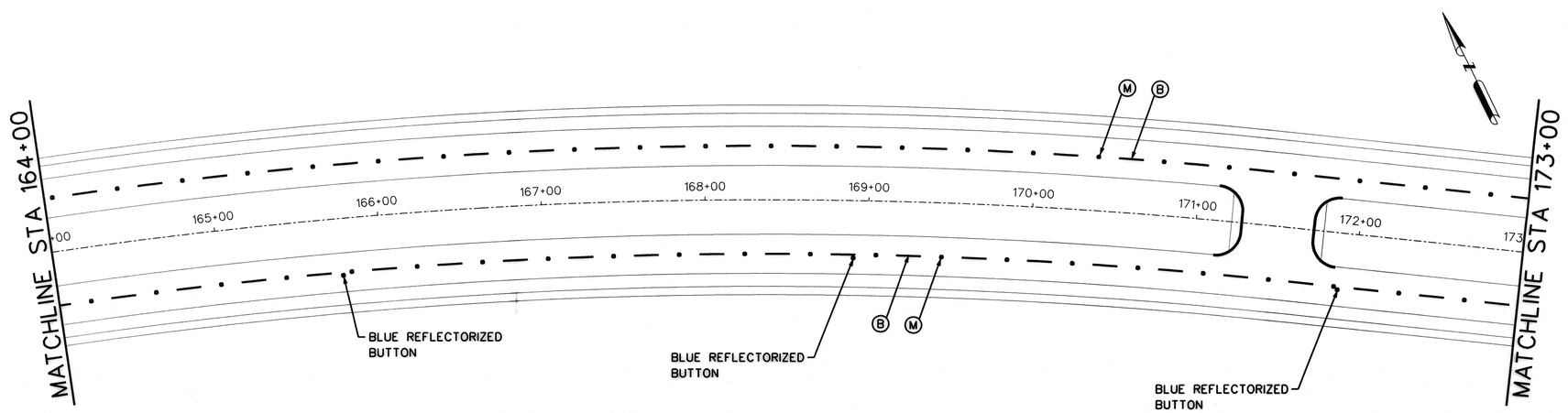
MEDICAL COMPLEX DRIVE EXPANSION SEGMENT 3
E&P PROJECT NO. 2011-10019

SIGNING & PAVEMENT MARKING
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LEGEND

- (A) REFL PAV MRK (W)(4")(SLD)
- (B) REFL PAV MRK (W)(4")(BRK)
- (C) REFL PAV MRK (W)(4")(CAT TRAC)
- (D) REFL PAV MRK (W)(8")(SLD)
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- (G) REFL PAV MRK (W)(ARROW)
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- (M) RAIS PAV MRK (REFL) TY II C-R
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- (P) MEDIAN NOSE PAINT (Y)
- TRAFFIC SIGN

NOTES:

1. PRIOR TO THE START OF CONSTRUCTION, DOCUMENT EXISTING TRAFFIC AND STREET NAME SIGNS WITHIN THE PROJECT LIMITS.
2. SAFE-GUARD EXISTING SIGNS TO REMAIN. STORE REMOVED SIGNS IN A SECURE AREA FOR REUSE.
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STATE OF TEXAS
MAHMOUD SALEHI
89552
LICENSED
PROFESSIONAL ENGINEER
1/20/2014

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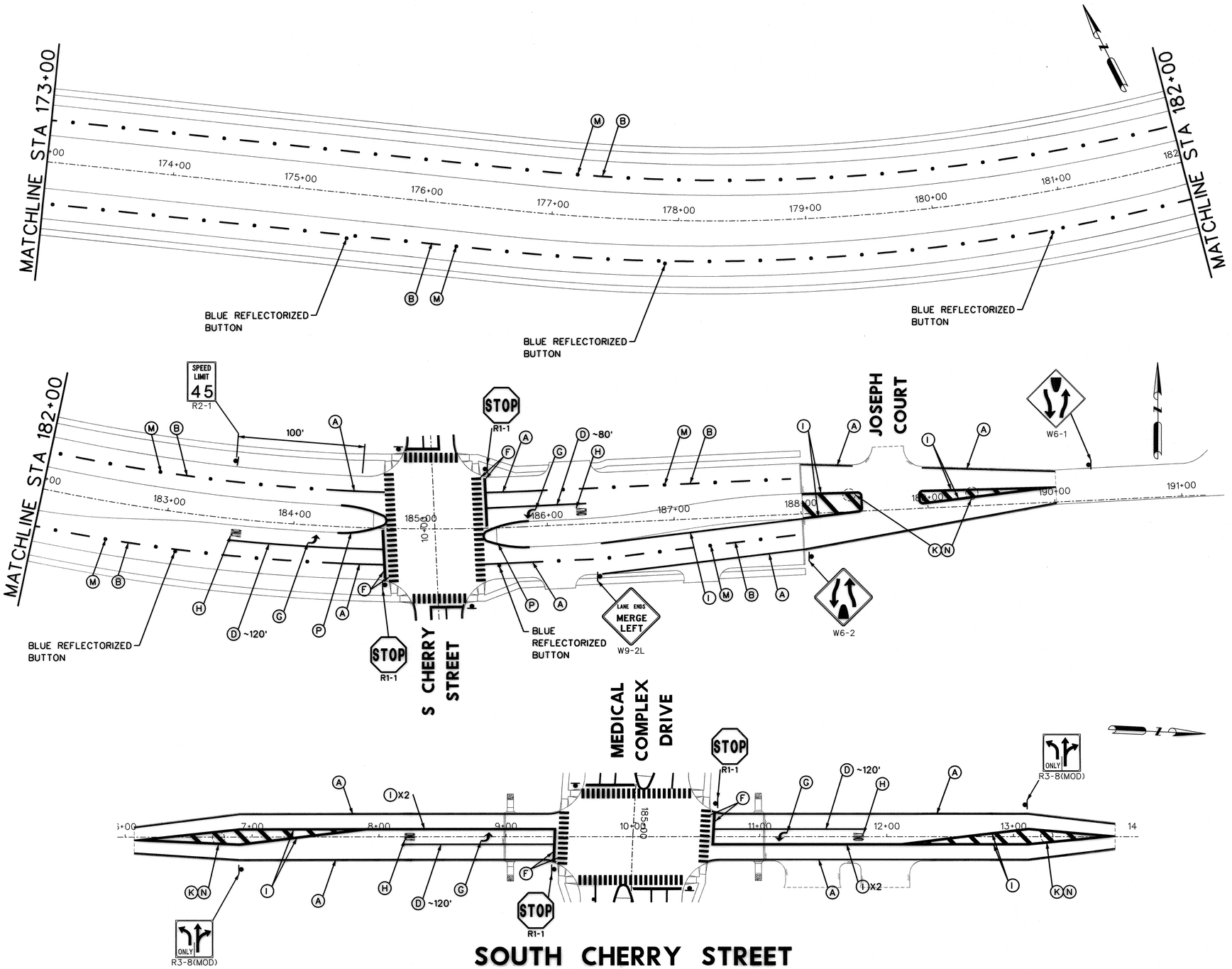
CITY OF TOMBALL
TOMBALL, TEXAS

MEDICAL COMPLEX DRIVE EXPANSION SEGMENT 3
E&P PROJECT NO. 2011-10019

SIGNING & PAVEMENT MARKING
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LEGEND

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- (M) RAIS PAV MRK (REFL) TY IIC-R
- (N) RAIS PAV MRK (REFL) TY IIA-A
- (P) MEDIAN NOSE PAINT (Y)
- TRAFFIC SIGN

NOTES:

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CITY OF TOMBALL
TOMBALL, TEXAS

MEDICAL COMPLEX DRIVE EXPANSION SEGMENT 3
E&P PROJECT NO. 2011-10019

SIGNING & PAVEMENT MARKING
STA 173+00 TO END

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DATE:	1/28/2014	SHEET NO:	33 OF 104
SURVEY BY:	CFA	DWG NO:	
F B NO:			

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Appendix B – TxDOT Driveway Spacing Guidance

Other State System Highways

This section applies to all state highway system routes that are not new highways on new alignments, freeway mainlanes, or frontage roads.

Table 2-2 provides minimum connection spacing criteria for other state system highways. However, a lesser connection spacing than set forth in this document may be allowed without variance in the situations described in Chapter 2, Section 5.

Table 2-2 does not apply to rural highways outside of metropolitan planning organization boundaries where there is little, if any, potential for development with current ADT volumes below 2000. For those highways, access location and design will be evaluated based on safety and traffic operation considerations. Such considerations may include traffic volumes, posted speed, turning volumes, presence or absence of shoulders, and roadway geometrics.

Table 2-2: Other State Highways Connection Spacing Criteria

Other State Highways Minimum Connection Spacing (1)(2)(3)	
Posted Speed (mph)	**Distance (ft)**
≤ 30	200
35	250
40	305
45	360
≥ 50	425

(1) Distances are for passenger cars on level grade. These distances may be adjusted for downgrades and/or significant truck traffic. Where present or projected traffic operations indicate specific needs, consideration may be given to intersection sight distance and operational gap acceptance measurement adjustments.

(2) When these values are not attainable, refer to the variance process as described in Chapter 2, Section 5.

(3) Access spacing values shown in this table do not apply to rural highways outside of metropolitan planning organization boundaries where there is little, if any, potential for development with current ADT levels below 2000. Access connection spacing below the values shown in this table may be approved based on safety and operational considerations as determined by TxDOT.

Appendix C - Trailer Location Map


Trailer #1
Trailer #2
Paloma Park
Tomball Town Center
Main Street Tomball
Pecan - Tomball
Hampton Place
Berkeley Eye Center - Tomball
2920
James Place
Cherry Street
Woodstock
Dartford Square
Lawrence Street Acres
Dicar Place
Medical Complex Dr
Cobble Creek
920 Lawrence St
Cherry Meadows Ame
Michel Rd
Agg Rd
Falcon
Meadow Lark Hill
249B
Howe Tract
Tomball Parkway Plaza
Tomball Industrial Park
Parkway Shops
© 2020 Google
Google Earth
Alice Rd
Theis Ln

Appendix D – Trailer #1 Data

Tomball PD

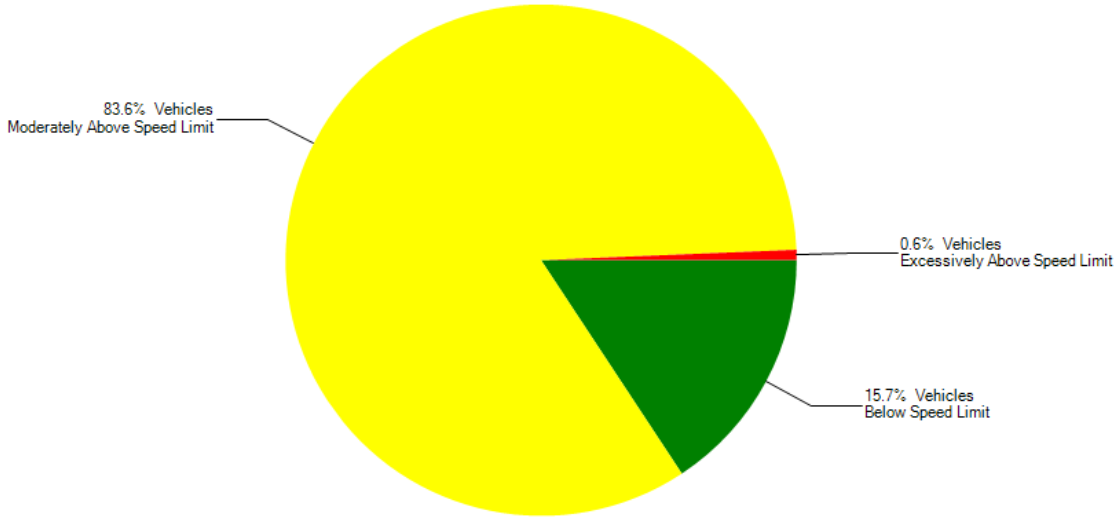
Survey Description

Survey Location	920 Lawrence Street Tomball, Texas 77375	
Survey GPS Coordinates		
Survey Dates	**Start**	**Stop**
	Wednesday, 07/08/2020 10:20	Monday, 07/13/2020 10:54
Posted Speed Limit	30 (mph)	
Traffic Zone	None	

Speed Pie Chart

Date Range: 2020-07-08 - 2020-07-13

Direction: Both



Traffic Direction	Closing	Away	Combined
Posted Speed Limit		30 (mph)	
Vehicles Under the Speed Limit Count	1282	459	1741
Vehicles Under the Speed Limit Percentage	21.77%	8.84%	15.72%
Vehicles Over the Speed Limit Count	4606	4731	9337
Vehicles Over the Speed Limit Percentage	78.23%	91.16%	84.28%
Excessive Speed Threshold		55 (mph)	
Vehicles Over the Excessive Speed Count	26	46	72
Vehicles Over the Excessive Speed Percentage	0.44%	0.89%	0.65%
Average Speed Over Limit	36.79 (mph)	39.09 (mph)	37.96 (mph)

Appendix E – Trailer #2 Data

Tomball PD

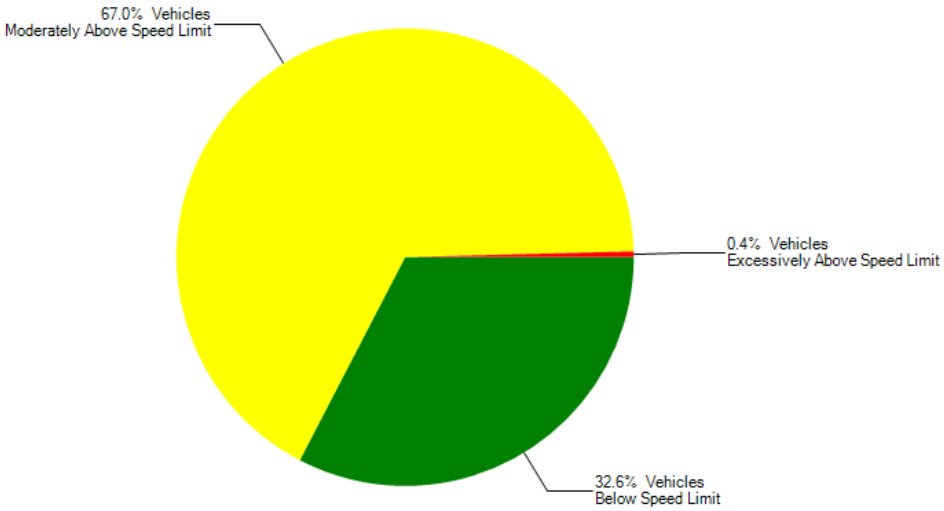
Survey Description

Survey Location	Medical Complex Tomball, Texas 77375	
Survey GPS Coordinates		
Survey Dates	**Start**	**Stop**
	Monday, 05/18/2020 18:29	Wednesday, 06/24/2020 18:49
Posted Speed Limit	30 (mph)	
Traffic Zone	Normal	

Speed Pie Chart

Date Range: 2020-05-18 - 2020-06-24

Direction: Both



Traffic Direction	Closing	Away	Combined
Posted Speed Limit		30 (mph)	
Vehicles Under the Speed Limit Count	10044	8362	18406
Vehicles Under the Speed Limit Percentage	36.0%	29.32%	32.62%
Vehicles Over the Speed Limit Count	17854	20161	38015
Vehicles Over the Speed Limit Percentage	64.0%	70.68%	67.38%
Excessive Speed Threshold		55 (mph)	
Vehicles Over the Excessive Speed Count	76	156	232
Vehicles Over the Excessive Speed Percentage	0.27%	0.55%	0.41%
Average Speed Over Limit	36.17 (mph)	38.43 (mph)	37.37 (mph)

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

Adopt, on First and Only Reading, Ordinance No. 2020-22-E, an Ordinance of the City of Tomball, Texas Declaring and Continuing a Public Health Emergency and State of Disaster; Providing for a Penalty in an Amount Not to Exceed $2,000.00 for Every Violation Hereof; Providing for Severability; Making Findings Related Thereto and Providing an Effective Date

Background:

On March 20, 2020, the City Council approved Ordinance No. 2020-07-E, Declaring a Public Health Emergency and Declaring a State of Disaster, due to the COVID-19 pandemic. This original declaration has expired and this action would extend the declaration until October 2, 2020, unless terminated or modified by earlier ordinance of the City.

Origination:

Rob Hauck, City Mananger

Recommendation:

Adopt, on First and Only Reading, Ordinance No. 2020-22-E, Declaring and Continuing a Public Health Emergency

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

Rob Hauck, City Manager

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2020-22-E Declaration of Public Health Emergency

TITLE: EMERGENCY ORDINANCE DECLARING A PUBLIC HEALTH EMERGENCY AND DECLARING A STATE OF DISASTER FOLLOWING THE OUTBREAK OF COVID-19

ORDINANCE NO. 2020-22-E

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS DECLARING AND CONTINUING A PUBLIC HEALTH EMERGENCY AND A STATE OF DISASTER; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2,000.00 FOR EVERY VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; MAKING FINDINGS RELATED THERETO AND PROVIDING AN EFFECTIVE DATE.

* * * * * *

WHEREAS, Greg Abbott, Governor of the State of Texas, entered a declaration of disaster on March 13, 2020 as a result of the outbreak of the COVID-19 virus; and

WHEREAS, Harris County Judge, Lina Hidalgo, entered a stay home, work safe order for all of Harris County on March 24, 2020 to last until April 3, 2020, due to the outbreak of the COVID-19 virus; and

WHEREAS, on March 31, 2020, Judge Hidalgo extended the stay home, work safe order until April 30, 2020 and has continued to extend these orders to date; and

WHEREAS, the Mayor and City Council of the City of Tomball, Texas issued a disaster declaration on March 20, 2020; and

WHEREAS, the Mayor and City Council of the City of Tomball, Texas find it to be in the best interest of the health, safety and welfare of its citizens to renew and extend this declaration of disaster for an additional sixty (60) days; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, as amended, Texas Government Code, Chapter 418, (the "Texas Disaster Act"), the Mayor is designated as the Emergency Management Director of the City of Tomball, and may exercise the powers granted to the Governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster due to this public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the Governor of state resources; and

WHEREAS, by this Declaration, the Mayor and City Council declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, pursuant to the authority granted to the Mayor and City Council under the Texas Disaster Act, the Mayor and City Council authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and

WHEREAS, the City of Tomball, and the people and communities of the City have suffered or face imminent threat to the public health and the potential for loss of life and property resulting from a disaster: the introduction, transmission, or spread (or imminent threat of the same) of COVID-19 in the City of Tomball; and

WHEREAS, we, the Mayor and City Council of the City of Tomball have determined that emergency measures must be taken to either prepare for or respond to a disaster due to this public health emergency in order to respond quickly, to prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19, and to prevent or minimize the loss of life; now, therefore,

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

Section 1. The facts and matters contained in the preamble to this ordinance are hereby found to be true and correct.

Section 2. Declaration of Local State of Disaster. That a local state of disaster and public health emergency is hereby declared for the City of Tomball, Texas pursuant to §418.108 of the Texas Disaster Act until October 2, 2020 or unless terminated or modified by earlier ordinance of the City.

Section 3. Publicity and Filing. Pursuant to §418.108(c) of the Texas Disaster Act, this declaration of a local state of disaster due to this public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

Section 4. Activation of the City Emergency Management Plan. Pursuant to §418.108(d) of the Texas Disaster Act, this declaration of a local state of disaster due to this public health emergency activates the City of Tomball Emergency Management Plan.

Section 5. Temporary Housing and Emergency Shelter. Pursuant to §418.020(d) of the Texas Disaster Act, this declaration authorizes the City to: (1) temporarily or permanently acquire by lease, purchase, or other means sites required for temporary housing units or emergency shelters for disaster victims; and (2) enter into arrangements necessary to prepare or equip the sites for installation and use of temporary housing or emergency shelters, including arrangements necessary for the transportation and purchase of temporary housing units or emergency shelters.

Section 6. Any person who intentionally, knowingly, recklessly or with criminal negligence violates this ordinance or any further action, order or declaration by the Mayor and City Council of the City of Tomball exercising their authority pursuant to this declaration or any of the laws of the State of Texas available to them by this declaration, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed $2,000.00 for each such violation.

Section 7. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 8. This ordinance shall take effect immediately upon its approval.

FIRST AND ONLY READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3rd DAY OF AUGUST, 2020.

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

_____
Gretchen Fagan, Mayor

ATTEST:

_____
Doris Speer, City Secretary

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve an Agreement with Thirkettle Corporation for a Flexnet Pilot Program with Purchase of the Required Components for the Pilot Program and Authorize the City Manager to Execute the Agreement

Background:
Following notification that our current supplier would no longer be manufacturing our current gas meter transmitters staff researched other options and suppliers. Staff decided on Sensus, the manufacturer of our gas meters, would be the best solution with a fixed based meter readings system. The current practice for the City is a drive by system to collect reading digitally.

Staff worked with Sensus and Thirkittle Corporation (DBA Aqua-Metric Sales Company) to develop a six (6) month pilot program to be completed in the Raleigh Creek Subdivision. During the pilot study, staff will closely monitor the findings and determine if a fixed base system is the correct method to be used for our system, at which time the results of the study will be presented to Council.

The initial cost to implement the pilot study is $73,306.25 with a deferred cost of $142,946.51. The deferred cost will cover the capital cost of a fixed base system, software, and support; which will be presented to Council after successful completion of the pilot study.

Origination:
Public Works Department

Recommendation:
Approve agreement with Thirkettle Corporation for a Flexnet Pilot Program and authorize the City Manager to execute the agreement.

Funding:
Yes
Account Number:400-615-6409

Party(ies) responsible for placing this item on agenda:
Beth Jones, Public Works Director

ACTION TAKEN

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

ATTACHMENTS:

Flexnet Pilot Program Agreement

THIRKETTLE CORPORATION DBA AQUA-METRIC SALES COMPANY

FLEXNET PILOT PROGRAM AGREEMENT

This FlexNet Pilot Program Agreement (the "Agreement") is made by and between Thirkettle Corporation, dba Aqua-Metric Sales Company, a California corporation, having its principal location at 4050 Flat Rock Drive, Riverside, CA 92505 ("Aqua-Metric"), and the City of Tomball, Texas ("Customer"), a United States municipality having its principal location at 401 Market Street, Tomball, TX 77375. Where applicable, Aqua-Metric and Customer may each be referred to individually as "Party" or collectively as the "Parties". Customer and Aqua-Metric hereby agree as follows:

SERVICES.

Aqua-Metric, through itself and manufacturer, Sensus USA, agrees to provide, implement and support a functional Sensus FlexNet pilot environment in accordance with the provisions detailed herein and expressed in Exhibit A. All network infrastructure fees will be deferred through the Pilot Period pursuant to the terms hereunder.

Customer agrees to purchase all water meters and radio transceivers necessary to effectively demonstrate the Sensus FlexNet solution as detailed in Exhibit A. For purposes of this Agreement, Customer shall procure any gas metrology and radio transceivers necessary for the Pilot Program from the local Sensus Gas Distributor, Equipment Controls Company.

EFFECTIVE DATE.

This Agreement shall commence on _____ ("Effective Date").

TERM.

The Term ("Pilot Period") shall be effective for one-hundred-eighty (180) calendar days after the Regional Network Interface is commissioned.

OPTION TO PURCHASE.

At any point during the pilot period, the Customer shall maintain the Option to Purchase network infrastructure, subscription services, or any deferred deliverables defined hereunder Exhibit A. Should the Customer make such election, FlexNet infrastructure will be made permanent and ownership transferred to the Customer issuance of purchase order or payment in the sum of One-Hundred Forty-One Thousand Three-Hundred Thirty-Seven Dollars and Thirteen Cents ($141,337.13). Should no decision to purchase be made concluding the pilot period, Aqua-Metric will remove network infrastructure from Customer premises.

LICENSES.

Regional Network Interface (RNI) and Sensus Analytics Enhanced software as a service ("subscription fees") are waived during the pilot period. Should the pilot period extend beyond one-hundred eighty (180) calendar days, current software subscription rates and setup fees will be billed to the Customer and based on a minimum of one thousand (1,000) services or the actual number of metered services, whichever is greater.

CONFIDENTIAL INFORMATION.

Each party shall hold the other party's Confidential Information in confidence and shall not disclose such Confidential Information to third parties other than to consultants or contractors, subject to similar terms of confidentiality, when disclosure is necessary for the purposes set forth herein, nor use the other party's Confidential Information for any purpose other than the purposes set forth under this Agreement. The foregoing restrictions on disclosure shall not apply to information which is: (i) already known by the recipient, (ii) becomes, through no act or fault of the recipient, publicly known, (iii) received by recipient from a third party without a restriction on disclosure or use, (iv) independently developed by recipient without reference to the other party's Confidential Information, or (v) is a public record under applicable laws, subject to the terms of this section. Customer will maintain the confidentiality of all Aqua-Metric Confidential Information, and Aqua-Metric will maintain the confidentiality of all Customer's Confidential Information, with each party taking all reasonable precautions to

protect the same, at a minimum taking those precautions used to protect its own Confidential Information from unauthorized use or disclosure. All Customer data shall be deemed Confidential Information for purposes of this Agreement and the protections and requirements set forth herein.

OBLIGATION OF CUSTOMER.

Customer agrees to provide a secure location for network infrastructure and assumes responsibility for defects or damage as a result of tampering, improper use, vandalism or neglect. Customer acknowledges and agrees that it is solely responsible for assessing its own internal computer, Internet service provider, and/or private line needs and that Aqua-Metric exercises no control whatsoever over the Internet.

DISCLAIMER OF WARRANTIES.

Disclaimer. EXCEPT AS SPECIFICALLY SET FORTH IN THIS AGREEMENT, THE SERVICES AND SOFTWARE ARE PROVIDED BY AQUA-METRIC ON AN "AS IS" AND "AS AVAILABLE" BASIS WITHOUT WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

Limitations. Unless otherwise expressly provided herein, neither Aqua-Metric nor any of its service providers, licensors, employees or agents warrant that the operation of the services will be uninterrupted or error free. Aqua-Metric will not be responsible for any damages that Customer may suffer arising out of use, or inability to use, the Services.

INDEMNIFICATION.

Aqua-Metric Obligation. Aqua-Metric shall defend, indemnify and hold each Customer Indemnitee (as defined below) harmless from any and all losses, costs, fines, penalties, damages and other amounts (including reasonable attorney fees) incurred by, assessed against or imposed on a Customer Indemnitee arising from or in connection with any and all third party suits, claims, actions or demands (a "Claim"): (A) alleging any Product, Software or any Service infringes any valid and issued patent, copyright, or trademark or similar property right of a third party, (B) for personal injuries, death or damage to tangible personal and real property caused by the negligence or willful misconduct of Aqua-Metric, its employees, contractors or agents; (C) relating to or arising out of Aqua-Metric's failure to comply with applicable law; and (D) relating to or arising out of Aqua-Metric's breach of its confidentiality obligations. "Customer Indemnitee" shall mean Customer, and its respective officers, directors, employees, agents, successors and assigns.

Infringement. If the Aqua-Metric Proprietary Materials, Services or Software are, or in Aqua-Metric's opinion are likely to be, held to be, infringing, Aqua-Metric shall at its expense and option either: (i) procure the right for Customer to continue using the Aqua-Metric Proprietary Materials, Services and/or Software (as applicable); (ii) replace the Aqua-Metric Proprietary Materials, Services and/or Software (as applicable) with a non-infringing equivalent; (iii) modify the Aqua-Metric Proprietary Materials, Services and/or Software (as applicable) to be non-infringing; or (iv) have the right to terminate the Agreement, in which event, Aqua-Metric shall refund to Customer any and all Fees paid under this Agreement.

Process. Customer will notify Aqua-Metric promptly in writing of any claim after Customer receives any written communication of the claim providing notice and a description of the nature of the claim; provided that any failure by Customer to give such notice promptly will affect the obligations of Aqua-Metric only if and to the extent the ability of Aqua-Metric to defend the claim is prejudiced thereby, and Customer reasonably cooperating and, at Aqua-Metric's request and expense, assisting in such defense. Customer shall have the right, at its option, to select its own counsel to represent it and any Customer Indemnitee in connection with defense and/or settlement of the Claim, subject to approval of Aqua-Metric, which approval shall not be unreasonably withheld.

Process. Aqua-Metric will notify Customer promptly in writing of any claim after Aqua-Metric receives any written communication of the claim providing notice and a description of the nature of the claim; provided that any failure by Aqua-Metric to give such notice promptly will affect the obligations of Customer only if and to the extent the ability of Customer to defend the claim is prejudiced thereby, and Aqua-Metric reasonably cooperating and, at Customer's request and expense, assisting in such defense. Aqua-Metric shall have the right, at its option, to select

its own counsel to represent it and any Aqua-Metric Indemnitee in connection with defense and/or settlement of the Claim, subject to approval of Customer, which approval shall not be unreasonably withheld.

GENERAL.

Agreement Authorized. Each party represents to the other party that: (i) it has the power and authority to execute and deliver this Agreement and perform its obligations hereunder; (ii) the execution, delivery, and performance of this Agreement has been duly approved and authorized by it; and (iii) the execution and delivery of, and performance by, such party of this Agreement does not and will not, directly or indirectly, (iv) require the consent, approval, or action of, or any filing or notice to (collectively, "Consents"), any corporation, firm, person or other entity or any public, governmental or judicial authority, which Consents have not already been obtained, (v) violate the terms of any instrument, document or agreement to which it is a party, or by which it is bound, or be in conflict with, result in a breach of or constitute (upon the giving of notice or lapse of time or both) a default under any such instrument, document or agreement, or (vi) violate any order, writ, injunction, decree, judgment, ruling, law rule or regulation of any federal, state, county, municipal, or foreign court or governmental authority applicable to it.

Force Majeure. Neither party shall be held liable for delay in fulfilling or failure to fulfill its obligations under this Agreement, if such delay or failure is caused by events beyond the reasonable control of such party, including, without limitation, natural calamity, acts of God, or terrorist events, provided payment obligations shall not be so excused. Each party shall notify the other in writing of any situation that may prevent performance under the terms and conditions of this Agreement.

Independent Contractor. The relationship of Aqua-Metric to Customer is that of an independent contractor, and this Agreement shall not create any joint venture, partnership, or similar relationship. Neither party shall represent itself as an agent or employee of the other party. Further, Aqua-Metric expressly warrants and represents that it alone is exclusively responsible for all terms and conditions of employment, including the compensation, of any and all personnel whom Aqua-Metric assigns to perform any of the Services contemplated by this Agreement. Aqua-Metric further expressly represents and warrants that it maintains all applicable and required insurance (including workers compensation insurance) with respect to such personnel and that in no event shall Customer be liable to any Aqua-Metric employee or other Aqua-Metric personnel for any of the terms and conditions of their employment with Aqua-Metric.

Modifications, Amendments or Waivers. No modifications or amendments to the Agreement, and no waiver of any provisions hereof shall be valid unless in writing signed by duly authorized representatives of the parties.

Nonwaiver. Any failure or delay by either party to exercise or partially exercise any right, power or privilege hereunder shall not be deemed a waiver of any of the rights, powers or privileges under this Agreement. The waiver by either party of a breach of any term, condition or provision of this Agreement shall not operate as, or be construed as, a waiver of any subsequent breach thereof.

Notices. Except as otherwise provided in the Agreement, all notices or other communications hereunder shall be deemed to have been duly given when made in writing and delivered in person or mailed, postage prepaid, by first class, certified or registered mail, by messenger or courier, and addressed as provided below the signatures to this Agreement. The address to which the notice(s) or communications may be given by either party may be changed by notice given by such party to the other pursuant to this section or by other form of notice agreed to by the parties.

Remedies. Except for remedies specifically designated as exclusive, no remedy conferred by the Agreement is intended to be exclusive of any other remedy, and each and every remedy shall be cumulative and shall be in addition to every other remedy given hereunder, now or hereafter existing at law, in equity, by statute or otherwise. The election of any one or more remedies shall not constitute a waiver of the right to pursue other available remedies.

Termination. Either party may terminate this Agreement earlier if the other party commits a material breach of this Agreement and such material breach is not cured within forty-five (45) days of written notice by the other party; provided, Aqua-Metric shall have a reasonable time in addition to such 45-day period if it begins to cure such material breach within the 45-day period and diligently pursues such cure. Upon any expiration or termination of this Agreement, Aqua-Metric's and Customer's obligations hereunder shall cease except that all payments owed as of the date of the expiration or termination, as the case may be, shall be made prior to the expiration or earlier termination of this Agreement. Upon expiration or termination of this Agreement for any reason except Customer's

acceptance of its Option to Purchase, all obligations set forth herein including, but not limited to, access to the hosted Regional Network Interface and Sensus Analytics software or modules and Spectrum Lease shall immediately cease and Customer agrees to grant Aqua-Metric forty-five (45) days after receiving written notice to demobilize and remove any equipment used for demonstration during the pilot period.

Severability. If any term, provision or part of the Agreement is to any extent held invalid, void or unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall not be impaired or affected thereby, and each term, provision, and part shall continue in full force and effect, and shall be valid and enforceable to the fullest extent permitted by law.

Successors. This Agreement shall inure to the benefit of and be binding on the parties hereto and their respective successors and assigns (if such assignment was properly made pursuant to this Agreement).

Assignment. Aqua-Metric may not assign any of its rights or obligations hereunder, whether by operation of law or otherwise, without the prior written consent of the other party, including any assignment or transfer in connection with a merger, reorganization, or sale of all or substantially all of the assets or equity of such party. Any attempted assignment in breach of this section shall be void and Customer shall have the right to terminate this Agreement as set forth herein. This Agreement shall bind and inure to the benefit of the parties, their respective successors and permitted assigns.

Construction. The term "including" and its derivatives (such as "include" and "includes") shall be construed as meaning "including, but not limited to" or "including, without limitation." Defined terms in this Agreement shall be deemed to include their respective derivatives so as to give due and proper intended meaning within the context of their usage. Unless otherwise specified, whenever approvals or consents are required or permitted, such approvals or consents shall be determined in good faith and shall not be unreasonably withheld or delayed. Words importing the singular include the plural and vice versa and words importing gender include all genders.

Security and Supervision. Aqua-Metric, when on Customer's premises or accessing Customer's networks or providing support services hereunder, will comply with all of Customer's security, supervision and other standard procedures applicable to such representatives.

NOTICE.

Any written notice shall be served by certified or registered mail, return receipt requested at the following address, or another later designated by such party:

If to Aqua-Metric:
Thirkettle Corporation dba Aqua-Metric Sales Company
4050 Flat Rock Drive
Riverside, CA 92505

If to Customer:

_____
(Authorized Representative Name Printed)

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

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

THIRKETTLE CORPORATION DBA AQUA-METRIC SALES COMPANY 4050 Flat Rock Drive Riverside, CA 92505	City of Tomball, TX 401 Market Street Tomball, TX 77375
Signature	Signature
Name (Printed or Typed)	Name (Printed or Typed)
Title	Title
Date	Date

EXHIBIT A – PILOT PRICING

Sales Quote

July 20, 2020

Aqua-Metric Sales Company
Chris Newville
16914 Alamo Parkway, Building 2 | Selma, TX 78154
Phone: (210) 967-6300 | Facsimile: (210) 967-6305

Quote for: City of Tomball, Texas
Attention: John Escamilla
Address: 501 James Street
City, State, ZIP: Tomball, Texas 77375
Phone:
Email:

Quantity	Description	Unit Price	Line Total
	Pilot Pricing		
1	M400B Base Station	Deferred	Deferred
1	M400B Base Station Installation	Deferred	Deferred
1	Base Station Magnetic Antenna Mount	Deferred	Deferred
1	Communication Backhaul	Deferred	Deferred
1	Regional Network Interface SaaS Setup	Deferred	Deferred
1	RNI Core Education	Deferred	Deferred
1	Sensus Analytics Software Setup	Deferred	Deferred
1	Sensus Analytics Basic Integration with CIS	Deferred	Deferred
1	Sensus Analytics Training	Deferred	Deferred
1	Professional Services	Deferred	Deferred
1	6 Month Pilot Hosted RNI SaaS - Water and Gas	No Charge	No Charge
1	6 Month Pilot Sensus Analytics Enhanced Water and Gas (300 Services ea.)	No Charge	No Charge
1	6 Month Pilot Aqua-Metric Support	No Charge	No Charge
2	Trimble TDC600 with AC Adapter	$1,800.00	$3,600.00
2	CommandLink Bluetooth Device	$650.00	$1,300.00
50	SmartPoint 520M Pit Mount Single Port Wired	$159.25	$7,962.50
125	SmartPoint 520M Pit Mount Dual Port Port Wired	$208.75	$26,093.75
		Total Pilot Price	$38,956.25

This quote for the product and services named above is subject to the following terms:

1. All quotes are subject to the Aqua-Metric Terms of Sale.
2. Quote is valid for thirty days.
3. Freight allowed on single orders exceeding $10,000.00.
4. Net Thirty Days to Pay
5. Returned product may be subject to a 25% restocking fee.
6. Sales Tax and/or Freight charges are not included.

EQUIPMENT CONTROLS COMPANY, INC.
4555 S. BERKELEY LAKE ROAD
NORCROSS GA 30071
770-441-6400 Fax 770-448-7312

Quotation

QUOTE DATE	QUOTE NUMBER
05/09/19	S1909853

ORDER TO:	PAGE NO.
EQUIPMENT CONTROLS COMPANY, IN 4555 S. BERKELEY LAKE ROAD NORCROSS GA 30071 770-441-6400 Fax 770-448-7312	1

QUOTE TO:
CITY OF TOMBALL
401 MARKET STREET
ATTN: ACCOUNTS PAYABLE
TOMBALL, TX 77375

SHIP TO:
CITY OF TOMBALL
501 JAMES STREET
TOMBALL, TX 77375

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON
15382	AMI TOMBALL, TX V2	DEWAYNE OSGOOD	

WRITER	SHIP VIA	TERMS	SHIP DATE	FREIGHT ALLOWED
TIFFANY LONSBERRY	BW BEST WAY	NET 30 DAYS	08/01/20	No

ORDER QTY	PART NO	DESCRIPTION	Unit Price	Ext Price
		********* Shipping Instructions **********		
		* CUSTOMER NEEDS ESTIMATED FREIGHT *		
		* CHARGES WITH EVERY QUOTE *		
		**********		
65ea	26357	^5399255510000M SENSUS 100GM-A SMARTPOINT R275/11 TOOTH	100.000	6500.00
200ea	26404	^5399255510100M SENSUS 100GM-B SMARTPOINT R415/18 TOOTH	100.000	20000.00
5ea	31589	5399255532100M ELSTER 300GM SMARTPOINT	100.000	500.00
30ea	27474	5399353770000M REMOTE MOUNT 700GM SMARTPOINT, 2-CHANNEL	245.000	7350.00
		TAXES NOT INCLUDED		

	Subtotal	34350.00
This is a Quotation.	S&H CHGS	0.00
Price are firm for 30 days, subject to change without notice after 30 days. Applicable taxes extra.	Amount Due	34350.00

EXHIBIT B – RACI DIAGRAM

The "RACI Diagram" below details all responsibilities, technical detail and specification needed to ensure a successful FlexNet pilot for Customer.

- **Responsible ("R"):** Those who do the actual work.
- **Accountable ("A"):** Those who are ultimately accountable for the completion of the work. (Note: There must be only one "A" specified for each row in a RACI diagram.)
- **Consulted ("C"):** Those who provide input and/or output as needed. (Consider this as two-way communication.)
- **Informed ("I"):** Those who want to be kept up to date on progress of the particular phase. (Consider this as one-way communication.)

	Customer	Aqua-Metric / Sensus	Note
Project Management	A,R	R	Shared PM responsibility
Infrastructure			
Network infrastructure Maintenance	A,R	C	Customer maintains communication network and VPN access for support.
FlexNet Basestation	C	A,R	Aqua-Metric will provide the Basestation for the pilot period and pay for the installation of the antennas on specified Customer supplied elevated assets (i.e. water tower).
Network Backhaul (internet/ethernet communication to Basestation)	A,R	C	Customer will provide the backhaul network to the basestation and work with Aqua-Metric and Sensus to facilitate the integration with the hosted servers.
Basestation Electrical Power	A,R	C	Customer will provide required power to basestation prior to the installation and wiring required.
Basestation Location	A,R	C	Customer will provide a suitable location and surface to install the FlexNet basestation.
Hardware Maintenance (Sensus Hosted RNI, Network, 1 Basestation	C	A,R	The Servers will be hosted and maintained by Sensus. The Basestation does require periodic maintenance and Aqua-Metric and Sensus will monitor throughout the pilot period.
Backup/Disaster Recovery	C	A,R	Sensus will restore the system within a reasonable amount of time.
Software Maintenance			
FlexNet Software	C	R	Sensus maintains software and resolves issues with the software.
Software Licensing and support maintenance	C	A,R	Sensus will maintain their software licensing and support during the pilot period.
Basestation Software Maintenance (patches)	C	A,R	Aqua-Metric will troubleshoot issues with Basestation as required. Sensus will patch and troubleshoot Basestation issues that cannot be addressed by Aqua-Metric personnel.
Meter Installation			
Transmitter Activation Device	C	A,R	Aqua-Metric will provide a device to activate the transmitters during the pilot period.

Meter Installation Training	C	A,R	Aqua-Metric will provide training on installation of meters and activation of transmitters.
Installation and Activation of Meters and Transmitter	A,R	C	Customer will install and activate the meters and transmitters used during the pilot period.
Billing Software Maintenance			
Enhance Integration	A,R	C	Customer maintains all CIS requirements and functions.
Pilot Project Contacts			
List of Project Personnel	A,R	R	Customer and Aqua-Metric will provide a contact list of all personnel involved during the pilot project.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve Proposed Amendment to Administrative Policy No. 9, Entitled *"Purchasing and Bidding Policy"*

Background:
The new text amendment incorporates a required statement for local governments receiving State and/or Federal grant funding to conform to the requirements specified in 2CFR 200.318-326 and Appendix II to Part 200 procurement regarding the purchasing and contract management of goods and services.

Origination:
Public Works Department

Recommendation:
Approve proposed amendments to Administrative Policy No. 9

Party(ies) responsible for placing this item on agenda:
Beth Jones, Public Works Director

ACTION TAKEN

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

ATTACHMENTS:

Revised Administrative Policy Number 9 - Purchasing and Bidding

SUBJECT	NUMBER:	EFFECTIVE DATE:	
PURCHASING AND BIDDING POLICY	9	08/03/2020	PAGE 1 OF 10
	REVISED: 08/03/2020	APPROVED BY CITY MANAGER: August 3, 2020	
	SUPERSEDES: 03/03/2008	APPROVED BY CITY COUNCIL: August 3, 2020	

PURPOSE

The purpose of the Purchasing Policy is to establish official procedures to be used by all departments in the City of Tomball for the legal procurement of all goods and services for the City. Purchasing is one of the key functions in the success of any government, the primary objective being the availability of equipment, materials and supplies to provide for the needs of the City and its taxpayers.

SCOPE

All purchasing transactions and acquisitions entered into by any employee and/or any official acting on behalf of the City of Tomball shall be made in accordance with all policies, procedures, laws and ordinances of the City and shall be subject to the Texas Local Government Code. All persons entering into such transactions for purchasing and acquisitions shall discharge their duties in a manner that will provide to all responsible vendors and contractors an equitable and competitive access to the City's purchasing process. Purchasing transactions and acquisitions shall be conducted in a manner that will promote public confidence in the integrity of the City of Tomball.

DEFINITIONS

Contract – Legal, binding agreement obligating both parties in goods and/or services for a stated price.

Emergency Purchase – According to the Texas Local Government Code, Chapter 252.022, an emergency is defined as a purchase made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the City's residents or to preserve the property of the City. Such a purchase would be deemed necessary to preserve or protect the public health or safety of the City's residents. The City's ability to serve its public would be impaired if purchases are not made immediately.

Invoice – The document provided by the vendor from which payment is to be made.

Local Cooperative Organization – An organization of governments established to provide local governments access to contracts with vendors for the purchase of materials, supplies, services or equipment.

Planning Services – Services primarily intended to guide policy to ensure the orderly and coordinated development land areas.

Purchase Order – A legal contract document for the delivery of the goods and/or services in accordance with the terms of the agreement, the quantity, price and delivery instructions stated on the Purchase Order. All invoices generated by Purchase Orders shall be for the amounts stated on the Purchase Order.

Procurement Card – A VISA credit card program for authorized purchases of items costing less than $3,000.

Receiving Document – A document provided by the vendor listing the items shipped and their quantity, often referred to as a Packing Slip.

Requisition – A written request for a purchase order to be made.

Specifications – There are a number of types of specifications that are commonly used. The names may vary because of the source describing them. A single specification may be a combination of two or more of these types, especially the first two listed below. The following are the most commonly used terms:

Design Specifications – give detailed descriptions of a good or service, including such things as details of construction or production, dimensions, chemical composition, physical properties, materials, ingredients, plus all other details needed by the provider to produce an item of minimum acceptability. Design specifications are usually required for construction projects, custom-produced items, and for many services.

Performance Specifications – used when the goods and/or services are described in terms of required performance. They may include such details as required power, strength of material, test methods and standards of acceptability, and recommended practices.

Combination Specifications – contain elements of both design and performance specifications. Some features of each are included to allow a vendor to use ingenuity to meet the performance needs of the City and also to require certain necessary design characteristics. These are probably the most common type of specification.

Brand-Name Specifications – a list of product or service by brand name, model, and other identifying specifics to limit the bidding to a single preferred product. Since this type of specification discourages competition, it should not be used unless the item is the only one that will satisfy the City's requirement. This type of specification is used for purchasing replacement parts where only the brand name item will work.

Brand-Name or Equal Specifications – similar to brand name specifications, except that products equal to the characteristics of the named brand are specified as acceptable.

Qualified Products List Specifications – specifications that are identified by manufacturers' names and model numbers and are the only items that are acceptable. These are used when quality is such a critical factor, and testing so lengthy, or expensive, that the City wants to stay with proven products.

Standard Specifications – a single specification for one or more goods or services that have the same general purpose and are ordered on a recurring basis. The same specification is used each time an order is placed or bids are advertised. Examples are office supplies, paper, janitorial supplies and copier service contracts.

Vendor – The individual, partnership, corporation or organization to which the City shall be financially obligated.

EDUCATION AND TRAINING

The Purchasing Department shall be available to guide and teach City employees the appropriate purchasing procedures upon request. The Purchasing Department shall provide a city wide purchasing class on an annual basis or more often as needed.

SALES TAX EXEMPTION

As a tax-exempt municipal government agency, the City of Tomball does not pay sales tax. Any person entering into a purchasing transaction is expected to notify vendors of the City's tax exempt status and provide a copy of the tax exemption certificate, should the vendor require such documentation.

FACILITY AND VEHICLE MAINTENANCE

Facilities Maintenance includes the repairs and maintenance of City buildings and building equipment, such as air conditioners, heating systems, plumbing, etc. Should repairs be needed relating to the facilities of the City, the Department shall contact the Public Works Facilities Department.

Vehicle Maintenance includes the repairs and maintenance of City vehicles and large equipment, such as lawnmowers, gators, backhoes, etc. Should repairs be needed relating to a vehicle of the City, the Department shall contact the City Garage Department.

If the Public Works Facilities or Garage Department cannot make the repairs or is unable to determine the nature of the problem, that Department will call a vendor. After determining the problem, the vendor must give an estimate before performing the work. If the estimate is under $1000, work may proceed. If the estimate is over $1000, a Requisition for a Purchase Order must be appropriately completed and submitted to the Purchasing Department.

HISTORICALLY UNDERUTILIZED BUSINESSES

The City of Tomball, in making an expenditure of more than $3,000 but less than $ 50,000, it is required by Texas Local Government Code Section 252.0215 to contact at least two historically underutilized businesses on a rotating basis, based on information provided by the Texas Building & Procurement Commission. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt from this requirement. Please contact the Purchasing Office for a listing of historically underutilized businesses within the particular commodity for which you may be soliciting pricing.

WRITTEN SPECIFICATIONS

The Department will be responsible for providing well-written specifications providing a concise description of the goods and/or services that the vendor must meet in order to be considered for the award of the quote or bid.

BIDDING PROCESS

The bidding process adopted by the City of Tomball is taken directly from the laws established by the State of Texas. The City Purchasing Agent handles all formal bid processing. When a formal bid has been accepted by the City Council the Purchasing Agent shall issue a Purchase order based on the specifications of the accepted bid.

COOPERATIVE PURCHASING

Purchases may be made through local, state and federal cooperative purchasing programs. Employees are encouraged to contact additional vendors to ensure that the price obtained through the cooperative purchasing program is the most competitive.

CONTRACTS

The contract is a legal and financial obligation of the City. The Department in charge of the purchase shall verify that the contract clearly states all costs involved in the contract and that any contract and its terms are in the best interest of the City. The contract shall be for a term approved by the City and may contain an option or options to renew or extend the term. The contract may be for any term not to exceed 25 years. All contracts are to be signed and dated by the City Manager prior to issuing a Purchase Order. A contract for $50,000 or more must have City Council approval prior to acceptance.

The original contract shall be filed with the City Secretary. A copy of the contract shall be given to the Department requesting the purchase and a copy of the contract shall be maintained in the Department's files.

CHANGE ORDERS

If changes in plans or specifications are necessary after the performance of the contract has begun or if it is necessary to decrease or increase the quantity of work to be performed or of materials, equipment, or supplies to be furnished, the City Manager may approve Change Orders making the changes.

The total contract price may not be increased because of the changes unless additional money for increased costs is appropriated for that purpose from available funds.

If a change order involves a decrease or an increase of less than $50,000, the City Manager may approve the Change Order. If the change order involves an increase of $50,000 or more it must be approved by City Council.

The original contract price may not be increased by more than 25 percent. The original contract price may not be decreased by more than 25 percent without the consent of the contractor.

SOLE SOURCE PROVIDERS

The purchase of an item that is available from only one source, which has been certified, according to the Texas Local Government Code, Chapter 252.022 is a sole source provider.

The following are reasons why a purchase might be practical from only one vendor.

1. There is no competitive product. The good/service is a one-of-a-kind or patented product, a copyrighted publication available from only one source, or a unique item such as a work of art.
2. The product is only available from a regulated or natural monopoly. For example: utilities, gravel from the only pit in the area, etc.
3. The product is a component of an existing system that is only available from one supplier. The replacement of a component or a repair part may be only available from the original supplier.

If the above guidelines apply the Department shall attach a statement to the Requisition showing that they have contacted a sufficient number of vendors to verify that only one source exists and there is no comparable product or service available.

DEPARTMENT RESPONSIBILITIES

Each department shall be responsible for the portion or portions of the purchasing process to which they contributed and shall provide the proper documentation to support such purchases.

Departments shall be cognizant of budget balances and refrain from initiating requisitions that would require expenditures in excess of budgeted balances.

Departments shall plan purchases in order to keep “rush” and “emergency” Requisitions to a minimum.

Departments shall review all purchase requests to assure that they are descriptive and specific, but not so limited as to prevent competitive pricing and/or bidding for comparable items.

Departments shall be responsible for maintaining all the proper documentation to support Requisitions within their Department. Support documentation for invoices, Procurement Card Statements, Bills of Lading and Receiving Notices for Blanket Purchase Orders and Purchase Orders for annual contracts shall be attached to the Payment Authority and forwarded to Accounts Payable for payment.

Departments shall be responsible for properly receiving product deliveries by verifying the items received to the purchase order copy, duly recording overages, shortages, damaged goods and/or incorrect materials received. Departments are responsible for having the freight bill and/or packing slip signed and dated by the employee and forwarded to the Purchasing Department.

The Purchasing Department shall be available to assist the other City Departments in the purchasing process as requested; for helping to write specifications for quotes and bids; obtaining contact information for companies; to gather information about products and services and/or to get quotes and bids; to help meet with salespersons and to help gather necessary information to protect the City's interests.

The Purchasing Department shall be responsible for verifying that all required information is included in the requisition before routing the requisition for approval.

The Accounts Payable Department shall be responsible for verifying that all of the proper documentation and needed information is attached to the Payment Authority before entering the data in the computer to generate payment.

The Finance Department shall be responsible for verifying fiscal responsibility and accountability by performing random audit tests on the internal controls and the paper trail evidence for an audit.

PETTY CASH PURCHASES

Purchases of $100 or less can be reimbursed to City employees through the petty cash fund. The employee making a Petty Cash purchase shall obtain an original store receipt, which must show the vendor's name, date of purchase and amount of purchase. The employee shall complete the Petty Cash Reimbursement form and attach the original receipt to the form. The employee shall have the form approved by his/her immediate supervisor prior to submitting the form to the Petty Cash Cashier for reimbursement. The Petty Cash Cashier shall issue reimbursement to the employee, log the reimbursement onto the reconciliation spreadsheet, and maintain the form in a secure file to be used as substantiating documentation to reimburse the Petty Cash Fund at a later date.

Based on the type and frequency of Petty Cash reimbursements given, the Petty Cash Cashier shall request reimbursements to the fund when needed by completing the Petty Cash Fund Reimbursement Form and having their immediate supervisor sign and date the Reimbursement Form. The Petty Cash Fund Reimbursement Form shall then be forwarded to the Accounts Payable Department to reimburse the Petty Cash Fund. . If the employee has been issued a City of Tomball Procurement Card, the card should be used for purchases in lieu of petty cash.

PAYMENT AUTHORITIES

The Payment Authority may be used for purchases of goods and/or services for which a Purchase Requisition would not typically be processed. Purchases that qualify for a Payment Authority over $1000 may include, but are not limited to professional or planning services; purchases of land or of a right-of-way; invoices for utility bills (electric, phone, etc.); membership fees and dues to professional organizations; conference and seminar registrations; and newspaper and periodical advertisements and subscriptions.

The employee making the purchase shall complete the Payment Authority Form, attach supporting documentation such as the invoice, freight bill or packing slip along with the proper signature and submit to Accounts Payable for processing. Proper signatures for purchase amounts are as follows:

$0 - $1,000 – Department Head
$1,001 - $5,000 – Finance Director
$5,001 - $49,999 – City Manager/Assistant City Manager
$50,000 and up – City Manager/Assistant City Manager with Council Approval.

For example, a Payment Authority for $3,000 would require the signatures of the Department Head and the Finance Director. A Payment Authority for $10,000 would require the signatures of the Department Head, the Finance Director, and the City Manager/Assistant City Manager.

Should the Payment Authority be for an Emergency Purchase over $3,000, a written statement clearly documenting why the purchase was an emergency must be attached.

Should the Payment Authority be for an Emergency Purchase that is $50,000 or greater, the Department Head is responsible for submitting the information to the City Manager to be placed on the next regular agenda for City Council approval and a copy of the minutes shall be attached.

BLANKET PURCHASE ORDERS AND COMMODITY PURCHASE ORDERS

Blanket purchase orders and commodity purchase orders may be used to purchase items that will be purchased incrementally throughout the fiscal year from the same vendor and may, in the aggregate, exceed $50,000. Examples of items that may be purchased under either type of PO include vehicle parts and supplies, janitorial supplies, uniforms, water meters, fuel, oil and lubricants, printing services, chemicals, asphalt and other street building/maintenance materials. The Purchasing Department shall create new Blanket/Commodity Purchase Orders with those vendors at the beginning of each budget year.

Employees making purchases against Blanket/Commodity Purchase Orders are to supply the vendor with the correct Blanket/Commodity Purchase Order number and proper identification. Employees making purchases against Blanket/Commodity Purchase Orders are to obtain a receipt or invoice, sign the document with the purpose for the purchase noted on the document and the Blanket/Commodity Purchase Order number used, and submit the document to accounts payable. Purchases that are made through Blanket/Commodity Purchase Orders may not be purchased with the Procurement Card.

The Accounts Payable Department shall process receipts and invoices for Blanket/Commodity Purchase Orders for payment, keeping a log on the purchases against the Blanket/Commodity Purchase Order, and process payment for the invoices.

ANNUAL CONTRACT PURCHASE ORDERS

Purchase Orders for Annual Contracts are used for selected vendors for various maintenance services. These contracts may include, but are not limited to, office machine maintenance, janitorial services, pest control services and equipment rental agreements.

The Department shall enter a Requisition into Incode and maintain a copy of the signed contract in their Department files. If the contract is for an amount exceeding $50,000, the Department shall also note on the requisition the date of the council meeting and the agenda item number noting council approval. A copy of the agenda item data sheet reflecting council's approval should be maintained in the file as well. The Purchasing Department shall create a Purchase Order based on the terms of the contract and forward to the Accounts Payable Department. A copy of the completed Purchase Order shall be given to the Department for their records. The Department receiving such product and/or service shall notate receipt of such product and/or service with their signature and forward the Receiving Document and/or Invoice to the Accounts Payable Department for payment. The Accounts Payable Department shall post payments against the Purchase Order, as prescribed by the terms of the contract.

PURCHASES UNDER $ 50,000

Purchases under $3000 do not require competitive quotes.

Purchases for more than $3,000 but less than $ 50,000 require three (3) written quotes. (See also requirements for contacting Historically Underutilized Businesses as outlined on p.4 of this policy). In obtaining the quote, the department will write a description and quantity of the item to be purchased on the standard City of Tomball Vendor Quote Form, fax the quote form to be completed, signed and dated and faxed back to the City department. Pages from vendor catalogs will not be considered acceptable written quotes.

The Department shall complete a requisition and include the vendor names and their respective quotes on the requisition. The Vendor Quote Forms and a copy of the signed contract, if applicable, shall be maintained in the Department's files. If a vendor does not respond to a request for a quote, keep the form in the file and mark it "No Response Received" to document that the vendor did have the opportunity to submit a quote.

The Purchasing Department shall verify that all required documentation is provided and shall issue a Purchase Order after all appropriate levels of authorization have been completed. The Purchasing Department shall give a copy of the completed Purchase Order to the Department, so that the information may be correctly verified upon receipt of goods.

When the products are delivered, the Department shall sign and date packing slip and then submit to Accounts Payable for payment.

PURCHASES OF $ 50,000 OR MORE

The Department shall coordinate with the Purchasing Agent to complete written specifications for the goods/services to be purchased and shall follow competitive bid or proposal procedures as outlined in Chapter 252 of the Texas Local Government Code. Purchases of items costing more than $ 50,000, either individually or in aggregate, approved during the budget process must still go before City Council for approval. Council must approve the actual purchase price after all bid/proposal procedures have been followed as well as the vendor to be used.

Once all applicable procedures outlined in Chapter 252 of the Texas Local Government Code have been followed and Council has approved the purchase and vendor, the Department shall complete a Requisition and include the council meeting date and agenda item number in the requisition. An approved agenda item data sheet should also be kept with a copy of the Big Tabulation Form and maintained in the Department's files.

When the products are delivered, the Department shall sign and date the packing slip and/or freight bill, then submit to Accounts Payable for payment. If items should be missing from the shipment, the Department shall contact the vendor and verify the estimated delivery time.

Should the contract be for a construction project and not for deliverable items, the Department shall sign the invoice, attest to the level of contract completion and submit to Accounts Payable for payment.

Approval levels for Purchase Orders will be the same as those for processing Payment Authorities.

PROCEDURES FOR PROCESSING PAYMENT

The Accounts Payable Department shall be responsible for the processing of all payments for the City of Tomball. Invoices received by noon on Tuesday will have checks processed on Wednesday. Early payment discounts shall be weighed against the interest rate that the City receives from its financial institution and investments. The City will maintain as its goal to make payment on or before the due date. Checks shall be signed by the City Manager, the Assistant City Manager, the Mayor, the Mayor Pro-Tem or the Finance Director.

The City of Tomball follows State of Texas and Federal 2CFR 200.318-326 and Appendix II to Part 200 procurement of law and guidance in the purchasing and contract management of goods and services.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve Proposed New Administrative Policy No. 27, Adopting Policies and Procedures Necessary to Receive State and Federal Grant Funding

Background:
The proposed new Administrative Policy No. 27 incorporates procedures to be used by all departments when obtaining grants derived from State and/or Federal funds to ensure compliance with state and federal regulations.

All affected departments have reviewed these policies and agree that these policies conform to our existing policies and procedures.

Origination:
Public Works Department

Recommendation:
Approve Administrative Policy No. 27, for the implementation of policies and procedures relating to obtaining State and/or Federal grant funds.

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

ACTION TAKEN

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

ATTACHMENTS:

Administrative Policy No. 27

SUBJECT	NUMBER:	EFFECTIVE DATE:	
CIVIL RIGHTS POLICIES	27	08/03/2020	PAGE 1 OF 15
	REVISED:	APPROVED BY CITY MANAGER: August 3, 2020	
	SUPERSEDES:	APPROVED BY CITY COUNCIL: August 3, 2020	

PURPOSE

The purpose of the Civil Rights Policies is to establish official procedures to be used by all departments in the City of Tomball obtaining grants derived from State and/or Federal funds to ensure compliance in accordance with:

- 2 CFR §200
- 24 CFR §8
- 24 CFR §91.325(b)(6)
- 24 CFR §570
- Fair Housing Act of 1968
- Texas Local Government Code Chapter 171
- Uniform Grant Management Standards (UGMS)

SCOPE

All departments receiving a grant that is funded by the State and/or Federal funds shall ensure that all activities including procurement and contract management are completed in accordance with all policies, procedures, laws and ordinances of the City including the adopted Civil Right Policies herein.
Grant Management shall be conducted in a manner that will promote public confidence in the integrity of the City of Tomball.

POLICIES AND PROCEDURES:

CITY OF TOMBALL
CITIZEN PARTICIPATION PLAN

COMPLAINT PROCEDURES

These complaint procedures comply with all the requirements of the Community Development Block Grant – Disaster Recovery (CDBG-DR) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Tomball, 401 Market Street, Tomball, Texas 77375, (281) 290-1411, during regular business hours.
Below are the formal complaint and grievance procedures regarding the services provided under the CDBG-DR project.

1. A person who has a complaint or grievance about any services or activities with respect to the CDBG-DR project, whether it is a proposed, ongoing, or completed CDBG-DR project, may during regular business hours submit such complaint or grievance, in writing to the City, at City of Tomball, 401 Market Street, Tomball, Texas 77375, or may call (281) 290-1411.

2. A copy of the complaint or grievance shall be transmitted by the City Secretary to the entity that is the subject of the complaint or grievance and the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to the person(s) who made the complaint or grievance within ten (10) business days.
4. If the investigation cannot be completed within ten (10) business days per number 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the CDBG-DR for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of CDBG-DR funds. The City, based upon specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC OUTREACH EFFORTS

The City shall provide for reasonable public notice, appraisal, examination and comment on the activities proposed for the use of CDBG-DR funds. These efforts shall include:

1. Provide for and encourage citizen participation, particularly by low- and moderate- income persons who reside in slum or blighted area and areas in which CDBG-DR funds are proposed.
2. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to an entity's proposed and actual use of CDBG-DR funds.
3. Furnish citizens information, including but not limited to:
    a. The amount of CDBG-DR funds expected to be made available
    b. The range of activities that may be undertaken with the CDBG-DR funds
    c. The estimated amount of the CDBG-DR funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate- income persons
    d. If applicable, the proposed CDBG-DR activities likely to result in displacement and the entity's anti-displacement and relocation plan
4. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the entity's application to the state. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state.
5. These outreach efforts may be accomplished through one or more of the following methods:

a. Publication of notice in a local newspaper – a published newspaper article may be used so long as it provides sufficient information regarding program activities and relevant dates
b. Notices prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups
c. Posting of notice on the local entity website (if available)
d. Public Hearing
e. Individual notice to eligible cities and other entities as applicable using one or more of the following methods:
    i. Certified mail
    ii. Electronic mail or fax
    iii. First-class (regular) mail
    iv. Personal delivery (e.g., at a Council of Governments (COG) meeting)

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and an applicant must make arrangements for individuals who require auxiliary aids or services if contracted at least two (2) days prior to the hearing.
3. When a significant number of non-English speaking residents are a part of the potential service area of the CDBG-DR project, vital documents such as notices should be published in the predominant language of the non-English speaking citizens.
4. A public hearing held prior to the submission of a CDBG-DR application must be held after 5:00 PM on a weekday or at convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.
6. City may conduct a public hearing via webinar if they also follow the provisions above. If the webinar is used to conduct a public hearing, a physical location with associated reasonable accommodations must be made available to citizens to participate so as to ensure that those individuals without necessary technology are able to participate.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a CDBG-DR project:

1. At a minimum, the City shall hold at least one (1) public hearing prior to submitting the application.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable CDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the CDBG-DR program, and the use of past CDBG-DR contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum or blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the CDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by the CDBG-DR, proposed to be made in the use of CDBG-DR funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the CDBG-DR project, the City shall hold a public hearing and review its program performance including the actual use of the CDBG-DR funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the CDBG-DR project or for the closeout of the CDBG-DR project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the CDBG-DR project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

CITY OF TOMBALL
SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u the City of Tomball agrees to implement the following steps, which, to *the greatest extent feasible,* will provide job training, employment, and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

1. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
2. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
3. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by CDBG-DR grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitation and contracts.
4. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in CDBG-DR funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
5. Maintain a list of those persons that have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
6. Require that all Prime contractors and subcontractors with contracts over $100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD to the Grant Recipient.
7. Submit reports as required by HUD regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of federal fiscal year end (by October 20th) which identify and quantify Section 3 businesses and employees.
8. Maintain records, including copies of correspondence, memoranda, etc., which document all action taken to comply with Section 3 regulations.

City of Tomball
Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), the City of Tomball hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Tomball to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations.
2. It is also the policy of the City of Tomball to enforce applicable State and Local laws against physically barring entrance to or exits from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdictions.
3. City of Tomball will introduce and pass a resolution adopting this policy – Resolution Number 2020-21.

CITY OF TOMBALL
SECTION 504 POLICY AGAINST DISCRIMINATION BASED ON HANDICAP AND GRIEVANCE PROCEDURES

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), the City of Tomball hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with a handicap in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. The City of Tomball does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. The City of Tomball recruitment materials or publications shall include a statement of this policy in 1. above.
4. The City of Tomball shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violations of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the CDBG-DR program, the City of Tomball shall ensure that they are provided with the information necessary to understand and participate in the CDBG-DR program.
6. Grievances and Complaints
    a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the City of Tomball to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
    b. Complaints should be addressed to: Section 504 Compliance Officer, City of Tomball, 501 James Street, Tomball, Texas 77375, (281) 290-1400, who has been designated to coordinate Section 504 compliance efforts.
    c. A complaint should be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
    d. A complaint should be filed within thirty (30) business days after the complainant becomes aware of the alleged violation.
    e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the City Manager or designee. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
    f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the City Manager or designee, and a copy forwarded to the complainant within

1. fifteen (15) business days after the filing of the complaint where practicable.
2. The Section 504 Coordinator shall maintain the files and records of the City of Tomball relating to the complaints files.
3. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be to the City of Tomball within ten (10) business days after the receipt of the written determination/resolution.
4. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
5. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Tomball complies with Section 504 and HUD regulations.

City of Tomball
Grievance and Complaint Procedure

These complaint procedures comply with the requirements of the Texas General Land Office's Community Development Block Grant – Disaster Recovery (CDBG-DR) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations).

Below are the formal complaint and grievance procedures regarding the services provided under the CDBG-DR project.

1. A person who has a complaint or grievance about any services or activities with respect to the CDBG-DR project, whether it is a proposed, ongoing, or completed CDBG-DR project, may during regular business hours submit such complaint or grievance, in writing to the Compliance Officer at 501 James Street, Tomball, Texas 77375, or may call (281) 290-1400.
2. A copy of the complaint or grievance shall be transmitted by the Civil Rights Officer to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) business days after the date of the complaint or grievance was received.
3. The Compliance Officer shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to the person who made the complaint or grievance within ten (10) business days.
4. If the investigation cannot be completed within ten (10) business days, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) business days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the CDBG-DR for their further review and comment.

6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of CDBG-DR funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC OUTREACH EFFORTS

The City shall provide for reasonable public notice, appraisal, examination and comment on the activities proposed for the use of CDBG-DR funds. These efforts shall include:

1. Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas or areas in which CDBG-DR funds are proposed to be used;
2. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to an entity's proposed and actual use of CDBG-DR funds;
3. Furnish citizens information, including but not limited to:
    a. the amount of CDBG-DR funds expected to be made available
    b. the range of activities that may be undertaken with the CDBG-DR funds
    c. the estimated amount of the CDBG-DR funds proposed to be used for activities that will meet the national objective of benefit to low and moderate income persons
    d. if applicable, the proposed CDBG-DR activities likely to result in displacement and the entity's anti-displacement and relocation plan;
4. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the entity's application to the state. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state; and
5. These outreach efforts may be accomplished through one or more of the following methods:
    a. Publication of notice in a local newspaper – a published newspaper article may be used so long as it provides sufficient information regarding program activities and relevant dates
    b. Notices prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups
    c. Posting of notice on the local entity website (if available)
    d. Public hearing
    e. Individual notice to eligible cities and other entities as applicable using one or more of the following methods:
        i. Certified mail
        ii. Electronic mail or fax
        iii. First-class (regular) mail
        iv. Personal delivery (e.g. at a City Council meeting)

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by a CDBG-DR applicant or recipient, the following public hearing provisions shall be observed:

1. Furnish citizens information, including but not limited to
    a. The amount of CDBG-DR funds available per application for the 2016 Flood Competition;
    b. The range of activities that may be undertaken with the CDBG-DR 2016 Flood Competition funds;
    c. The estimated amount of the CDBG-DR 2016 Flood Competition funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and
    d. The proposed CDBG-DR activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR 570.488.
2. Public notice of any hearings must be published at least 72 hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice MUST include the DATE, TIME, LOCATION and TOPICS to be considered at the public hearing. A published newspaper article may also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and an applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least two (2) days prior to each hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.
5. City may conduct a public hearing via webinar if they also follow the provisions above. If the webinar is used to conduct a public hearing, a physical location with associated reasonable accommodations must be made available for citizens to participate so as to ensure that those individuals without necessary technology are able to participate.
6. If applicable, the locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years after the project is completed. Such records must be made available to the public in accordance with Chapter 552, Government Code.

CITY OF TOMBALL

The City of Tomball welcomes feedback and complaints from any member of the public. Complaints are accepted in writing or over the telephone. Complaints will be responded to within 15 business days, when possible.

Complaints of fraud, waste or abuse must be immediately escalated to the City of Tomball Section 504 Standards Officer, regardless of whether the complaint is informal or formal.

Mailing Address:
City of Tomball
501 James Street
Tomball, Texas 77375
Attn: Civil Rights Officer

Phone: (281) 290-1400
Email: mmageo@tomballtx.gov
Business Hours: Monday – Friday, 8 a.m. to 5 p.m.

Texas General Land Office
Complaints should initially contact their local jurisdiction in accordance with their local policies and procedures for customer complaints. However, in the case that the complaint's inquiries or concerns are not addressed with the City, they have the right t to escalate the complaint to the Texas General Land Office (GLO). The GLO will work with the City of Tomball to provide a timely response. The response will be provided within 15 business days of the receipt of the complaint, if possible.

Mailing Address:
Texas General Land Office
Attn: GLO-CDR
PO Box 12873
Austin, Texas 78711-2873

Phone: 844-893-8937 or 512-475-5000
Email: cdr@recovery.texas.gov

City of Tomball
Fair Housing Policy

In accordance with Fair Housing Act, the City of Tomball hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Tomball agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. City of Tomball agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. City of Tomball will introduce and pass a resolution adopting this policy – Resolution Number 2020-21.

CITY OF TOMBALL
INTERNAL MANAGEMENT OF FEDERAL AND/OR STATE FUNDS PROCEDURES

All costs charged by the City must be necessary, reasonable, allowable, and allocable to all Federal and/or State grant programs received administered by the City. The City must assure that all costs are appropriate and eligible including but not limited to the following areas of concern:

1. Administrative requirements - Including duplication of benefits requirements, provisions related to charging pre-award costs, conflict of interest, reporting fraud, and distinction between agencies/government components, contractors, developers, and beneficiaries;
2. Recordkeeping and Reporting requirements - Including records retention and financial reporting requirements;
3. Procurement requirements - Including requirements related to bonding, insurance, suspension and debarment;
4. Contract conditions;
5. Force Account - Including requirements for tracking, documenting, and charging personnel costs and applicable fringe benefits and classification, purchasing, tracking, insuring, and disposing of equipment, supplies, and federally purchased tangible and intangible property;
6. Contract amendments;
7. Contract closeout;
8. Monitoring and Quality Assurance - Including requirements related to preventing fraud, waste, and abuse;
9. Audit - Including Single Audit or program-specific audit requirements

The following is a list of key federal and state regulations governing financial management of grant programs:

a. 24 CFR § 570 Subpart I- governs the state CDBG-DR program;
b. 2 CFR § 200, including all of Subpart E Cost Principles;
c. Uniform Grant Management Standards (UGMS) - Texas Comptroller of Public Accounts and guidance under 2 CFR § 200;
d. Texas Local Government Code Chapter 171

It is the City's responsibility to be knowledgeable and compliant with these requirements to ensure the appropriate, effective, timely, and eligible use of all funds related to Federal and/or State Programs. The City is responsible for monitoring vendors and projects and compliance with applicable financial management standards, for processing payment requests for funds, and for audit review.

A cost objective is a pool of related costs, which could be related based on the City's departments, function, eligible, activity, agreement with State and/or Federal agencies or any other basis. The term is used to capture a variety of scenarios in which costs may be categorized for purposes of cost allocation or eligibility determinations.

1. As per of 2 CFR § 200.303, the City has established this and other written policies and procedures for internal controls and guidance documentation for responsible financial management of federal and/or state funds and include the adherence to the following:
2. All federal, state, and local conflict of interest provisions, including the requirements of Texas Local Government Code Chapter 171;
3. The City has an established internal control system and documented segregation of duties. Including the appropriate segregation of duties as follows:
    a. No person has complete control over every phase of a significant transaction. For example, the person who authorizes payments to contractors should not draft and issue the payment check and the person who writes a payment check should not reconcile associated bank records;
    b. Monthly bank reconciliation and/or direct deposit monthly statements are reviewed by someone who is not responsible for handling cash or issuing checks;
    c. The person issuing checks for grant expenses does not also handle payroll preparation/issuance of paychecks;
4. The City will take prompt action when an instance of noncompliance is identified internally or through audit findings;
5. The City takes reasonable measures to safeguard protected personally identifiable information (PII) and other information that the City/County considers sensitive consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality.

Per 24 CFR § 570.502, through established budgets and accounting records, the City is responsible for ensuring all Federal and/or State expenditures are authorized in an approved, documented budget and do not exceed the total budget amount and do not exceed the amount in the City's grant agreement(s).
The City will use one of two general methods available to draw federal and/or state grant funds to pay for project and vendor costs: the reimbursement method and the cash advance method.

a. The reimbursement method entails a transfer of grant funds to the City based on actual expenditures already incurred by the City before it requests a draw;
b. The cash advance method entails the transfer of grant funds from the federal and/or state agency based upon the City's received invoices before the actual cash disbursements have been made by the City.

The City establishes a separate account for each grant it receives. When using a cash advance basis process, the City will ensure that all received grant funding is held in an insured, interest-bearing account (2 CFR § 200.305(b)). Distinct accounting information for each grant is created. Accurate records of encumbrances/obligations against distinct line items within each grant for vendor contracts are made. Accurate records on grant awards, unobligated balances, assets, liabilities, expenditures, program income (if any) and applicable interest are kept and supported by sources documentation, including vendor contracts, invoices, and purchase orders.

Pursuant to 2 CFR § 200.302(a), the City's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, are sufficient to permit the preparation of reports required to demonstrate compliance with general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the City's State and/or Federal grant agreement(s).

City through its annual audit process has proven effective control over, and accountability for, all funds, property, and other assets in its possession. The City makes every effort to adequately safeguard all assets and assure that they are used solely for their intended purpose.

Financial Records for all Federal and/or State grant programs include the following:

1. Transaction registry documenting:
    a. All invoices associated with each Request for Payment; and
    b. Source of funds for each invoice (grant funds by activity, matching funds and/or other funds)
2. Source documentation, including the following:
    a. Copies of Requests for Payment;
    b. Addendum record of direct deposit payments;
    c. Verification of deposits;
    d. Monthly bank statements
    e. Check register/transaction ledger;
    f. Employee time sheets (as applicable);
    g. Equipment time record sheets(as applicable);
    h. Property inventory;
    i. Purchase orders, invoices, and contractor requests for payments;
    j. Electronic Transfer Form (EFT);
    k. All original source documents

The City for each grant agreement received, establishes Responsible Persons. Through resolution, the City identifies the Responsible Persons (at least 2, preferably 4 by job title) responsible for both contractual documents (executed City agreement(s), associated amendments, and various program certifications) and financial documents (requests for payment, issuance of check).
The City, where allowable by the Federal and/or State funding program, will authorize direct deposit to receive payments from the agency(ies) to post directly to the City's local bank account.

The City will ensure that there exists staff and contractor capacity necessary to manage all grant funds under its control. The City may procure a Grant administrator to assist with management of grant compliance, subject to 2CFR200 procurement guidelines and requirements.

Eligible/Allowable Costs: All costs charged to the City's grant agreement(s) will be deemed eligible as identified in each Grantor's agreement/implementation manual. Eligible costs are those that conform to the federal/state requirements, including limitations and waivers described in applicable Federal Register Notices, comply with federal cost principles, and align with all associated cross-cutting federal requirements (Davis Bacons and Related Acts, Environmental requirements, etc.) and State and Local law.

The City will assure pursuant to 2 CFR § 200.403, costs meet the following general criteria to be allowable as a charge against any Federal award:

1. Costs must be necessary and reasonable for the performance of the Federal award and be allocable to that award and not to a different award;
2. Costs must conform to any limitations or exclusions set forth in 2 CFR § 200 or in the Federal award as to types or amount of cost items;
3. Costs must be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the City;
4. Costs must be accorded consistent treatment;
    a. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost;
5. Costs must be determined in accordance with generally accepted accounting principles (GAAP);
6. Costs must be adequately documented

Reasonable Costs (2 CFR § 200.404): A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. In determining reasonableness of a given cost, consideration will be given to:

1. Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the City or the proper and efficient performance of the State and/or Federal award;
2. The restraints or requirements imposed by such factors as: sound business practices; arm's-length bargaining; Federal, state, local, and other laws and regulations; and terms and conditions of the State and/or Federal award;
3. Market prices for comparable goods or services for the geographic area;
4. Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the City, its employees, the public at large, the State Government and/or Federal Government;
5. Whether the City significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the cost

The City will insure that all grant reimbursement requests meet the definition of Allocable Costs (2 CFR § 200.405 and §200.406) A cost is allocable to a particular grant, City agreement, vendor contract, program or other cost objective if the goods or services involved are chargeable or assignable to that cost objective in accordance with relative benefits received. This standard is met if the cost:

a. Is incurred specifically for that cost objective;
b. Benefits both that cost objective and other work of the City and can be distributed in proportions that may be approximated using reasonable methods; and
c. Is necessary to the overall operation of the City and is assignable in part to the specified cost objective in accordance with 2 CFR § 200.

Any cost allocable to a particular cost objective may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the City from shifting costs that are allowable under two or more cost objectives in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then the costs may be allocated or transferred to benefitted projects on any reasonable documented basis. Costs should only be charged net of all applicable credits. Applicable credits refer to those receipts or reduction-of-expenditure-type transactions that offset or reduce expense items allocable to the cost objective. Examples include:

a. Purchase discounts;
b. Rebates or allowances;
c. Recoveries or indemnities on losses;
d. Insurance refunds or rebates; and
e. Adjustments of overpayments or erroneous charges

To the extent that such credits accruing to or received by the City relate to allowable costs, they must be credited to the State and/or Federal award either as a cost reduction or cash refund, as appropriate. These credits do not constitute program income.

The City will submit a draw request for eligible costs as often as is needed, subject to limitations in grant agreements and at least quarterly throughout the life of a project. The City will submit costs to a Grantor for draw within 60 days of receipt of invoices as allowable.

Pursuant to 24 CFR § 570.489(c), 2 CFR § 200.305(b), and 31 CFR § 205, the City when utilizing the cash advance method will minimize the time elapsing between the transfer of funds from the Federal or State agency and the disbursement by the City for eligible costs. This period must not exceed 5 business days from the date of receipt/deposit of funds.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Presentation of Proclamation – the Month of August is ***"Fair Housing Month"***

Background:
In order to participate in federally funded Community Development Block Grant (CDBG) projects, the City has been requested to declare the month of August as *"Fair Housing Month"*

Origination:
Public Works

Recommendation:
N/A - Presentation only

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

ACTION TAKEN

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

ATTACHMENTS:

Proclamation - August is Presentation of Proclamation – the Month of August is "Fair Housing Month"

Office of the Mayor

Tomball, Texas

Proclamation

WHEREAS, Title VII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS, the principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS, the National Fair Housing Law, during the month of August, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans;

NOW THEREFORE, I, Gretchen Fagan, Mayor of the City of Tomball, Texas on behalf of the Tomball City Council, do hereby proclaim the month of August as:

"FAIR HOUSING MONTH"

and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing Law.

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

Attest: Lori Klein

Date: July 29, 2020

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve Resolution No. 2020-16, a Resolution of the City Council of the City of Tomball, Texas, Designating Authorized Signatories for Contractual Documents and Documents for Requesting Funds Pertaining to the Community Development Block Grant – Disaster Recovery Program (CDBG-DR) Contract Number 19-076-029-B386

Background:
Based on contractual requirements with the General Land Office, the City must adopt a resolution appointing individuals to execute contractual documents and documents requesting funds from our approved grant.

Staff is requesting that the Mayor and City Manager be appointed as authorized signatories for execution of contractual documents including the contract, extension request, if needed, and contract amendments.

Staff is requesting that the City Manager and Assistant City Manager be appointed as authorized signatories for payment requests including purchase vouchers for the state and request for payment forms.

Origination:
Public Works Department

Recommendation:
Approve Resolution No. 2020-16

Party(ies) responsible for placing this item on agenda:
Beth Jones, Public Works Director

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2020-16

RESOLUTION NO. 2020-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY PROGRAM (CDBG-DR) CONTRACT NUMBER 19-076-029-B386.

* * * * * * * * * *

WHEREAS the City of Tomball, Texas has received a 2016 Flood Allocation – Infrastructure Community Development Block Grant – Disaster Recovery program award to provide Flood & Drainage Improvements; and

WHEREAS it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas General Land Office; and

WHEREAS an original signed copy of the CDBG-DR Depository/Authorized Signatories Designation Form is to be submitted with a copy of this Resolution; and

WHEREAS the City of Tomball acknowledges that in the event an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide CDBG-DR with the following:

- A revised CDBG-DR Depository/Authorized Signatories Designation Form.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF TOMBALL, TEXAS, AS FOLLOWS:

SECTION 1: The Mayor and City Manager are authorized to execute contractual documents between the Texas General Land Office and the City for the 2016 Flood – Infrastructure Community Development Block Grant Disaster Recovery Program.

SECTION 2: The City Manager and Assistant City Manager are authorized to execute the State of Texas Purchase Voucher and Request for Payment Form documents required for requesting funds approved in the Hurricane Harvey – Infrastructure Community Development Block Grant Disaster Recovery Program.

PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE 3RD DAY OF AUGUST 2020.

_____
GRETCHEN FAGAN, Mayor

ATTEST:

_____
Doris Speer, City Secretary

APPROVED AS TO FORM:

_____
Loren Smith, City Attorney

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:

Approve Resolution No. 2020-21, a Resolution of the City Council of the City of Tomball, Texas, Adopting the Attached Policies in Connection with the City of Tomball, Texas Participation in Federally Funded Community Development Block Grant (CDBG) Projects and Adherence to the Regulations Described Therein

Background:

Based on the requirements of the grant received from the General Land Office in 2019 for the drainage improvements along Lizzie Lane and South Persimmon, the City must adopt the following policies and procedures:

1. Citizen Participation Plan;
2. Section 3 Policy;
3. Excessive Force Policy;
4. Section 504 Policy and Grievance Procedures;
5. Grievance and Complaint Procedure;
6. Fair Housing Policy; and
7. Internal Management of Federal and/or State Funds Procedures

All affected departments have completed a review of the policies and are in agreeance that these policies conform to all of our existing policies and procedures.

Exhibit A of Resolution 2020-21, provides the complete policies requiring adoption for adherence to the General Land Office's requirements for grant participation.

Origination:

Public Works Department

Recommendation:

Staff recommends approving Resolution No. 2020-21, policy adoption for Community Development Block Grant – Disaster Recovery.

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

Beth Jones, Public Works Director

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2020-21
Resolution 2020-21 Exhibit A

RESOLUTION NO. 2020-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ADOPTING THE ATTACHED POLICIES IN CONNECTION WITH THE CITY OF TOMBALL, TEXAS PARTICIPATION IN FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS AND ADHERENCE TO THE REGULATIONS DESCRIBED THEREIN.

* * * * * * * * * *

WHEREAS the City of Tomball, Texas, (hereinafter referred to as "City") has been awarded federal funding through a Community Development Block Grant (CDBG); and

WHEREAS the City, in accordance with Section 109 of the Title I of the Housing and Community Development Act (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than $10,0000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability; and

WHEREAS the City, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections; and

WHEREAS the City, in accordance with Section of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 15, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the CDBG project area; and

WHEREAS the City, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an Excessive Force Policy that prohibits the use of excessive force against non-violent civil rights demonstrations; and

WHEREAS the City, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each CDBG project; and

WHEREAS the City, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

WHEREAS the City, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that required HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the CDBG contract, to affirmatively further fair housing; and

WHEREAS the City, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED that the City of Tomball and its governing body adopts the following Administrative Policies:

1. Citizens Participation Plan ;
2. Section 3 Policy;
3. Excessive Force Policy;
4. Section 504 Policy and Grievance Procedures;
5. Grievance and Complaint Procedure;
6. Fair Housing Policy; and
7. Internal Management of Federal and/or State Funds Procedures

PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE 3RD DAY OF AUGUST 2020.

_____
GRETCHEN FAGAN, Mayor

ATTEST:

_____
Doris Speer, City Secretary

APPROVED AS TO FORM:

_____
Loren Smith, City Attorney

CITY OF TOMBALL
CITIZEN PARTICIPATION PLAN

COMPLAINT PROCEDURES

These complaint procedures comply with all the requirements of the Community Development Block Grant – Disaster Recovery (CDBG-DR) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Tomball, 401 Market Street, Tomball, Texas 77375, (281) 290-1411, during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the CDBG-DR project.

1. A person who has a complaint or grievance about any services or activities with respect to the CDBG-DR project, whether it is a proposed, ongoing, or completed CDBG-DR project, may during regular business hours submit such complaint or grievance, in writing to the City, at City of Tomball, 401 Market Street, Tomball, Texas 77375, or may call (281) 290-1411.
2. A copy of the complaint or grievance shall be transmitted by the City Secretary to the entity that is the subject of the complaint or grievance and the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to the person(s) who made the complaint or grievance within ten (10) business days.
4. If the investigation cannot be completed within ten (10) business days per number 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the CDBG-DR for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of CDBG-DR funds. The City, based upon specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC OUTREACH EFFORTS

The City shall provide for reasonable public notice, appraisal, examination and comment on the activities proposed for the use of CDBG-DR funds. These efforts shall include:

1. Provide for and encourage citizen participation, particularly by low- and moderate- income persons who reside in slum or blighted area and areas in which CDBG-DR funds are proposed.
2. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to an entity's proposed and actual use of CDBG-DR funds.
3. Furnish citizens information, including but not limited to:
    a. The amount of CDBG-DR funds expected to be made available
    b. The range of activities that may be undertaken with the CDBG-DR funds
    c. The estimated amount of the CDBG-DR funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate- income persons
    d. If applicable, the proposed CDBG-DR activities likely to result in displacement and the entity's anti-displacement and relocation plan
4. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the entity's application to the state. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state.
5. These outreach efforts may be accomplished through one or more of the following methods:
    a. Publication of notice in a local newspaper – a published newspaper article may be used so long as it provides sufficient information regarding program activities and relevant dates
    b. Notices prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups
    c. Posting of notice on the local entity website (if available)
    d. Public Hearing
    e. Individual notice to eligible cities and other entities as applicable using one or more of the following methods:
        i. Certified mail
        ii. Electronic mail or fax
        iii. First-class (regular) mail
        iv. Personal delivery (e.g., at a Council of Governments (COG) meeting)

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.

2. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and an applicant must make arrangements for individuals who require auxiliary aids or services if contracted at least two (2) days prior to the hearing.
3. When a significant number of non-English speaking residents are a part of the potential service area of the CDBG-DR project, vital documents such as notices should be published in the predominant language of the non-English speaking citizens.
4. A public hearing held prior to the submission of a CDBG-DR application must be held after 5:00 PM on a weekday or at convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.
6. City may conduct a public hearing via webinar if they also follow the provisions above. If the webinar is used to conduct a public hearing, a physical location with associated reasonable accommodations must be made available to citizens to participate so as to ensure that those individuals without necessary technology are able to participate.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a CDBG-DR project:

1. At a minimum, the City shall hold at least one (1) public hearing prior to submitting the application.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable CDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the CDBG-DR program, and the use of past CDBG-DR contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum or blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the CDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by the CDBG-DR, proposed to be made in the use of CDBG-DR funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the CDBG-DR project, the City shall hold a public hearing and review its program performance including the actual use of the CDBG-DR funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the CDBG-DR project or for the closeout of the CDBG-DR project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the CDBG-DR project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Signed:

_____ _____

Gretchen Fagan Mayor Date

Attest:

_____ _____

Doris Speer, City Secretary Date

CITY OF TOMBALL
SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u the City of Tomball agrees to implement the following steps, which, to *the greatest extent feasible,* will provide job training, employment, and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by CDBG-DR grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitation and contracts.
D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in CDBG-DR funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
E. Maintain a list of those persons that have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
F. Require that all Prime contractors and subcontractors with contracts over $100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD to the Grant Recipient.
G. Submit reports as required by HUD regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of federal fiscal year end (by October 20th) which identify and quantify Section 3 businesses and employees.
H. Maintain records, including copies of correspondence, memoranda, etc., which document all action taken to comply with Section 3 regulations.

As officers and representatives of the City of Tomball, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signed:

_____ _____

Gretchen Fagan Mayor Date

Attest:

_____ _____

Doris Speer, City Secretary Date

City of Tomball
Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), the City of Tomball hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Tomball to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations.
2. It is also the policy of the City of Tomball to enforce applicable State and Local laws against physically barring entrance to or exits from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdictions.
3. City of Tomball will introduce and pass a resolution adopting this policy – Resolution Number 2020-21.

As officers and representatives of the City of Tomball, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signed:

_____ _____

Gretchen Fagan Mayor Date

Attest:

_____ _____

Doris Speer, City Secretary Date

CITY OF TOMBALL
SECTION 504 POLICY AGAINST DISCRIMINATION BASED ON HANDICAP AND GRIEVANCE PROCEDURES

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), the City of Tomball hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with a handicap in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. The City of Tomball does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. The City of Tomball recruitment materials or publications shall include a statement of this policy in 1. above.
4. The City of Tomball shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violations of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the CDBG-DR program, the City of Tomball shall ensure that they are provided with the information necessary to understand and participate in the CDBG-DR program.
6. Grievances and Complaints
    a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the City of Tomball to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
    b. Complaints should be addressed to: Section 504 Compliance Officer, City of Tomball, 501 James Street, Tomball, Texas 77375, (281) 290-1400, who has been designated to coordinate Section 504 compliance efforts.
    c. A complaint should be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
    d. A complaint should be filed within thirty (30) business days after the complainant becomes aware of the alleged violation.
    e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the City Manager or designee. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the City Manager or designee, and a copy forwarded to the complainant within fifteen (15) business days after the filing of the complaint where practicable.
g. The Section 504 Coordinator shall maintain the files and records of the City of Tomball relating to the complaints files.
h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be to the City of Tomball within ten (10) business days after the receipt of the written determination/resolution.
i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Tomball complies with Section 504 and HUD regulations.

As officers and representatives of the City of Tomball, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signed:

_____ _____

Gretchen Fagan Mayor Date

Attest:

_____ _____

Doris Speer, City Secretary Date

City of Tomball
Grievance and Complaint Procedure

These complaint procedures comply with the requirements of the Texas General Land Office's Community Development Block Grant – Disaster Recovery (CDBG-DR) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations).

Below are the formal complaint and grievance procedures regarding the services provided under the CDBG-DR project.

1. A person who has a complaint or grievance about any services or activities with respect to the CDBG-DR project, whether it is a proposed, ongoing, or completed CDBG-DR project, may during regular business hours submit such complaint or grievance, in writing to the Compliance Officer at 501 James Street, Tomball, Texas 77375, or may call (281) 290-1400.
2. A copy of the complaint or grievance shall be transmitted by the Civil Rights Officer to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) business days after the date of the complaint or grievance was received.
3. The Compliance Officer shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to the person who made the complaint or grievance within ten (10) business days.
4. If the investigation cannot be completed within ten (10) business days, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) business days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the CDBG-DR for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of CDBG-DR funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC OUTREACH EFFORTS

The City shall provide for reasonable public notice, appraisal, examination and comment on the activities proposed for the use of CDBG-DR funds. These efforts shall include:

1. Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas or areas in which CDBG-DR funds are proposed to be used;
2. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to an entity's proposed and actual use of CDBG-DR funds;
3. Furnish citizens information, including but not limited to:
    a. the amount of CDBG-DR funds expected to be made available
    b. the range of activities that may be undertaken with the CDBG-DR funds
    c. the estimated amount of the CDBG-DR funds proposed to be used for activities that will meet the national objective of benefit to low and moderate income persons
    d. if applicable, the proposed CDBG-DR activities likely to result in displacement and the entity's anti-displacement and relocation plan;
4. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the entity's application to the state. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state; and
5. These outreach efforts may be accomplished through one or more of the following methods:
    a. Publication of notice in a local newspaper – a published newspaper article may be used so long as it provides sufficient information regarding program activities and relevant dates
    b. Notices prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups
    c. Posting of notice on the local entity website (if available)
    d. Public hearing
    e. Individual notice to eligible cities and other entities as applicable using one or more of the following methods:
        i. Certified mail
        ii. Electronic mail or fax
        iii. First-class (regular) mail
        iv. Personal delivery (e.g. at a City Council meeting)

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by a CDBG-DR applicant or recipient, the following public hearing provisions shall be observed:

1. Furnish citizens information, including but not limited to
    a. The amount of CDBG-DR funds available per application for the 2016 Flood Competition;

b. The range of activities that may be undertaken with the CDBG-DR 2016 Flood Competition funds;
c. The estimated amount of the CDBG-DR 2016 Flood Competition funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and
d. The proposed CDBG-DR activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR 570.488.

2. Public notice of any hearings must be published at least 72 hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice MUST include the DATE, TIME, LOCATION and TOPICS to be considered at the public hearing. A published newspaper article may also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and an applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least two (2) days prior to each hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.
5. City may conduct a public hearing via webinar if they also follow the provisions above. If the webinar is used to conduct a public hearing, a physical location with associated reasonable accommodations must be made available for citizens to participate so as to ensure that those individuals without necessary technology are able to participate.
6. If applicable, the locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years after the project is completed. Such records must be made available to the public in accordance with Chapter 552, Government Code.

CITY OF TOMBALL

The City of Tomball welcomes feedback and complaints from any member of the public. Complaints are accepted in writing or over the telephone. Complaints will be responded to within 15 business days, when possible.

Complaints of fraud, waste or abuse must be immediately escalated to the City of Tomball Section 504 Standards Officer, regardless of whether the complaint is informal or formal.

Mailing Address:

City of Tomball
501 James Street
Tomball, Texas 77375
Attn: Civil Rights Officer

Phone: (281) 290-1400
Email: mmageo@tomballtx.gov
Business Hours: Monday – Friday, 8 a.m. to 5 p.m.

Texas General Land Office

Complaints should initially contact their local jurisdiction in accordance with their local policies and procedures for customer complaints. However, in the case that the complaint's inquiries or concerns are not addressed with the City, they have the right t to escalate the complaint to the Texas General Land Office (GLO). The GLO will work with the City of Tomball to provide a timely response. The response will be provided within 15 business days of the receipt of the complaint, if possible.

Mailing Address:

Texas General Land Office
Attn: GLO-CDR
PO Box 12873
Austin, Texas 78711-2873

Phone: 844-893-8937 or 512-475-5000
Email: cdr@recovery.texas.gov

Signed:

_____ _____

Gretchen Fagan Mayor Date

Attest:

_____ _____

Doris Speer, City Secretary Date

City of Tomball
Fair Housing Policy

In accordance with Fair Housing Act, the City of Tomball hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Tomball agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. City of Tomball agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. City of Tomball will introduce and pass a resolution adopting this policy – Resolution Number 2020-21.

As officers and representatives of the City of Tomball, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signed:

_____ _____

Gretchen Fagan Mayor Date

Attest:

_____ _____

Doris Speer, City Secretary Date

CITY OF TOMBALL
INTERNAL MANAGEMENT OF FEDERAL AND/OR STATE FUNDS PROCEDURES

All costs charged by the City must be necessary, reasonable, allowable, and allocable to all Federal and/or State grant programs received administered by the City. The City must assure that all costs are appropriate and eligible including but not limited to the following areas of concern:

1. Administrative requirements - Including duplication of benefits requirements, provisions related to charging pre-award costs, conflict of interest, reporting fraud, and distinction between agencies/government components, contractors, developers, and beneficiaries;
2. Recordkeeping and Reporting requirements - Including records retention and financial reporting requirements;
3. Procurement requirements - Including requirements related to bonding, insurance, suspension and debarment;
4. Contract conditions;
5. Force Account - Including requirements for tracking, documenting, and charging personnel costs and applicable fringe benefits and classification, purchasing, tracking, insuring, and disposing of equipment, supplies, and federally purchased tangible and intangible property;
6. Contract amendments;
7. Contract closeout;
8. Monitoring and Quality Assurance - Including requirements related to preventing fraud, waste, and abuse;
9. Audit - Including Single Audit or program-specific audit requirements

The following is a list of key federal and state regulations governing financial management of grant programs:

a. 24 CFR § 570 Subpart I- governs the state CDBG-DR program;
b. 2 CFR § 200, including all of Subpart E Cost Principles;
c. Uniform Grant Management Standards (UGMS) - Texas Comptroller of Public Accounts and guidance under 2 CFR § 200;
d. Texas Local Government Code Chapter 171

It is the City's responsibility to be knowledgeable and compliant with these requirements to ensure the appropriate, effective, timely, and eligible use of all funds related to Federal and/or State Programs. The City is responsible for monitoring vendors and projects and compliance with applicable financial management standards, for processing payment requests for funds, and for audit review.

A cost objective is a pool of related costs, which could be related based on the City's departments, function, eligible, activity, agreement with State and/or Federal agencies or any other basis. The term is used to capture a variety of scenarios in which costs may be categorized for purposes of cost allocation or eligibility determinations.

1. As per of 2 CFR § 200.303, the City has established this and other written policies and procedures for internal controls and guidance documentation for responsible financial management of federal and/or state funds and include the adherence to the following:
2. All federal, state, and local conflict of interest provisions, including the requirements of Texas Local Government Code Chapter 171;
3. The City has an established internal control system and documented segregation of duties. Including the appropriate segregation of duties as follows:
    a. No person has complete control over every phase of a significant transaction. For example, the person who authorizes payments to contractors should not draft and issue the payment check and the person who writes a payment check should not reconcile associated bank records;
    b. Monthly bank reconciliation and/or direct deposit monthly statements are reviewed by someone who is not responsible for handling cash or issuing checks;
    c. The person issuing checks for grant expenses does not also handle payroll preparation/issuance of paychecks;
4. The City will take prompt action when an instance of noncompliance is identified internally or through audit findings;
5. The City takes reasonable measures to safeguard protected personally identifiable information (PII) and other information that the City/County considers sensitive consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality.

Per 24 CFR § 570.502, through established budgets and accounting records, the City is responsible for ensuring all Federal and/or State expenditures are authorized in an approved, documented budget and do not exceed the total budget amount and do not exceed the amount in the City's grant agreement(s).

The City will use one of two general methods available to draw federal and/or state grant funds to pay for project and vendor costs: the reimbursement method and the cash advance method.

a. The reimbursement method entails a transfer of grant funds to the City based on actual expenditures already incurred by the City before it requests a draw;
b. The cash advance method entails the transfer of grant funds from the federal and/or state agency based upon the City's received invoices before the actual cash disbursements have been made by the City.

The City establishes a separate account for each grant it receives. When using a cash advance basis process, the City will ensure that all received grant funding is held in an insured, interest-bearing account (2 CFR § 200.305(b)). Distinct accounting information for each grant is created. Accurate records of encumbrances/obligations against distinct line items within each grant for vendor contracts are made. Accurate records on grant awards, unobligated balances, assets, liabilities, expenditures, program income (if any) and applicable interest are kept and supported by sources documentation, including vendor contracts, invoices, and purchase orders.

Pursuant to 2 CFR § 200.302(a), the City's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, are sufficient to permit the preparation of reports required to demonstrate compliance with

general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the City's State and/or Federal grant agreement(s).

City through its annual audit process has proven effective control over, and accountability for, all funds, property, and other assets in its possession. The City makes every effort to adequately safeguard all assets and assure that they are used solely for their intended purpose.

Financial Records for all Federal and/or State grant programs include the following:

1. Transaction registry documenting:
    a. All invoices associated with each Request for Payment; and
    b. Source of funds for each invoice (grant funds by activity, matching funds and/or other funds)
2. Source documentation, including the following:
    a. Copies of Requests for Payment;
    b. Addendum record of direct deposit payments;
    c. Verification of deposits;
    d. Monthly bank statements
    e. Check register/transaction ledger;
    f. Employee time sheets (as applicable);
    g. Equipment time record sheets(as applicable);
    h. Property inventory;
    i. Purchase orders, invoices, and contractor requests for payments;
    j. Electronic Transfer Form (EFT);
    k. All original source documents

The City for each grant agreement received, establishes Responsible Persons. Through resolution, the City identifies the Responsible Persons (at least 2, preferably 4 by job title) responsible for both contractual documents (executed City agreement(s), associated amendments, and various program certifications) and financial documents (requests for payment, issuance of check).
The City, where allowable by the Federal and/or State funding program, will authorize direct deposit to receive payments from the agency(ies) to post directly to the City's local bank account.

The City will ensure that there exists staff and contractor capacity necessary to manage all grant funds under its control. The City may procure a Grant administrator to assist with management of grant compliance, subject to 2CFR200 procurement guidelines and requirements.

Eligible/Allowable Costs: All costs charged to the City's grant agreement(s) will be deemed eligible as identified in each Grantor's agreement/implementation manual. Eligible costs are those that conform to the federal/state requirements, including limitations and waivers described in applicable Federal Register Notices, comply with federal cost principles, and align with all associated cross-cutting federal requirements (Davis Bacons and Related Acts, Environmental requirements, etc.) and State and Local law.

The City will assure pursuant to 2 CFR § 200.403, costs meet the following general criteria to be allowable as a charge against any Federal award:

1. Costs must be necessary and reasonable for the performance of the Federal award and be allocable to that award and not to a different award;
2. Costs must conform to any limitations or exclusions set forth in 2 CFR § 200 or in the Federal award as to types or amount of cost items;
3. Costs must be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the City;
4. Costs must be accorded consistent treatment;
    a. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost;
5. Costs must be determined in accordance with generally accepted accounting principles (GAAP);
6. Costs must be adequately documented

Reasonable Costs (2 CFR § 200.404): A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. In determining reasonableness of a given cost, consideration will be given to:

1. Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the City or the proper and efficient performance of the State and/or Federal award;
2. The restraints or requirements imposed by such factors as: sound business practices; arm's-length bargaining; Federal, state, local, and other laws and regulations; and terms and conditions of the State and/or Federal award;
3. Market prices for comparable goods or services for the geographic area;
4. Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the City, its employees, the public at large, the State Government and/or Federal Government;
5. Whether the City significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the cost

The City will insure that all grant reimbursement requests meet the definition of Allocable Costs (2 CFR § 200.405 and §200.406) A cost is allocable to a particular grant, City agreement, vendor contract, program or other cost objective if the goods or services involved are chargeable or assignable to that cost objective in accordance with relative benefits received. This standard is met if the cost:

a. Is incurred specifically for that cost objective;
b. Benefits both that cost objective and other work of the City and can be distributed in proportions that may be approximated using reasonable methods; and
c. Is necessary to the overall operation of the City and is assignable in part to the specified cost objective in accordance with 2 CFR § 200.

Any cost allocable to a particular cost objective may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the City from shifting costs that are allowable under two or more cost objectives in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then the costs may be allocated or transferred to benefitted projects on any reasonable documented basis. Costs should only be charged net of all applicable credits. Applicable credits refer to those receipts or reduction-of-expenditure-type transactions that offset or reduce expense items allocable to the cost objective. Examples include:

a. Purchase discounts;
b. Rebates or allowances;
c. Recoveries or indemnities on losses;
d. Insurance refunds or rebates; and
e. Adjustments of overpayments or erroneous charges

To the extent that such credits accruing to or received by the City relate to allowable costs, they must be credited to the State and/or Federal award either as a cost reduction or cash refund, as appropriate. These credits do not constitute program income.

The City will submit a draw request for eligible costs as often as is needed, subject to limitations in grant agreements and at least quarterly throughout the life of a project. The City will submit costs to a Grantor for draw within 60 days of receipt of invoices as allowable.

Pursuant to 24 CFR § 570.489(c), 2 CFR § 200.305(b), and 31 CFR § 205, the City when utilizing the cash advance method will minimize the time elapsing between the transfer of funds from the Federal or State agency and the disbursement by the City for eligible costs. This period must not exceed 5 business days from the date of receipt/deposit of funds.

Signed:

_____ _____

Gretchen Fagan Mayor Date

Attest:

_____ _____

Doris Speer, City Secretary Date

Regular City Council
Agenda Item
Data Sheet

Meeting Date: August 3, 2020

Topic:
Approve Termination of Land Lease and Museum Development Agreement with the Texas Railroading Heritage Museum

Background:
On February 3, 2020, the current Land Lease and Museum Development Agreement between the City of Tomball and the Texas Railroading Heritage Museum (TRHM) was executed, with the expectation that the TRHM would develop a railroad museum at The Depot Park, on land owned by the City of Tomball.

Unanticipated consequences arose that have caused the TRHM Board to request that the City agree to the termination of this agreement immediately, by waiving the 1-year written notice requirement.

Origination:
Rob Hauck, City Manager

Recommendation:
I recommend that City Council authorize the City Manager to sign the request from the TRHM, dated July 23, 2020, to terminate the lease and development agreement.

Party(ies) responsible for placing this item on agenda:
Rob Hauck, City Manager

ACTION TAKEN

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

ATTACHMENTS:

Request to Terminate Lease from TRHM
Executed Lease and Development Agreement

Texas Railroading Heritage Museum
P.O. Box 124
Tomball, TX

Willard C. (Bill) Capdevielle P.E.
President

Mr. Rob Hauck
Tomball City Manager
401 Market Street
Tomball, TX 77375

July 23, 2020

Subject: Termination of the Land Lease and Museum Development Agreement

Dear Mr. Hauck,

On July 23, 2020, the Texas Railroading Heritage Museum, Inc. ("TRHM") Board of Directors regrettably decided it must terminate the Land Lease and Museum Development Agreement, dated February 3, 2020, a copy of which is attached (the "Lease"), to which the City of Tomball ("Tomball") generously agreed earlier this year. As a result, please accept this letter as written notice of TRHM's determination that the Lease and the museum are no longer financially or programmatically desired, as contemplated by Section 8.7 of the Lease.

In addition, Section 8.7 contemplates 1-year written notice of TRHM's intent to terminate. TRHM requests that Tomball agree to waive the 1-year notice and terminate the Lease immediately. If Tomball agrees to TRHM's request to immediately terminate the Lease, please indicate such agreement by signing in the space provided below. If you do not agree to such a waiver, the Lease will terminate 1-year after the date of this letter.

On behalf of the Texas Railroading Heritage Museum, we will consider the subject Agreement to be cancelled upon countersignature by the Tomball City Manager.

This was a very difficult decision for us as we all love Tomball and several of us are regular volunteers at The Depot. The circumstances we considered were, to a large part, the many detrimental effects of the COVID-19 pandemic. Additionally, we have been unable raise $3.5 million for the Phase 1 construction in Tomball. Also, we have very limited funds to continue paying for storing the cars at its present site and before we run out of funds to pay our existing lease payments we need to explore other options.

We wish to thank the City of Tomball and its citizens for the support they have shown us over the last few years.

Sincerely,

Willard C. Capdevielle, P.E.
President

_____ _____

Robert S. Hauck
Tomball City Manager

Date

ec: Mr. Jim Goldmeyer, Gulf Coast Chapter – NRHS
ec: Pamela Rocchi, Harris County Precinct 4

LAND LEASE AND MUSEUM DEVELOPMENT AGREEMENT
Between
CITY OF TOMBALL, a Municipal Corporation And
THE TEXAS RAILROADING HERITAGE MUSEUM, INC a Texas Domestic Nonprofit Corporation For
LEASE AND DEVELOPMENT OF CITY-OWNED LAND INTO A REGIONAL RAILROAD MUSEUM
PRELIMINARY STATEMENTS

The City of Tomball, Texas (hereinafter the "City") and The Texas Railroading Heritage Museum, Inc. (hereinafter the "TRHM") mutually agree that certain City-owned property as defined herein (hereinafter the "Site") should be developed into a regional railroad museum to be named TEXAS RAILROADING HERITAGE MUSEUM (hereinafter the "Museum") for the education and entertainment of all of the citizens of and visitors to Texas. The City has determined that cooperating in the development of a railroad museum is a valid public purpose under its charter and is willing to lease the Site for that exclusive purpose; and the TRHM is willing to display its collection of vintage railcars and other railroading artifacts (hereinafter the "Collection") and develop a comprehensive and safe visitor attraction.

The City and the TRHM now desire to set forth the definitive terms and conditions of the Agreement.

NOW THEREFORE, in consideration of the mutual promises contained in this agreement (hereinafter, the "Agreement") and for other good, valuable and binding consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. DEFINITIONS

1.1 Execution Date - the date this Agreement is signed by the last of the parties.
1.2 Opening Date - the date on which the Museum is first opened to the public.
1.3 Site - the City-owned property as described in Attachment A.
1.4 Collection - vintage rail cars as described in Attachment B and other railroad-related artifacts and items generally deemed appropriate by the TRHM for display in a public museum whether currently owned by or acquired in the future by the TRHM.
1.5 Museum - the collective facility, including the Site, Collection and related infrastructure.

2. LEASE AND USE OF PROPERTY

2.1 The City agrees to lease the Site to the TRHM for a term of 25 years beginning on the Execution Date, with automatic renewal for three additional 25 year terms. Such lease shall be exclusive to and for the use of the TRHM.
2.2 The TRHM will pay to the City the amount of $1 on each anniversary of the Execution Date as long as this Agreement is in force.
2.3 The TRHM acknowledges that the Site is being made available for the exclusive

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development of a railroad museum.

2.4 For as long as this Agreement is in force, the TRHM shall have unlimited use of and access to the Site for the development and operation of a railroad museum pursuant to this Agreement.

2.5 The Site may be increased in size by mutual agreement of the parties to this Agreement, and if so, the description of the increased Site will replace and become Attachment A to this Agreement.

2.6 The TRHM agrees that no part of the Site property will be subleased without written approval from the City.

3. TRHM RESPONSIBILITY

3.1 The TRHM agrees that it will cause the Collection to be moved to the Site as soon as practicable and to allow the Collection to be viewed by the public according to the terms of the Agreement and any policies or procedures the TRHM may adopt and implement for the orderly operation of the Museum.

3.2 The TRHM agrees that it will bear full financial responsibility of the construction, development and operation of the Museum except for remediation of existing hazards at the Site unless otherwise provided in this document or negotiated with the City.

3.3 The TRHM agrees to comply with all City ordinances.

3.4 The TRHM agrees to maintain two positions on 'its Board of Directors for individuals nominated by the City and by Harris County, respectively. The City agrees to timely appoint its nominee to the 'TRHM's Board of Directors, and the TRHM will notify the City if any appointment is needed to fill a vacancy in the City's reserved position on the Board. The City will cooperate with the TRHM in obtaining similar cooperation in any appointments needed from Harris County.

3.5 The TRHM agrees to provide commercial general liability insurance coverage for the Museum in a General Aggregate amount not to exceed $2,000,000 during the initial 25 year term. This amount shall be increased by $2,000,000.00 for each successive 25 year term. The City will be named as an additional insured on all coverage arrangements.

3.6 The TRHM agrees to act as lead contact and to work with BNSF Railway and other third-party entities on timing and scheduling for installation and removal of temporary switch and track required for the relocation of the designated railroad cars and locomotives to the Museum site.

3.7 The TRHM will enter into an Operating Agreement with the Gulf Coast Chapter of the National Railway Historical Society that reflects the terms and conditions of this lease. This Operating Agreement shall be attached to this Land Lease and Museum Development Agreement as Attachment C.

4. DEVELOPMENT AND OPERATION OF MUSEUM

4.1 The TRHM will maintain its status as a Texas Domestic Nonprofit Corporation and as a charitable organization under section 501(c)(3) of the Internal Revenue Code.

4.2 The City approved an Architectural Concept Plan for the Museum on the 4th day of March, 2019. A true and correct copy of the Architectural Concept Plan is attached

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hereto as Attachment "D" and incorporated herein by this reference. The TRHM shall implement such Architectural Concept Plan in a timely manner. The City agrees to cooperate in the event that zoning or utility installation is required and to waive fees for any permits or variances related to development of the Site.

4.3 During the term of this Agreement, the TRHM agrees to seek City approval on any changes to the major architectural features already approved by the City related to the Museum or the Site, including buildings, fences, signage, and other features generally visible to visitors to the museum and adjacent properties. The TRHM agrees that the Museum will adhere to all applicable requirements of the Americans with Disabilities Act (ADA). (Note that Sec. 12184 of the ADA specifically exempts "historical or antiquated" railroad cars from compliance with certain ADA provisions (including, but perhaps not limited to, ADA barrier removal requirements of Sec. 12184(b)(2)(C) and readily accessibility requirements of Sec. 12184(b)(7)) that would "alter the historic or antiquated character of a historical or antiquated rail passenger car''.)

4.4 The TRHM agrees to open the Museum to the public no later than three years after the execution date. The TRHM and the City agree that achievement of the short- and long-term goals for the Museum development and operations as outlined in the Master Plan, including the Opening Date, is dependent on the availability of funding, and the opening date and other milestones that may be included in the Master Plan are subject to change by mutual agreement between the City and the TRHM. The City agrees to cooperate with the TRHM on fundraising efforts conducted in support of implementation of the Master Plan as appropriate and allowed under City and State regulations, ordinances and laws.

4.5 All revenues generated by and for the Museum will be retained by the TRHM for funding operations and development.

4.6 It is understood that the TRHM will not begin any construction or other use of the land until the City approves such construction or use. The City agrees to approve or reject any construction or use plans within 60 days of submission of a proposal for same by the TRHM.

4.7 Subsequent to the Opening Date, the TRHM agrees to operate a public museum during the following hours:

4.7.1 For the first full calendar year after the Opening Date, the Museum must be open at least 30 Saturdays per year for a minimum of six hours each day.

4.7.2 After the first full calendar year of the Museum being open to the public, the TRHM and the City or their designated representatives will mutually agree to an operating schedule for each subsequent calendar year that includes at least the number of open days as described in 4.7.1 above.

4.7.3 The TRHM may expand the number of days and/or hours of operation of the Museum at any time the TRHM deems such action appropriate.

4.8 The City shall have the right to copy and inspect (at the City's sole expense) all of the TRHM's books and records relating to the Museum and/or this Agreement at any time with at least 10-days written notice to the TRHM. In addition, the TRHM agrees to comply with and to appropriately respond to requests for information made to the TRHM pursuant to the Texas Public Information Act ("TPIA"), in the event the TPIA applies. The City agrees to provide administrative support to the TRHM, including support from the City's Attorney as may be appropriate or necessary, in regard to any

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applicable TPIA requests for information or records maintained by the TRHM in regard to the Museum and/or this Agreement.

5. CONDITION OF EQUIPMENT; ACCESSIONING AND DE-ACCESSIONING AND IMPROVEMENT PLAN

5.1 The TRHM agrees to move the equipment and Collection items listed in Attachment B and other railroad-related artifacts and items to the Site. City and the TRHM agree that the equipment and Collection are now and hereafter governed by the rules of improvement and accessioning and de-accessioning contained in this Section 5 of the Agreement. The City agrees and acknowledges that the TRHM and the Gulf Coast Chapter of the National Railway Historical Society do not relinquish any right, title or interest in or to any of the equipment or Collection items identified on Attachment B or that may be subsequently brought to and/or used at the Site or Museum.

5.2 The TRHM retains the unilateral right to accession (i.e. acquire) or de-accession (i.e. remove) the Collection items, rolling stock, equipment or other artifacts and items to enhance the Museum.

5.3 The TRHM will, at its sole cost, retain the right to move additional Collection items, rolling stock or other artifacts to the Museum and/or onto the Site and to temporarily remove Collection items, rolling stock or other artifacts from the Museum or the Site for fundraising, display or repair purposes without seeking City approval. For the purposes of this section, "temporarily" will mean a time period not exceeding 180 days.

5.4 The TRHM agrees that it will improve and maintain the Collection to present a good external appearance according to an improvement schedule to be developed in conjunction with the Master Plan referenced in Section 4.

5.5 Nothing in this section shall be construed as prohibiting the TRHM or the Gulf Coast Chapter of the National Railway Historical Society from removing any equipment or Collection items listed in Attachment B (or that may otherwise or subsequently be placed in the Museum or at the Site) for restoration to operating condition.

6. CITY RESPONSIBILITIES

6.1 The City has completed a Phase I environmental assessment on the Site property, and affirms that no hazardous conditions exist at the Site based on this assessment. The City agrees that the TRHM has no responsibility (monetary or otherwise) for mitigating or otherwise addressing in any manner, any pre-existing hazards discovered as a result of the Phase I or future assessments.

6.2 The City agrees to provide security at the Museum to the same standard that is now applied to the Tomball Depot and other City property in the vicinity of the Site.

6.3 The City agrees to provide access by Museum visitors to nearby toilet facilities meeting all applicable city codes, and to clean and maintain the toilet facilities on a regular schedule, including stocking with toilet paper, soap and paper towels or other hand-drying device.

6.4 The City agrees to provide and maintain vehicle parking spaces adequate to accommodate Museum visitors and/or meet the requirements of any current or future

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City parking ordinances.

6.5 The City agrees to mow grass at and remove leaves from the Site on a regular basis or make arrangements for such actions to be undertaken by a third party.

6.6 The City agrees to provide solid waste collection services and containers appropriate for the Museum operations.

6.7 The City agrees to assist the TRHM with promotional support through its marketing/advertising department, although final decisions and responsibility for marketing rest with the TRHM.

6.8 The City agrees to assist the TRHM in working with BNSF Railway and other third-party entities on timing and scheduling for installation and removal of temporary switch and track required for the relocation of the designated railroad cars and locomotives to the Museum site.

7. EVENTS OF DEFAULT AND REMEDIES; TERMINATION

7.1 The following shall constitute events of default by the TRHM under this Agreement:

- 7.1.1 Failure to open Museum to the public by the designated time.
- 7.1.2 Failure to comply with major provisions of this Agreement including but not limited to the schedules for Museum development and subsequent opening hours.
- 7.1.3 Failure to abide by City ordinances or other applicable laws.
- 7.1.4 Failure to maintain tax-exemption under section 501(c)(3) of the Internal Revenue Code.
- 7.1.5 The TRHM's filing of voluntary petition of bankruptcy or reorganization under the United States Bankruptcy Act.

7.2 In the event City believes the TRHM to be in default, the City shall inform the TRHM in writing of the nature of the default, and the TRHM shall have 180 days to cure such default to the satisfaction of the City.

7.3 If the default is not cured, the City may unilaterally terminate this Agreement by written notice to the TRHM. In the event of termination, the TRHM shall have two years to remove the Collection from the Site, and the City shall permit the TRHM reasonable access for such removal.

7.4 If the TRHM fails to remove the Collection or other of the TRHM's property from the Site within two years of having been notified of the termination of this Agreement, any remaining property on the Site shall be deemed to be owned by the City.

7.5 The following shall constitute events of default by the City under this Agreement:

- 7.5.1 Failure to disclose and/or mitigate hazards and/or easements encumbering the site prior to the start of development of the Museum.
- 7.5.2 Designating any part of the Site for use other than as a railroad museum without prior written agreement between the City and the TRHM.
- 7.5.3 Failure to comply with major provisions of this Agreement, including but not limited to the City Responsibilities detailed in Section 6.

7.6 In the event the TRHM believes the City to be in default, the TRHM shall inform the City in writing of the nature of the default, and the City shall have 180 days to cure such default to the satisfaction of the TRHM.

7.7 If the default is not cured, the TRHM may unilaterally terminate this Agreement by

written notice to the City. In the event of termination, the TRHM shall have two years to remove the Collection and all other TRHM property from the Site, and the City shall permit the TRHM reasonable access for such removal.

7.8 If the TRHM fails to remove the Collection or any property from the Site within two years of having notified the City of the termination of this Agreement, any remaining property on the Site shall be deemed to be owned by the City.

8. MISCELLANEOUS

8.1 The parties to this Agreement further agree to use their good faith efforts to carry out the transactions herein.

8.2 Any notices or other communications required or desired to be required to be given from one party to the other party to this Agreement shall be given in writing and delivered by courier, overnight delivery, facsimile or certified first-class mail to the following addresses:

To: City of Tomball
Attention: City Manager
401 Market Street
Tomball, TX 77375

To: Texas Railroading Heritage Museum, Inc.
Attention: President
P. O. Box 123
Tomball, TX 7377-0124

8.3 This Agreement between the TRHM and the City shall be interpreted and the rights of the parties hereto determined in accordance with the laws of the State of Texas without regard to the conflicts of laws principles thereto and venue for any dispute or legal proceeding arising under or relating to this Agreement shall be held solely and exclusively in State District Court in Harris County, Texas, and the parties expressly consent to such jurisdiction.

8.4 The parties hereto shall comply in all material respects with all applicable laws in connection with the development and construction of the Site facilities and Museum improvements.

8.5 This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns. This Agreement may not be assigned without the prior written consent of the party hereto.

8.6 This Agreement (including the Attachments hereto) shall constitute the full and entire understanding and agreement of the parties hereto with regard to the subject matter hereof and thereof and supersede any prior or contemporaneous agreement or understanding among the parties.

8.7 This Agreement may be amended only with the written consent of the parties hereto. In addition to any other provision for termination contained herein, if the TRHM determines that this Agreement and the Museum are no longer financially or programmatically desired, the TRHM may terminate this Agreement with at least 1-

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year written notice of intent to terminate given to the City. In the event of termination of this Agreement, the TRHM shall have two years to remove the Collection and all TRHM property from the Site, and the City shall permit the TRHM reasonable access and create no undue burden for such removal. If the TRHM fails to remove the Collection or other of TRHM's property from the Site within two years of having been notified of the termination of this Agreement, any remaining property on the Site shall be deemed to be owned by the City.

8.8 No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel to enforce any provision of this Agreement, except by written instrument of the party charged with such waiver or estoppel.

8.9 If any provision of this Agreement shall be invalid, illegal or unenforceable, such provision shall be reformed to the extent necessary to permit enforcement thereof, and the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

8.10 The parties hereto intend that this Agreement shall not benefit or create any right or cause of action or any third-party beneficiary, or any individual other than the parties hereto and their assigns.

8.11 This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute one and the same instrument.

8.12 This Agreement shall be deemed drafted equally by all parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any party shall not apply.

8.13 Neither the City nor the TRHM will be liable for any failure or delay in their respective performance under this Agreement due to causes that are beyond such party's reasonable control ("Force Majeure Event") including, but not limited to, Acts of God, acts of civil or military authority, fires, epidemics, floods, earthquakes, riots, wars, sabotage, labor shortages or disputes, and government actions. A Force Majeure event will not constitute grounds for default under the terms of this Agreement unless otherwise agreed, in writing, by the City and the TRHM.

IN WITNESS WHEREOF, this Agreement has been executed by the undersigned as of the date indicated.

CITY OF TOMBALL, TEXAS

Robert S. Hauck
City Manager

Date 2/3/2020

TEXAS RAILROADING HERITAGE MUSEUM, INC.

Willard C. Capdevielle, P.E.
President

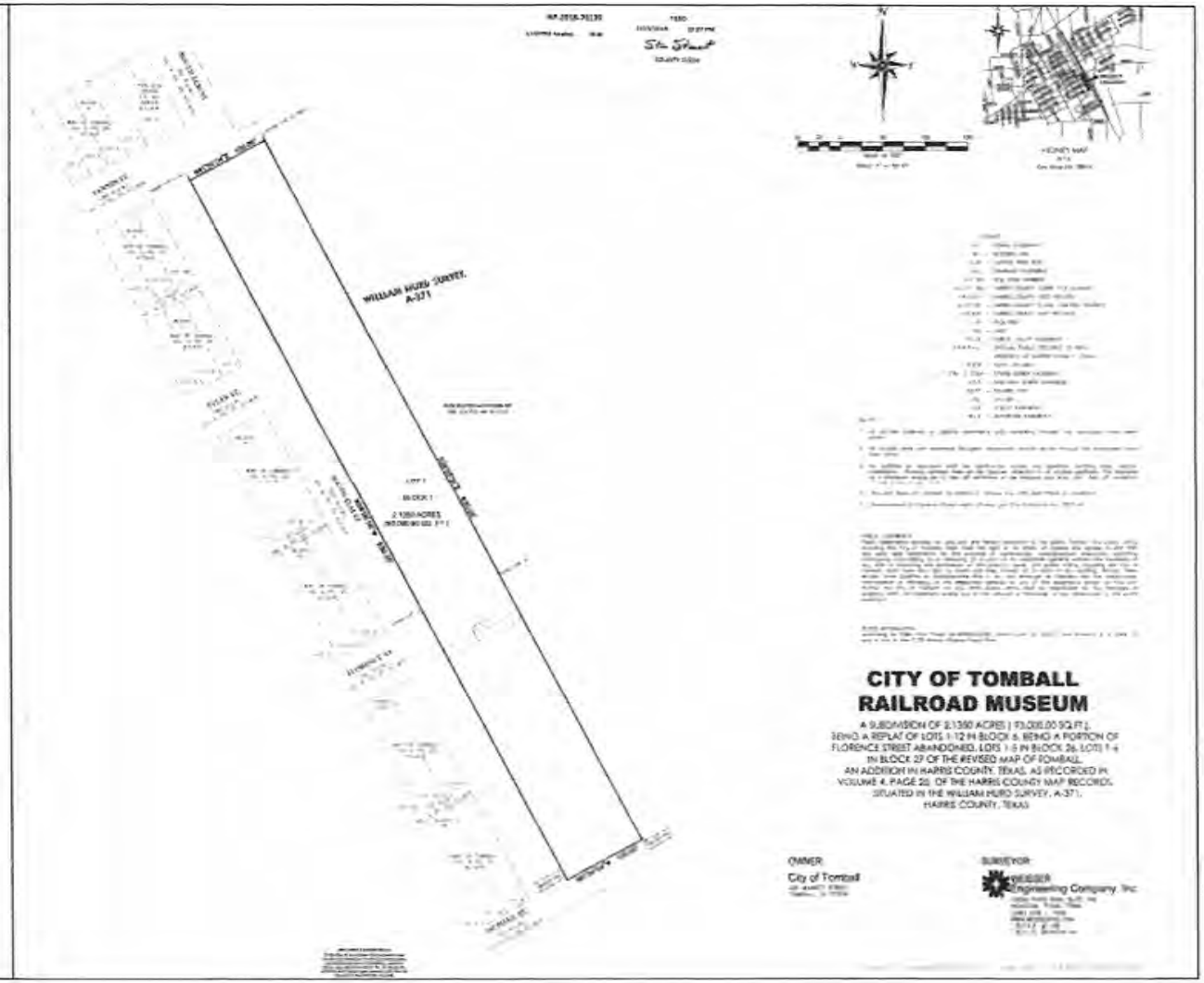
Date 01/14/2020

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Attachment A: DESCRIPTION AND CONDITION OF THE SITE

The Museum site shall consist of the 3.2 acres of land south of the Tomball Depot, extending 930 feet along the BNSF Right-of-Way and 100 feet wide. Additionally the site will include special to use the 50 foot wide South Elm Street Right-of-Way from Fannin Street to McPhail Street – as shown on the plat to the right.

This site is zoned "Old Town & Mixed Use."



Attachment B: The Collection to be displayed at the Museum
(AS OF AUGUST 31, 2019)

Locomotives:

Houston Belt &Terminal 14 Alco S-2 Switcher, built 1945
Texas Mexican Railway 510 Baldwin DS44-750 Switcher, built 1949

Passenger, railway mail and express equipment:

Amtrak 3395 Super Chief Lounge Car, built 1950
Atchison, Topeka & Santa Fe 1890 End-door Express Car, built 1928
Atchison, Topeka & Santa Fe 3401 Baggage/Express-Railway Post Office Car,
built 1938 Gulf, Mobile & Ohio Alton Parlor Car, built 1947
Missouri Pacific Eagle Chasm Texas Eagle Sleeping Car, built 1949
Spokane, Portland & Seattle 50 Mail Storage Car (originally Baggage-Railway Post Office),
built 1915 Texas & Pacific 1114 Baggage Car, built ca. 1920

Freight cars:

CSOX 2198 Tank Car, built 1927
MHAX 1237 Helium Car, built 1955 (on permanent loan from Bureau of Land Management)
MKT 6 Cupola Caboose, built 1949
SP 4696 Bay Window Caboose, built 1979
VTTX 92309 TrailerTrain Intermodal Flat Car, built 1967

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OPERATING AGREEMENT

Between

Gulf Coast Chapter - National Railway Historical Society, Inc., a non-profit corporation

And

Texas Railroading Heritage Museum, Inc., a non-profit corporation

Whereas, Gulf Coast Chapter - National Railway Historical Society, Inc. (hereinafter "Chapter") wishes to delegate to Texas Railroading Heritage Museum, Inc. (hereinafter "TRHM", collectively "Parties"), the management and development of the Texas Railroading Heritage Museum (hereinafter "Museum") now therefore the following Operating Agreement (hereinafter "Agreement") is provided to specify the terms of this arrangement.

1. Effective Date: This Agreement will become effective upon the completion of ALL of the following:
    a. A dated signature by the Chapter
    b. A dated signature by TRHM
    c. A fully executed Land Lease and Museum Development Agreement, as required in Paragraph 4 of this Agreement, between TRHM and the City of Tomball
2. Term: The term of this agreement will be from the Effective Date for a period of twenty-five calendar years, automatically renewable for any number of additional twenty-five year periods at the terms stated in this Agreement, provided that the Land Lease and Museum Development Agreement between the TRHM and the City of Tomball is in effect (see paragraph 4).
3. Lease of Collection: As long as this Agreement is in force, and the terms of this Agreement are met, Chapter will lease to TRHM the Chapter's collection of railroad rolling stock (as described further in Appendix A) and other historic artifacts (collectively the "Leased Assets"). The Lease excludes the railroad rolling stock designated in Appendix A as "Special Rules Cars". Special Rules Cars are governed by the provisions in Paragraph 16 of this Agreement. The Lease also excludes the Chapter's Library and Archives, although this agreement anticipates cooperation between TRHM and Chapter in the future care and storage of the Library and Archives at the Museum site to the mutual benefit of both parties to this agreement.
4. Land Lease: TRHM will negotiate and execute a new Land Lease and Museum Development Agreement with the City of Tomball for the 3.2-acre, 930-foot by 150-foot plot of land along the BNSF mainline just south of the existing Tomball Depot and Caboose as described in Appendix B, including the Elm St. Right of Way (hereinafter "Site"). The Land

Lease and Museum Development Agreement will supersede the Land Lease and Museum Development Agreement previously executed by Chapter and the City of Tomball. This Land Lease will be for a period of 25 calendar years, automatically renewable for up to three additional 25-year terms. Chapter agrees that the new Land Lease and Museum Development Agreement may require that Chapter remove the Leased Assets and other Chapter property from the Site in the event the Museum closes. TRHM will provide Chapter notice in writing in the event that Chapter is required to remove the Leased Assets and other Chapter property from the site. Chapter shall have two years to remove the Leased Assets and other Chapter property from the Museum Site, and TRHM or its successors shall permit Chapter reasonable access for such removal. If Chapter fails to remove the Leased Assets and other Chapter property from the Museum Site within two years of having been notified of the termination of this Agreement, any Leased Assets and Chapter property remaining on the site shall be deemed to be owned by TRHM and/or the City of Tomball pursuant to the Land Lease and Museum Development Agreement referenced in this paragraph.

5. Delegation of Authority to TRHM: TRHM will have full authority to develop and operate the Texas Railroading Heritage Museum and will act as agent for the Chapter regarding the Leased Assets, and is authorized to take all actions needed to operate the Museum as a public institution pursuant to the new TRHM Land Lease and Museum Development Agreement with the City of Tomball cited in Paragraph 4 above. Except as otherwise provided for in this agreement, these actions shall include but not be limited to repair, restoration and/or renovation of the railroad cars and other Leased Assets, selection of railroad cars, historic artifacts and other Leased Assets for display at the Museum, museum layout and positioning of equipment, patron security, hiring of staff and organization of volunteers, and soliciting and maintaining funds for the purposes of this Agreement. Unless otherwise agreed in advance and in writing on a case-by-case basis, this Delegation of Authority does not permit TRHM or any other party, organization or government department or agency under any circumstances to make substantial and/or irreversible structural and/or other changes to the interiors and/or exteriors of any of the railroad cars or to the other Leased Assets that alter the historic character or original nature of the cars or other Leased Assets, nor does this agreement give TRHM or any other party, organization or government department or agency under any circumstances except as specified in Paragraph 16 below the authority to sell or otherwise by any means dispose of any of the Leased Assets without the express written permission of Chapter. Chapter retains the unilateral right to accession (i.e. acquire) or de-accession (i.e. remove) rolling stock, equipment and other artifacts and items among the Leased Assets to enhance the Museum and/or support fund raising, display or repair purposes.

6. In the event the Chapter wishes to remove rolling stock, equipment and/or other artifacts and items among the Leased Assets for restoration to operating condition and/or long-term offsite operating charter or operating lease, Chapter will bear all costs of movement to or from Museum unless otherwise agreed by TRHM and Chapter.

7. Ownership of Assets: Chapter will continue to be the owner of all railroad cars and historic artifacts, including all of the Leased Assets and the Special Rules Cars identified in Appendix A to this Agreement. Additional assets acquired through purchase by or donation

to Chapter will be owned by Chapter and will become Leased Assets if selected by TRHM for display. Additional assets acquired by or donated to TRHM will be owned by the Museum exclusively unless otherwise provided in a specific written agreement between TRHM and Chapter.

8. Governance: The TRHM Board of Directors will adopt a set of bylaws and may modify them from time to time insofar as they do not violate the terms of this Agreement. The TRHM board members initially will consist of no more than nine individuals. Three board members will be appointed by Chapter, one will be appointed by the City of Tomball, one will be appointed by Harris County, and the remainder will be elected by the TRHM Board of Directors in accordance with TRHM's Bylaws. Once the TRHM initiates a fundraising campaign aimed at philanthropic organizations, the TRHM Board of Directors may vote to modify the TRHM Bylaws to increase the number of Board members to no more than 12. After the one-year anniversary of the initial opening of the museum, TRHM Board of Directors may vote to modify the TRHM Bylaws to decrease the number of Chapter-appointed Directors to two. In the event the TRHM Board of Directors votes to place annual donation requirements on Board members, one Chapter-appointed Board member will be exempt from meeting the required annual donation levels. Chapter may elect to pay the required TRHM Board member donations from its operating funds.

9. Chapter Nominees to Museum Board: Chapter Board of Directors will through a method of its own choosing appoint the required number of individuals to serve as Directors of the TRHM. Chapter at its sole discretion may change the individuals so appointed using the relevant processes defined in the TRHM's Bylaws.

10. Dual Board Membership Prohibited After Museum Opening: No individual may occupy a place on both the Chapter Board of Directors and TRHM Board of Directors after the one-year anniversary of the initial opening of the Museum.

11. Segregation of Funds: TRHM Funds and Chapter Funds will be segregated. Chapter Funds shall include all cash, stocks, bonds and any other financial or tangible assets on hand or in possession of Chapter as of the execution date of this agreement plus any subsequent revenue derived from Chapter dues, Chapter events, donations, contributions, grants and any other monies received or collected by any means by Chapter that are specifically allocated to Chapter and not designated for donation or transfer to TRHM. TRHM funds shall include all cash, stocks, bonds and any other financial or tangible assets on hand or in possession of TRHM as of the execution date of this agreement plus any subsequent revenue derived from TRHM events, donations, contributions, grants and any other monies received or collected by any means by TRHM.

12. Seed Money Funding: Within 30 days of the date of execution of this agreement, Chapter will transfer the remainder of the $300,000 of the Chapter Seed Money Funds into the TRHM bank account for the purpose of development and operation of the proposed Museum. Chapter will, by sole action of its Board of Directors, determine the remainder available under the provisions of Section 10 of the original Operating Agreement as executed on October 1, 2015. Upon completion of transfer of Seed Money Funds, unless

otherwise provided for in this agreement, TRHM becomes solely responsible for all decisions related to disbursement of funds from the TRHM Bank Account for the purposes of development and operation of the proposed Museum. No transferred Chapter funds under any circumstances will be paid or transferred to any member of the TRHM Board of Directors and/or his/her relations. In the event of cancellation of this Agreement or other termination of the operation of TRHM, any transferred Chapter funds remaining after the TRHM meets its legally required financial obligations will be returned to Chapter.

13. TRHM Financial Obligations to Chapter: Upon execution of this agreement, TRHM becomes responsible for all obligations related to the Leased Assets, including but not limited to ongoing storage costs, movement of the Leased Assets including railroad cars and historic artifacts to a storage location and/or to the Museum property, commercial general liability insurance providing coverage of at least $2 million per occurrence with Chapter as named assured and other reasonably incurred costs related to the Leased Assets for the entire period of this Agreement.

14. Lease Payment to Chapter: Chapter will receive a payment of $.50 per paid admission to the museum, plus $5.00 for each annual patron or other renewable or subscription membership sold through a program established by TRHM in support of the Museum. Such payments shall be made quarterly or otherwise as mutually agreed by Chapter and TRHM. Such payments shall in no way obligate Chapter to extend Chapter membership or related benefits to any participant in TRHM or Museum's annual, patron or other renewable or subscription membership program.

15. Access to Museum Site: Chapter members engaged in restoration, maintenance, repair and other similar activities related to the Leased Assets will be granted access to the site and Leased Assets for such purpose at any time other than during public operating hours or while special events are underway at the Museum. Access during public operating hours or special events for the purpose of restoration, maintenance, repair and other similar activities related to the Leased Assets will be agreed in advance by TRHM and Chapter. TRHM will not unduly limit or hinder Chapter access to the Leased Assets. Chapter will make all reasonable and legally-required efforts to ensure that all restoration, maintenance, repair and other similar activities related to the Leased Assets are carried out safely and in accordance with all applicable ordinances and legal requirements. As provided for in Paragraph 13 above, TRHM will maintain general liability insurance with the Chapter and other entities as named insureds as may be required to support restoration, maintenance, repair and other similar activities on the Museum Site. Chapter will have free access to and use of the Museum site for Chapter events. All Chapter events conducted at the Museum must be approved in advance by TRHM.

16. Special Rules Cars: Upon the execution date of this Agreement, Chapter anticipates that three railroad passenger cars designated in Appendix A as "Special Rules Cars" will be under long-term charter to a third-party excursion train operator. Notwithstanding any other provision of this Agreement, all decisions concerning the upkeep, repair, maintenance, restoration, de-accession, display, public access, and/or all other matters related to Special Rules Cars will be the sole purview of Chapter. Unless agreed by TRHM and Chapter by

execution of future written agreements, TRHM will not be required to utilize Museum funds for upkeep, repair, maintenance, restoration, de-accession, delivery to or removal from the Museum of the Special Rules Cars. If Chapter and TRHM agree at a future date that one or all of the Special Rules Cars are to be displayed on the Museum Site, TRHM will be solely responsible for the cost of construction of appropriate access steps, ramps, platforms, railings, exterior lighting, pathways and any other external additions needed or required by ordinance or law to ensure safe access to the car. Nothing in this paragraph will require that TRHM install or cause to have installed a permanent turnout on the BNSF mainline to the Museum site.

17. Default and Termination: In the event TRHM believes Chapter to be in default of the terms of this agreement, TRHM shall inform Chapter in writing of the nature of the default, and Chapter shall have 180 days to cure such default to the satisfaction of TRHM. If the default is not cured to the satisfaction of TRHM, TRHM may unilaterally terminate this agreement by written notice to Chapter. In the event of termination, Chapter shall have two years to remove the Leased Assets and other Chapter property from the Museum Site, and TRHM shall permit Chapter reasonable access for such removal. If Chapter fails to remove the Leased Assets and other Chapter property from the Museum Site within two years of having been notified of the termination of this Agreement, any Chapter property remaining on the site shall be deemed to be owned by TRHM and/or the City of Tomball pursuant to the Land Lease and Museum Development Agreement referenced in Paragraph 4 above. In the event Chapter believes TRHM to be in default of the terms of this agreement, Chapter shall inform TRHM in writing of the nature of the default, and TRHM shall have 180 days to cure such default to the satisfaction of Chapter. If the default is not cured to the satisfaction of Chapter, Chapter may unilaterally terminate this agreement by written notice to TRHM. In the event of termination, Chapter shall have two years to remove the Leased Assets and other Chapter property from the Museum Site, and TRHM shall permit Chapter reasonable access for such removal. If Chapter fails to remove the Leased Assets and other Chapter property from the Museum Site within two years of having been notified of the termination of this Agreement, any Chapter property remaining on the site shall be deemed to be owned by TRHM and/or the City of Tomball pursuant to the Land Lease and Museum Development Agreement referenced in Paragraph 4 above. TRHM will not enter into any agreement with any other party, organization or government department or agency under any circumstances that would render the provisions of this paragraph invalid or unenforceable.

18. Severability: The invalidity or unenforceability of any provisions of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.

19. Previous Agreements: This agreement replaces and supersedes any agreements executed by the Parties prior to the execution of this new Operating Agreement.

20. Governing Law and Venue. This Agreement will be governed by and construed in accordance with the laws of the State of Texas without regard to any conflict of laws rule or principle that might refer the governance or construction of this Agreement to the laws of another jurisdiction. Subject to the sovereign immunity of the State of Texas, any legal

proceeding brought in connection with disputes relating to or arising out of this Agreement will be filed and heard in Harris County, Texas, and each party waives any objection that it might raise to such venue and any right it may have to claim that such venue is inconvenient.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the latest date signed by representatives of both Parties.

For Texas Railroading Heritage Museum, Inc.

Printed Name: Willard C. Capdevielle, P.E.

Signature: Willard C Capdevielle Date: 9/13/2019

Title: President & CEO

For Gulf Coast Chapter - National Railway Historical Society, Inc.

Printed Name: James Goldmeyer

Signature: Date: 9/17/19

Title: President/TREASURE

TRHM

Chapter

9/14/2020

Appendix A: GULF COAST CHAPTER - NRHS RAILROAD ROLLING STOCK ROSTER

(As of August 1, 2019)

LEASED ASSETS

Locomotives:
Houston Belt &Terminal 14 Alco S-2 Switcher, built 1945
Texas Mexican Railway 510 Baldwin DS44-750 Switcher, built 1949

Passenger, railway mail and express equipment:
Amtrak 3395 Super Chief Lounge Car, built 1950
Atchison, Topeka & Santa Fe 1890 End-door Express Car, built 1928
Atchison, Topeka & Santa Fe 3401 Baggage/Express-Railway Post Office Car, built 1938
Gulf, Mobile & Ohio Alton Parlor Car, built 1947
Missouri Pacific Eagle Chasm Texas Eagle Sleeping Car, built 1949
Spokane, Portland & Seattle 50 Mail Storage Car (originally Baggage-Railway Post Office), built 1915
Texas & Pacific 1114 Baggage Car, built ca. 1920

Freight cars:
CSOX 2198 Tank Car, built 1927
MHAX 1237 Helium Car, built 1955 (on permanent loan from Bureau of Land Management)
MKT 6 Cupola Caboose, built 1949
SP 4696 Bay Window Caboose, built 1979
VTTX 92309 TrailerTrain Intermodal Flat Car, built 1967

SPECIAL RULES CARS

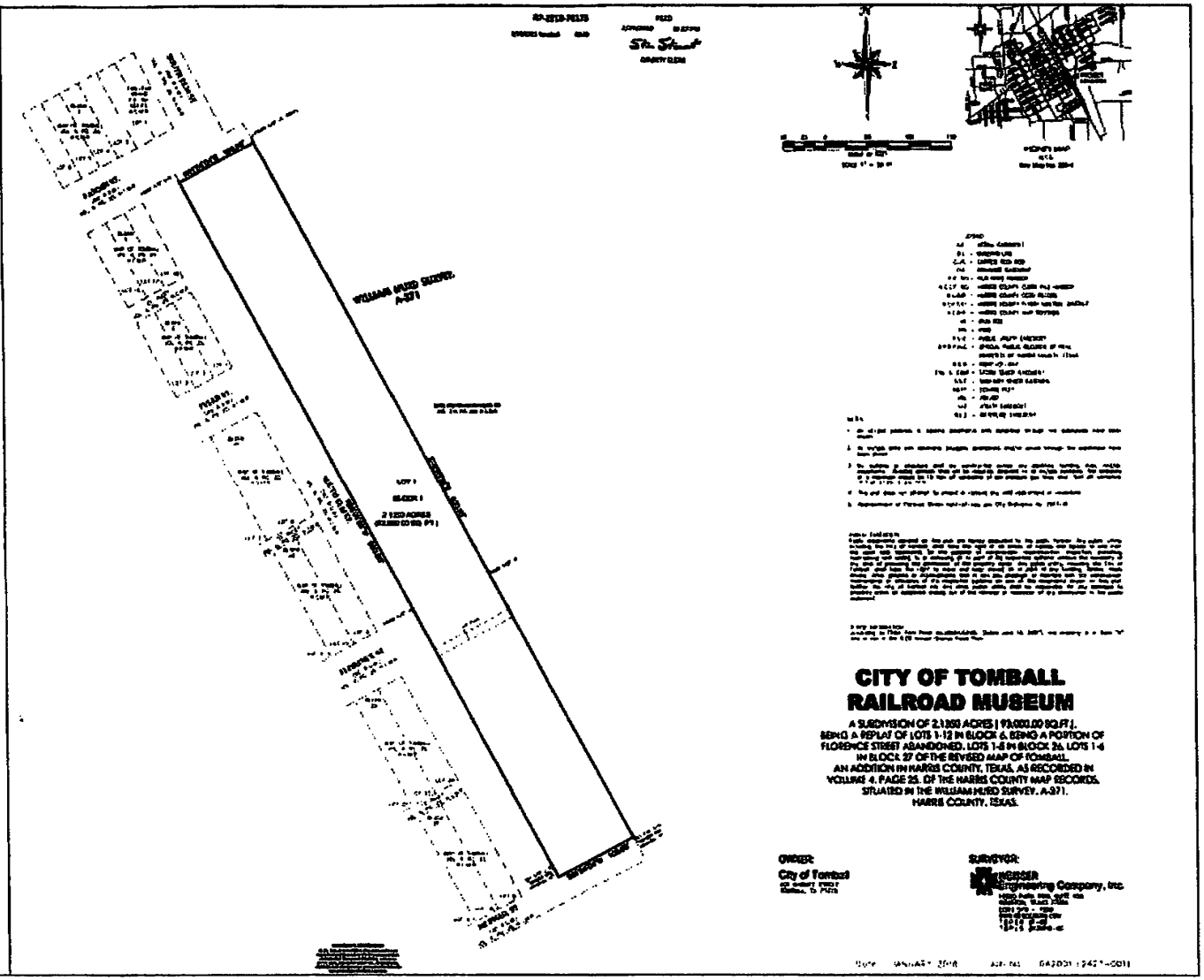
Kansas City Southern Good Cheer Southern Belle Tavern-Lounge-Observation Car, built 1940
Missouri-Kansas-Texas New Braunfels Texas Special Chair Car, built 1955
Southern Pacific 10212 Sunset Limited Dining Car, built 1950

NOTE: See Paragraph 16 of the Operating Agreement to which this list is appended.

APPENDIX B: Site Plan

The Museum site shall consist of the 3.2 acres of land south of the Tomball Depot, extending 930 feet along the BNSF Right-of-Way and 100 feet wide. Additionally the site will include use the 50 foot wide South Elm Street Right-of-Way from Fannin Street to McPhail Street – as shown on the plat to the right.

This site is zoned "Old Town & Mixed Use."



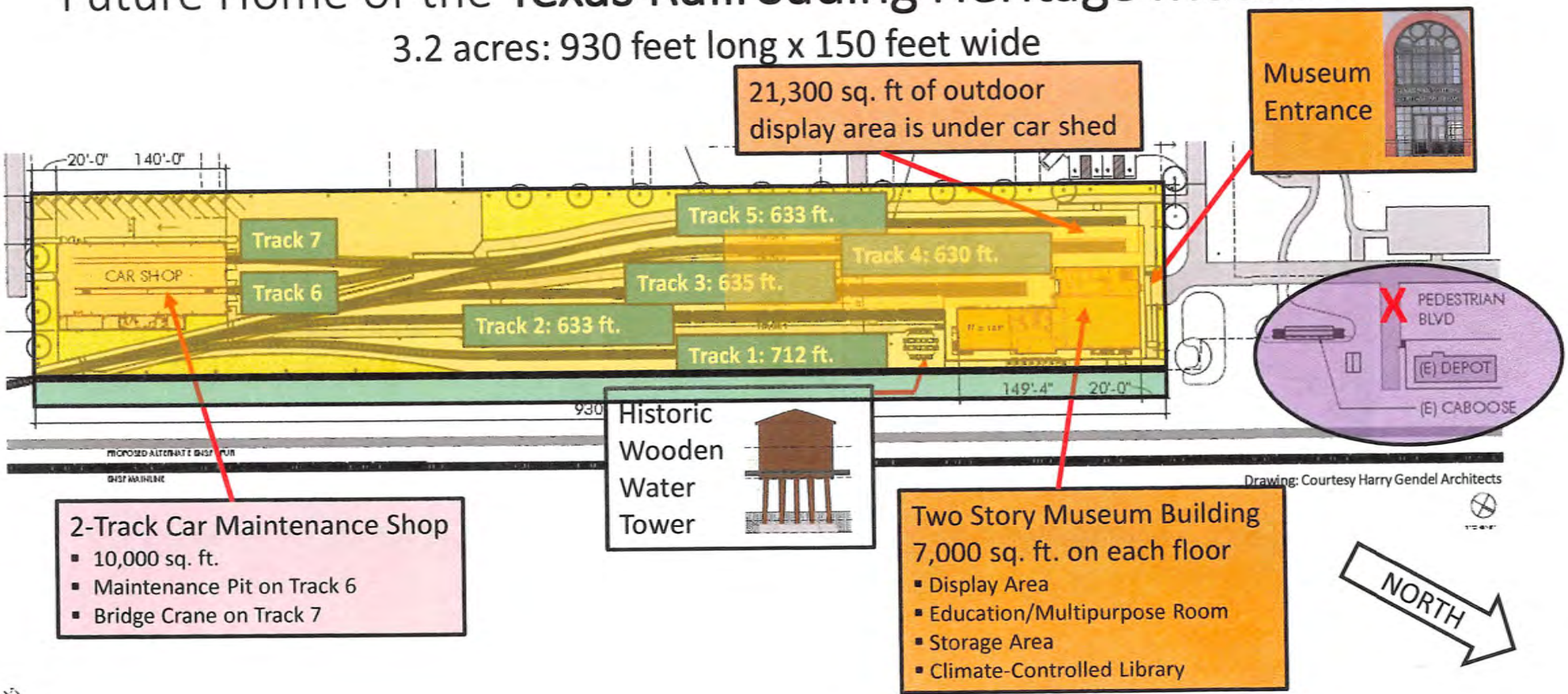
01/14/2020

TRHM _____

Chapter _____

Future Home of the **Texas Railroading Heritage Museum**

3.2 acres: 930 feet long x 150 feet wide



ATTACHMENT D to TRHM/Tomball Land Lease and Museum Development Agreement

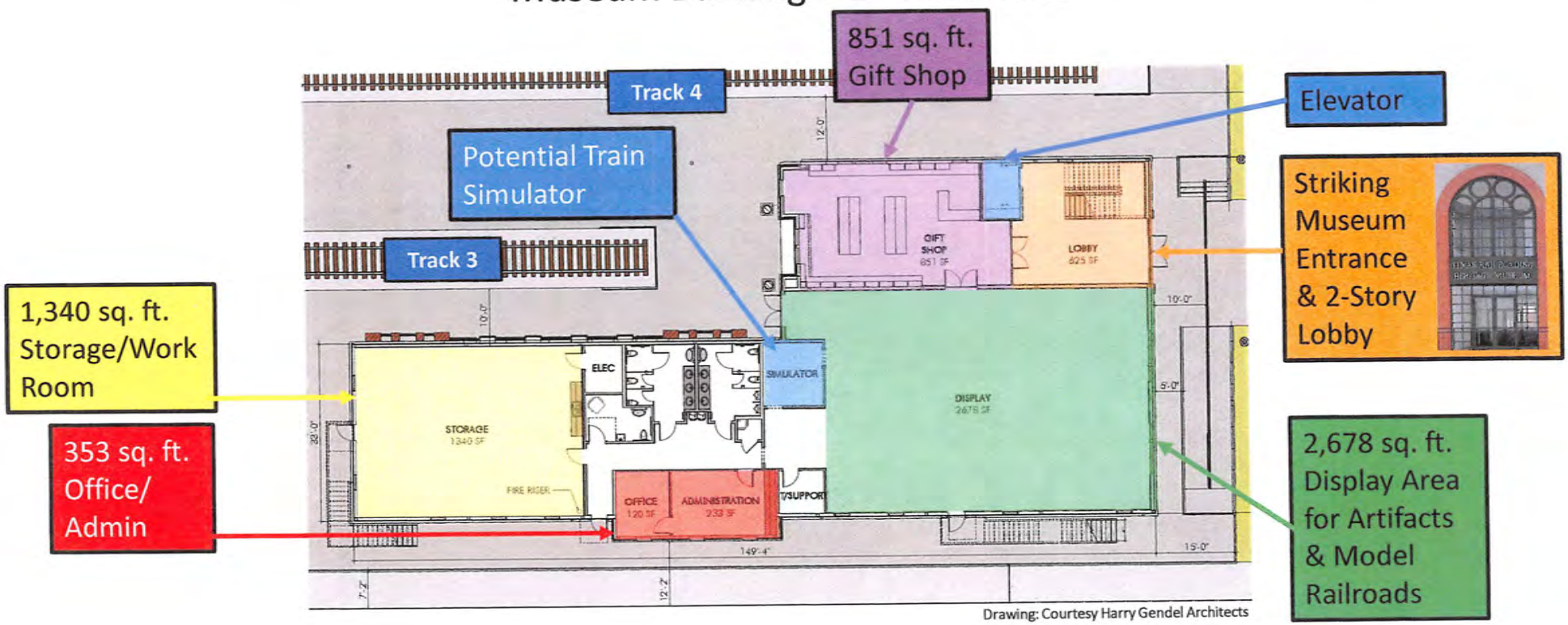
Texas Railroading Heritage Museum at Tomball



Rec'd 11/4/2020

Future Home of the **Texas Railroading Heritage Museum**

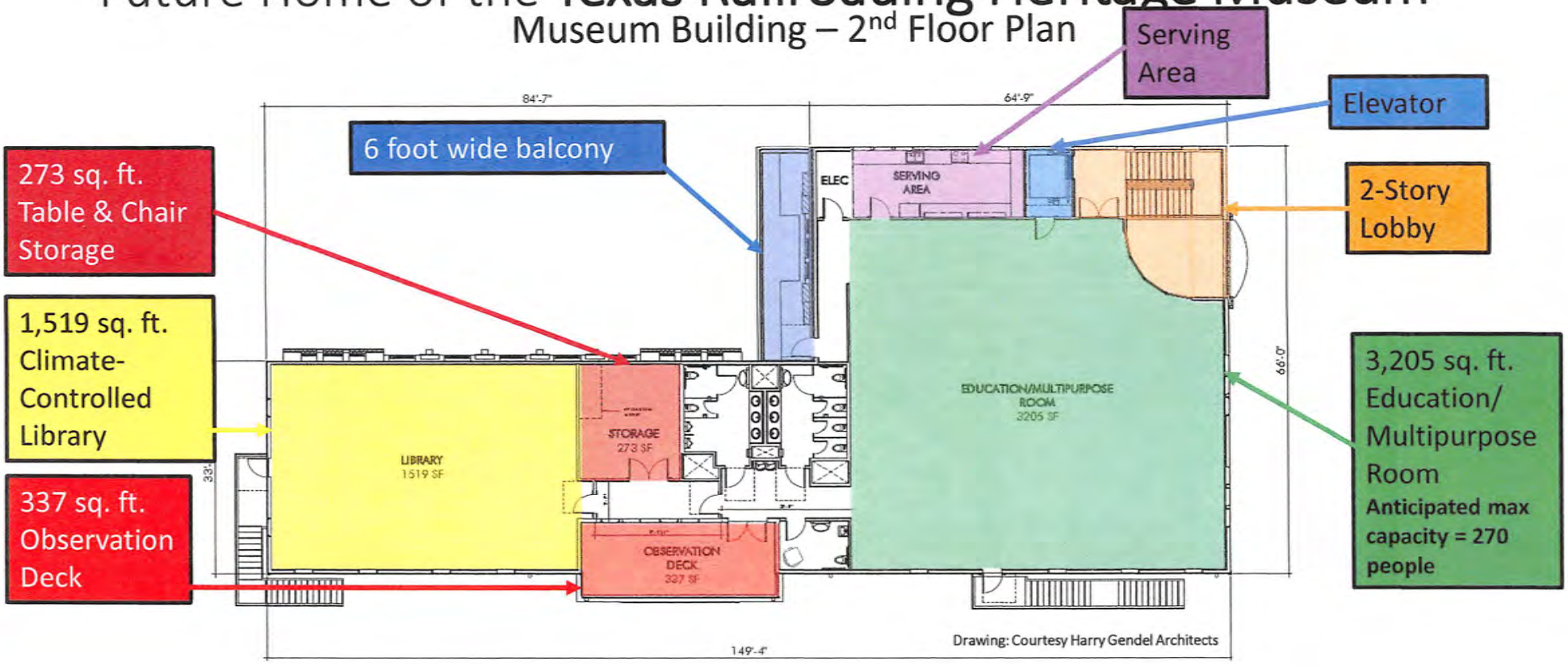
Museum Building – 1st Floor Plan



Drawing: Courtesy Harry Gendel Architects

Future Home of the **Texas Railroading Heritage Museum**

Museum Building – 2nd Floor Plan

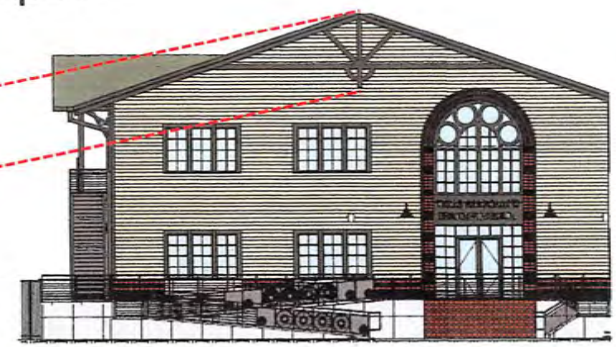


Future Home of the **Texas Railroading Heritage Museum**

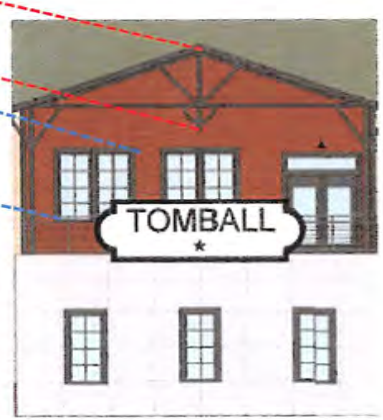
Museum Building – Inspirations

#1 – The Tomball Depot





Drawing: Courtesy Harry Gendel Architects



Drawing: Courtesy Harry Gendel Architects

- Opened in 1907 for T&BVRR

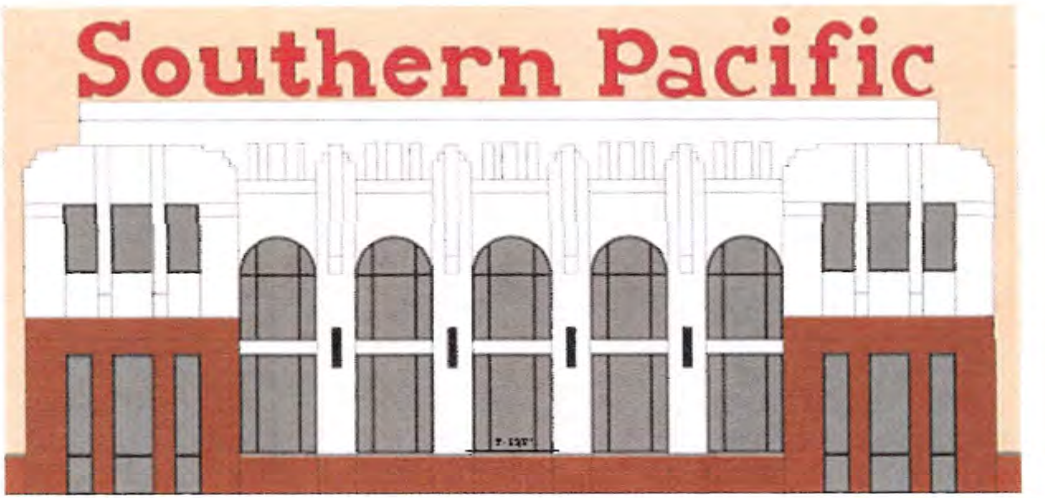
Future Home of the Texas Railroading Heritage Museum

Museum Building – Inspirations

#2 – Houston Grand Central Station



- Opened in 1934 for Southern Pacific,
- Torn down in 1959; replaced with new Houston main Post Office;
- Distinctive "Art Deco" style



Drawing: Courtesy Harry Gendel Architects

This Feature Wall will display original lighted "Southern Pacific" letters from Houston's Grand Central Station

Future Home of the **Texas Railroading Heritage Museum**

Museum Building – Inspirations

#3 – Houston Union Station



- Opened in 1911 for various railroads,
- Added to **National Register of Historic Places** in 1977,
- Renovated in 2000 to become lobby in new Minute Maid Park;
- Distinctive Victorian style



Drawing: Courtesy Harry Gendel Architects

This Feature Wall will include a 6-foot wide balcony – perfect for wedding photos.

Rec'd 01/14/2016

Texas Railroading Heritage Museum – Car Shop

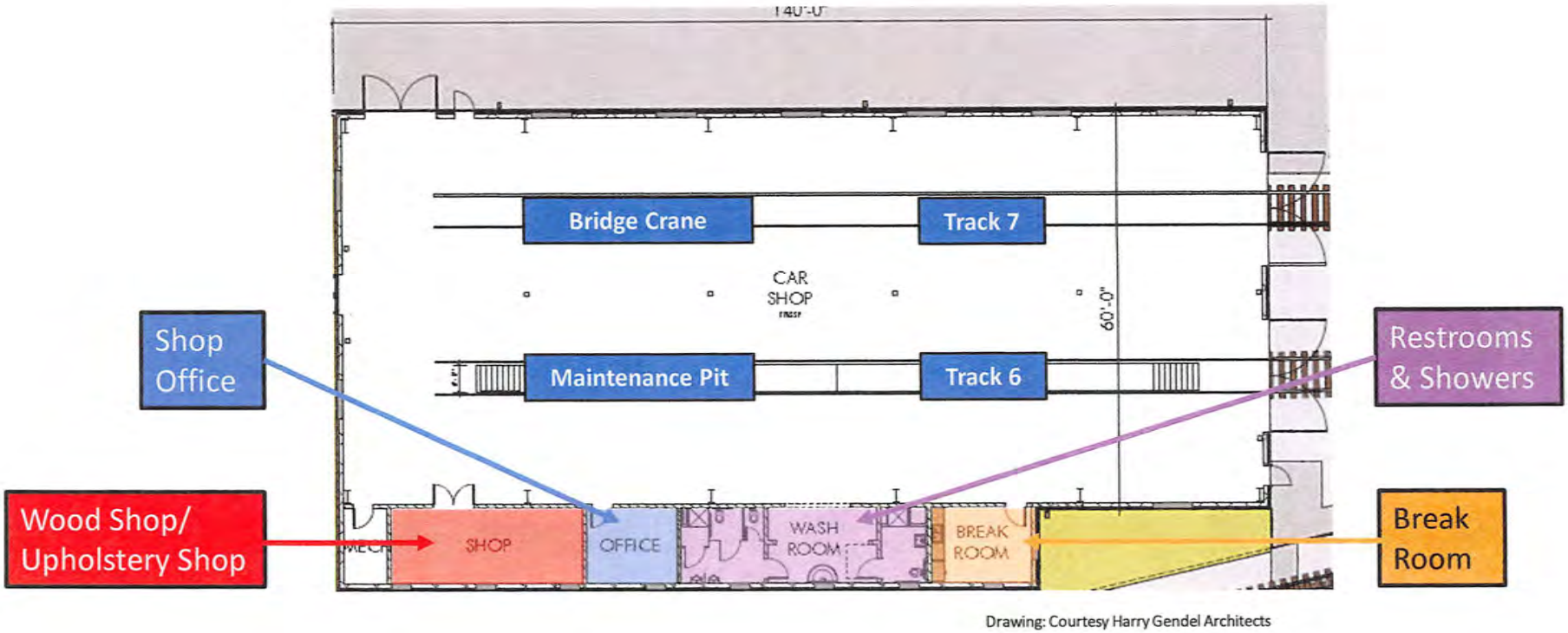
- On south end of site
- Faces McPhail Street
- To be used for maintenance of vintage rail cars.
- 10,000 sq. ft.
- Two 100 ft. tracks
- Maintenance Pit
- Bridge Crane
- Workshop
- Office
- Break Room
- Restrooms/Showers



Drawing: Courtesy Harry Gendel Architects

Future Home of the **Texas Railroading Heritage Museum**

Car Shop Floor Plan



Drawing: Courtesy Harry Gendel Architects