

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



MONDAY, JANUARY 20, 2020

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, January 20, 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

2.0 Invocation

- Led by Pastor Brandon Guindon – Real Life Ministries

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 Presentations:

- 2019 Employees of the Year – **Lauren Sykora** and **Jamy Brock**
- Presentation by GTACC of the **2019 GTACC Citizen of the Year – Robert Elliot**

Bradfield, Jr.

- Proclamation – ***“Robert Elliot Bradfield, Jr. – 2019 Greater Tomball Area Chamber of Commerce Citizen of the Year” Day***

6.0 Reports and Announcements

- February 14, 2020 – Last day to apply for Place on Ballot for the May 2, 2020 General City Election
- February 25, 2020 – ***Trail Reception*** – 12 Noon at the Depot
- March 21, 2020 – ***Tomball Honky Tonk Chili Challenge Festival*** at the Depot – 11:00 a.m.-6:00 p.m.
- March 27-29, 2020 – **Tomball German Sister City Heritage Festival** at the Depot
- Reports by City staff and members of Council about items of community interest on which no action will be taken:

7.0 Approve the Minutes of the January 6, 2020 Regular Tomball City Council Meeting

8.0 New Business:

- 8.1 Reappoint Sherrie Meicher as the City of Tomball's Representative to the Southeast Texas Housing Finance Corporation (SETH) Board of Directors, New Term Expiring January 21, 2023
- 8.2 Appoint Member to the Tomball Economic Development Corporation, to Complete Unexpired Vacancy, Expiring May 31, 2020
- 8.3 Award Contract for E&P Project 2019-10022, North Star Estates Drainage Improvements, to Gael, Inc. for a Total Contract Amount of \$364,644.00 and Authorize the City Manager to Execute the Necessary Documents
- 8.4 Approve Resolution No. 2020-03, a Resolution of the City of Tomball, Texas, Adopting the City of Tomball's Investment Policy, as Set Out in City of Tomball Administrative Policy No. 13, Entitled *"Investment Policy"*
- 8.5 Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
 - Sec. 551.074 – Deliberation Regarding the Appointment, Employment, Evaluation, Duties, of an Interim Chief of Police
- 8.6 Consideration and Possible Approval of Contract of Employment with an Interim Chief of Police

9.0 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 16th day of January 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: January 20, 2020

Topic:

- Led by Pastor Brandon Guindon – Real Life Ministries

Background:

Origination:

Recommendation:

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

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: January 20, 2020

Topic:

- 2019 Employees of the Year – **Lauren Sykora** and **Jamy Brock**
- Presentation by GTACC of the *2019 GTACC Citizen of the Year – Robert Elliot Bradfield, Jr.*
- Proclamation – *“Robert Elliot Bradfield, Jr. – 2019 Greater Tomball Area Chamber of Commerce Citizen of the Year” Day*

Background:

Origination:

Recommendation:

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

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

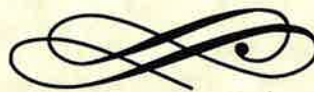
ATTACHMENTS:

Proclamation – “Robert Elliot Bradfield, Jr. – 2019 Greater Tomball Area Chamber of Commerce Citizen of the Year” Day

Office of the Mayor
Tomball, Texas



Proclamation



- WHEREAS, Robert Elliot Bradfield, Jr.** retired 29 years ago, after 35+ years as a licensed professional engineer, utilizing his natural gas engineering degree in management positions at Houston Pipeline Company, only to work internationally on UK pipelines following his retirement; and
- WHEREAS, Robert Bradfield, Jr.** is another of Tomball's 'unsung heroes', in that he has selflessly served the Tomball community for 52 years; and
- WHEREAS, Robert Bradfield, Jr.** has served on the board of Habitat for Humanity and Tomball Museum, helped expand and build the current Little League fields, built a playhouse for the Ronald McDonald House Houston main campus, took volunteer crews to Tomska, Russia, to build orphanages, assists with Tomball United Methodist Church' semi-annual home repair events, worked with Habitat for Humanity Northwest for 15+ years (and was nationally recognized as a leader), and in many other volunteer activities; and
- WHEREAS, Robert Bradfield** is a member of Tomball United Methodist Church and has held every volunteer position multiple times, including trustee, head of Pastor/Parish Committee, Finance Committee, and Project Manager for the construction of the Education building; and
- WHEREAS, Robert Bradfield's** dedication to the citizens of our community has been exemplified through his quiet service in this community, doing great deeds with little or no recognition—**Robert** prefers serving quietly, as he shows his faith by his service, living by Micah 6:8 "to do justly, and to love mercy, and to walk humbly with thy God" (KJV);

NOW, THEREFORE, by virtue of the authority vested in me as **Mayor of the City of Tomball**, on behalf of the Tomball City Council and all citizens hereof, I do hereby proclaim **Monday, January 20, 2020**, as:

***"Robert Elliot Bradfield, Jr. – 2019 Greater Tomball Area
Chamber of Commerce Citizen of the Year" Day***



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

[Signature]

Attest: *[Signature]*

Date: *January 13, 2020*

Regular City Council
Agenda Item
Data Sheet

Meeting Date: January 20, 2020

Topic:

- February 14, 2020 – Last day to apply for Place on Ballot for the May 2, 2020 General City Election
- February 25, 2020 – *Trail Reception* – 12 Noon at the Depot
- March 21, 2020 – *Tomball Honky Tonk Chili Challenge Festival* at the Depot – 11:00 a.m.-6:00 p.m.
- March 27-29, 2020 – *Tomball German Sister City Heritage Festival* at the Depot
- Reports by City staff and members of Council about items of community interest on which no action will be taken:

Background:

Origination:

Recommendation:

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

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

ATTACHMENTS:

Trailride Reception

Sam Houston Trail Ride Reception

February 25, 2020

High Noon

201 S. Elm, Tomball TX



Regular City Council
Agenda Item
Data Sheet

Meeting Date: January 20, 2020

Topic:
Approve the Minutes of the January 6, 2020 Regular Tomball City Council Meeting

Background:

Origination:
City Secretary

Recommendation:
Approve

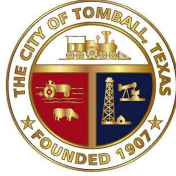
Party(ies) responsible for placing this item on agenda:
City Secretary

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

ATTACHMENTS:

Draft Minutes of the January 6, 2020 Regular Tomball City Council Meeting

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



**MONDAY, JANUARY 6, 2020
6:00 P.M.**

1.0 Meeting was called to order at by Mayor Fagan. Other members present:

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Director of Public Works – Beth Jones
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Community Development – Craig Meyers
Fire Marshal – Joe Sykora
Assistant City Secretary – Tracy Garcia
CSO Administrative Assistant – Sasha Luna
Acting Police Chief – Ricky Doerre
Warrant Officer-Bailiff – Ron McGullion

2.0 The invocation was led by Pastor Dustin Reitzel - Woodlands Church Northpointe Campus.

3.0 Pledges to U. S. and Texas Flags were led by Scout Curtis Higginbotham.

4.0 The following emailed public comments were read into the record:

Tom Crofoot 1430 Neal Dr., 77375	-	Regarding his opposition to Items 7.1 and 7.2, Rezoning and CUP
-------------------------------------	---	--

Bill Sumner - Regarding his opposition to Items 7.1 and
77375 7.2, Rezoning and CUP

5.0 Reports and Announcements:

- January 15, 2020 – First day to apply for Place on Ballot for the May 2, 2020 General City Election
- February 14, 2020 – Last day to apply for Place on Ballot for the May 2, 2020 General City Election
- March 21, 2020 – ***Tomball Honky Tonk Chili Challenge Festival*** at the Depot – 11:00 a.m.-6:00 p.m.
- March 27-29, 2020 – **Tomball German Sister City Heritage Festival** at the Depot
- 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 Townsend, second by Councilman Klein Quinn, to approve the Minutes of the December 16, 2019 Regular Tomball City Council Meeting and the December 16, 2019 Special Tomball City Council, P&Z, BOA, TAC, and TEDC Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt on Second Reading, Ordinance No. 2019-34, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 2 acres of land legally described as .50 U/D INT in Tract 57 (2.025 acres) Tomball Outlots, from the Single-Family 20 Estate District to the General Retail district and 0.33 acres of land legally described as Tract 64A Tomball Outlots from the Agricultural District to the General Retail District, said properties being generally located at the northwest corner of East Hufsmith Road and Neal Street at 503 East Hufsmith Road, 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 Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Klein Quinn	<u>Nay</u>

Motion carried, 3 votes Aye, 2 votes Nay.

- 7.2 Motion was made by Councilman Townsend, second by Councilman Ford, to adopt, on Second Reading, Ordinance No. 2019-35, 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 Lance Langenhoven to operate an “office showroom / warehouse” and a “mini warehouse / self storage” facility; said properties being approximately 2 acres of land legally described as .50 U/D INT in Tract 57 (2.025 acres) Tomball Outlots and 0.33 acres of land legally described as Tract 64A Tomball Outlots, within the City of Tomball, Harris County, Texas, generally located at the northwest corner of East Hufsmith Road and Neal Street and zoned General Retail 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 Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Klein Quinn	<u>Nay</u>

Motion carried, 3 votes Aye, 2 votes Nay.

- 7.3 Motion was made by Councilman Ford, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2019-36, 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 0.13 acres of land, legally described as Tract South ½ lots 34, 35, & 36 & Tract 33C Block 30 Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town & Mixed Use District; said property being generally located on the west side of South Cherry Street, between Florence and McPhail streets; 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	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

8 New Business:

- 8.1 Motion was made by Councilman Townsend, second by Councilman Ford, to award Contract for Project No. 2020-02, Sludge Hauling & Disposal – Belt Press, at \$0.0425 per Gallon and \$625.00 per 30-Yard Roll Off, to K3 BMI.

Motion carried unanimously.

- 8.2 Motion was made by Councilman Townsend, second by Councilman Ford, to approve BuyBoard Purchase Quote 2019-23384 for a RamJet Sewer Jetter to Kinloch Equipment & Supply, for a Total Amount of \$71,979.00.

Motion carried unanimously.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2020-01, a Resolution and Order of the City Council of the City of Tomball, Texas, Ordering a Regular City Officer's Election, to be held in the City of Tomball on Saturday, May 2, 2020; Designating the Polling Places and Appointing Election Officials for Such Election; Directing the Giving of Notice of Such Election; Designating the Date for a Runoff Election if Needed; and Providing Details Relating to the Holding of Such Election

Fue presentada una moción por el Concejal Townsend, secundada por el Concejal Stoll, para aprobar la Resolución Nro. 2020-01, una Resolución y Orden del Consejo Municipal de la Ciudad de Tomball Texas, Ordenando una Elección Regular de Funcionarios Municipales a Celebrarse el sábado 2 de mayo de 2020; Designando los Lugares de Votación y Nombrando a los Oficiales Electorales de tal Elección; Instruyendo que se Notifique Sobre esta Elección; Designando la Fecha de una Elección de Desempate de ser Necesaria; y Proporcionando Detalles Referentes a la Celebración de Tal Elección.

Cuộc Vận Động được tiến hành bởi Ủy Viên Hội Đồng Townsend, tán thành bởi Ủy Viên Hội Đồng Stoll, để chấp thuận Nghị Quyết số 2020-01, một Nghị Quyết và Sắc Lệnh của Hội Đồng Thành Phố Tomball, Texas, Yêu Cầu một Cuộc Bầu Cử Viên Chức Thường Lệ sẽ được tổ chức tại Thành Phố Tomball vào Thứ Bảy, ngày 2 tháng Năm, 2020; Chỉ định các Địa Điểm Bỏ Phiếu và Chỉ Định các Viên Chức Bầu Cử cho Cuộc Bầu Cử đó; Hướng Dẫn việc Đưa Ra Thông Báo của Cuộc Bầu Cử đó; Chỉ Định Ngày Bầu Cử Chung Cuộc nếu cần; và Đưa Ra các Chi Tiết có Liên Quan đến việc Tổ Chức Cuộc Bầu Cử đó

提案是由市議員Townsend，第二由市議員Stoll，批准決議案編號2020-01，為一德克薩斯州，Tomball市市議會決議及指示，特指示一市府官員普選，其將於2020年5月2日，星期六在Tomball市召開；並已為此選舉指定投票所地點以及指派選舉官員；指導發出本選舉之選舉通知；如需要，將指定決選日期；以及提供所有與召開本選舉相關的細節

Motion carried unanimously.
La moción fue aprobada por unanimidad.
Cuộc Vận Đồng được nhất trí tiến hành.
議案獲得一致通過。

- 8.4 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve Resolution No. 2020-02, a Resolution of the City Council of the City of Tomball, Texas, Designating the Tomball Potpourri as the Official City Newspaper for 2020 for Publication of Matters Pertaining to the City of Tomball.

Motion carried unanimously.

- 8.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to appoint Chris McCall to Resident Position 2 Vacancy on the Tourism Advisory Committee, for Unexpired Term Expiring December 5, 2021

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned at 6:22 p.m.

PASSED AND APPROVED this the 20th day of January 2020.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council
Agenda Item
Data Sheet

Meeting Date: January 20, 2020

Topic:

Reappoint Sherrie Meicher as the City of Tomball's Representative to the Southeast Texas Housing Finance Corporation (SETH) Board of Directors, New Term Expiring January 21, 2023

Background:

Sherrie Meicher, in Congressman McCaul's office, has served on the SETH Board of Directors since her appointment in June 2016 and I would like to recommend her reappointment as a Director.

Origination:

Mayor Fagan

Recommendation:

Reappointment of Sherrie Meicher as a Director of the Southeast Texas Housing Finance Corporation (SETH)

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

City Secretary

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 20, 2020

Topic:

Appoint Member to the Tomball Economic Development Corporation, to Complete Unexpired Vacancy, Expiring May 31, 2020

Background:

Tom Crofoot has submitted his resignation from the Tomball Economic Development Corporation. His term expires May 31, 2020.

Clete Jaeger has submitted an application to serve on the TEDC, copy of which is submitted for Council review and consideration.

I would like to recommend the appointment of Clete Jaeger to the current vacancy.

Nominations will also be accepted at the Council meeting.

Origination:

Mayor Fagan

Recommendation:

N/A

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

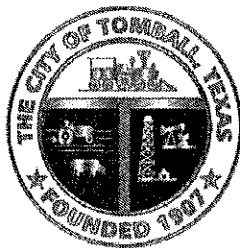
Doris Speer

ACTION TAKEN

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

ATTACHMENTS:

Application - Clete Jaeger



CITY OF TOMBALL

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

As an Applicant for a City Board, Commission, or Committee, your application will be available to the public. You will be contacted before any action is taken on your appointment to confirm your continued interest in serving. All appointments are made by the Tomball City Council. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest or have been appointed to two (2) consecutive terms. A member who is absent for more than 25% of called meetings in any twelve consecutive months or absent from more than two consecutive meetings, for other than medical reasons, will be automatically removed from service. Applicant must be a citizen of the United States and must reside within the city limits of Tomball unless otherwise stated in the position announcement. Applications will be kept on file for two years and will expire at the end of two years; for instance, an application dated in 2014 will expire in 2016.

Please Type or Print Clearly:

Date: DECEMBER 17, 2019

Name: CLETE JAEGER

Phone: 281-705-9660

Address: 31402 HELEN LN

Phone: 281-356-1290 (Home)

City/State/Zip: TOMBALL, TX 77375

Cell: 281-705-9660 (Work)

Email: cletej@turn-tech.com

I have lived in Tomball 10 years.

I am ☒ am not ☐ a U.S. Citizen

NOTE: DTAC Board does not require Tomball residency

Occupation: PRESIDENT/OWNER - TURN-TECH IN PINEHURST
- MACHINE SHOP SPECIALIZING IN OIL & GAS EQUIPMENT
- FAMILY BUSINESS THAT MY FATHER STARTED IN 1984
- I TOOK OVER SOLE OWNERSHIP IN 2011
- CURRENTLY 57 EMPLOYED

Professional and/or Community Activities: _____

Additional Pertinent Information/References: WILL BEUSON INFORMED ME
OF THE PENDING OPENING ON THE TEDC BOARD. HE THOUGHT
I WOULD BE A GREAT FIT. I'M LOOKING FORWARD TO THE
OPPORTUNITY.

Applications for the following Council-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (281-290-1002) for two years.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions

- ☐ Planning & Zoning Commission
- ☐ Board of Adjustments

Meeting Information

Second Monday each month, 6 p.m.
To Be Announced; Evenings

Separate Legal Entities

- ☒ Tomball Economic Development Corporation
- ☐ Tomball Regional Health Foundation

Meeting Information

First Wednesday of January, April, July & October, 9 a.m. (special meetings may be called)
Fourth Wednesday each month, 4 p.m.

Ad Hoc/Advisory Committees

- ☐ Downtown Tomball Advisory Committee
- DTAC does not require Tomball residency

Meeting Information

As called

Non-profit Corporation Boards

- ☐ Tomball Legacy Fund, Inc.
- Position 7, Tomball Legacy Fund, does not require Tomball residency

Meeting Information

As called

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.

Signature of Applicant

Please return this application to:

City Secretary
City of Tomball
401 Market Street
Tomball, TX 77375



Board Member Election on Disclosure

An appointed Board Member may choose whether or not to allow public access to the information in the custody of the City relating to the Board Member's home address, home telephone number, cellular and pager numbers (if not paid for by City), emergency contact information, personal email address, and information that reveals whether the person has family members.

Each Board Member shall state his/her choice in writing to the City Secretary's Office. If a Board Member elects not to allow public access to this information, the information is protected by Sections 552.024 and 552.117 of the Public Information Act and rulings of the Texas Attorney General. If a Board Member fails to report his/her choice, the information may be subject to public access.

If during the course of their term a Board Member wishes to close or open public access to the information, the individual may request in writing to the City Secretary's Office to close or open access as the case may be. A Board Member may request to close or open public access to the information by submitting a written request to the City Secretary's Office. Only the City Secretary's Office is allowed to disclose the information listed above.

(Please strike through any information that you do not wish to be made accessible to the public)

Please complete the information below and return
to the City Secretary's Office within fourteen days of receipt.

☒ I **DO** elect public access to my: (please indicate items you would like available, if any)

☒ home address

☒ home telephone number

☒ personal email address

☒ cell or pager numbers not paid for by the City

☒ emergency contact information

☐ ~~information that reveals whether I have family members.~~

☐ I **DO NOT** elect public access to my home address, home telephone number, cell or pager numbers, emergency contact information, or any information that reveals whether I have family members.

Board Member's Signature

Date

12/19/19

Board Member's Printed Name

CLETE JAEGER

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 20, 2020

Topic:

Award Contract for E&P Project 2019-10022, North Star Estates Drainage Improvements, to Gael, Inc. for a Total Contract Amount of \$364,644.00 and Authorize the City Manager to Execute the Necessary Documents

Background:

Following a Forensic Assessment, design plans were completed by our design consultant, Freese & Nichols, for drainage channel stabilization and retaining wall repairs for North Star Estates.

In order to obtain the most favorable pricing, sealed bids were solicited and a total of eight (8) responsive bids were received. After review of all bids and qualifications, Gael, Inc. was determined to be the responsive lowest bidder.

Staff is recommending awarding a construction contract to Gael, Inc for a total amount of \$364,644.00.

Origination:

Public Works Department

Recommendation:

Staff recommends award of the contract to Gael, Inc. in the amount of \$364,644.00.

Funding:

Yes

Account Number:400-154-6409

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

Beth Jones, Public Works Director

ACTION TAKEN

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

ATTACHMENTS:

Bid Tabulation

BID TABULATION



**FREESE
AND
NICHOLS**

Innovative approaches
Practical results
Outstanding service

10497 Town and Country Way #500 • Houston, Texas 77024 • 713-600-6802 • 713-600-6801

www.freese.com

CLIENT: City of Tomball
PROJECT: North Star Estates Drainage Improvements
PROJECT NO: TMB19539
BID DATE: 12/19/2019
Populated by: DG
Checked by: FM., SLM

				Engineers Opinion of Probable Construction Cost (OPCC)		AR Turnkey Construction		Environmental Allies		Gael Inc		Rally Construction		Salem Group		TWDirt LLC		Wadecon	
	Description	Quantity	Unit	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
BASE UNIT PRICE TABLE																			
1	Mobilization/Demobilization (5% of Total Project)	1.00	LS	\$16,900.00	\$16,900.00	\$2,100.00	\$2,100.00	\$29,900.00	\$29,900.00	\$17,364.00	\$17,364.00	\$22,750.00	\$22,750.00	\$50,000.00	\$50,000.00	\$25,689.96	\$25,689.96	\$18,000.00	\$18,000.00
2	Stabilized Construction Access	960.00	SY	\$32.50	\$31,200.00	\$6.00	\$5,760.00	\$75.00	\$72,000.00	\$20.00	\$19,200.00	\$30.00	\$28,800.00	\$30.00	\$28,800.00	\$6.77	\$6,499.20	\$30.00	\$28,800.00
3	SWPPP	1.00	LS	\$6,500.00	\$6,500.00	\$5,000.00	\$5,000.00	\$3,200.00	\$3,200.00	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00	\$10,000.00	\$10,000.00	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00
4	Clearing and Grubbing	0.80	AC	\$6,500.00	\$5,200.00	\$40,000.00	\$32,000.00	\$30,000.00	\$24,000.00	\$12,000.00	\$9,600.00	\$15,000.00	\$12,000.00	\$10,000.00	\$8,000.00	\$25,000.00	\$20,000.00	\$40,000.00	\$32,000.00
5	Care of Water	1.00	LS	\$13,000.00	\$13,000.00	\$11,000.00	\$11,000.00	\$10,000.00	\$10,000.00	\$15,000.00	\$15,000.00	\$14,000.00	\$14,000.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00
6	Excavation (Soil)	900.00	CY	\$22.10	\$19,890.00	\$12.00	\$10,800.00	\$75.00	\$67,500.00	\$37.00	\$33,300.00	\$44.00	\$39,600.00	\$50.00	\$45,000.00	\$35.00	\$31,500.00	\$20.00	\$18,000.00
7	Demolition and Haul-Off Existing Debris	1.00	LS	\$3,640.00	\$3,640.00	\$9,000.00	\$9,000.00	\$165,800.00	\$165,800.00	\$25,000.00	\$25,000.00	\$5,500.00	\$5,500.00	\$10,000.00	\$10,000.00	\$35,000.00	\$35,000.00	\$25,000.00	\$25,000.00
8	Rockfill Stabilization	250.00	TON	\$78.00	\$19,500.00	\$65.00	\$16,250.00	\$30.00	\$7,500.00	\$80.00	\$20,000.00	\$100.00	\$25,000.00	\$100.00	\$25,000.00	\$200.00	\$50,000.00	\$100.00	\$25,000.00
9	Granular Fill (Leveling Pad)	50.00	SY	\$32.50	\$1,625.00	\$100.00	\$5,000.00	\$200.00	\$10,000.00	\$70.00	\$3,500.00	\$95.00	\$4,750.00	\$100.00	\$5,000.00	\$300.00	\$15,000.00	\$100.00	\$5,000.00
10	Select Backfill	490.00	CY	\$45.50	\$22,295.00	\$22.00	\$10,780.00	\$60.00	\$29,400.00	\$47.00	\$23,030.00	\$48.00	\$23,520.00	\$60.00	\$29,400.00	\$35.00	\$17,150.00	\$25.00	\$12,250.00
11	Random Backfill	410.00	CY	\$39.00	\$15,990.00	\$6.00	\$2,460.00	\$30.00	\$12,300.00	\$37.00	\$15,170.00	\$40.00	\$16,400.00	\$60.00	\$24,600.00	\$35.00	\$14,350.00	\$20.00	\$8,200.00
12	Lower Retaning Wall (Redi-Rock)	970.00	SF	\$97.50	\$94,575.00	\$205.00	\$198,850.00	\$60.00	\$58,200.00	\$57.00	\$55,290.00	\$154.00	\$149,380.00	\$50.00	\$48,500.00	\$150.00	\$145,500.00	\$80.00	\$77,600.00
13	Upper Retaining Wall (MSE)	690.00	SF	\$71.50	\$49,335.00	\$85.00	\$58,650.00	\$20.00	\$13,800.00	\$67.00	\$46,230.00	\$102.00	\$70,380.00	\$50.00	\$34,500.00	\$120.00	\$82,800.00	\$80.00	\$55,200.00
14	Drainage System (HDPE Pipe and Geotextile Sleeve)	160.00	LF	\$13.00	\$2,080.00	\$200.00	\$32,000.00	\$50.00	\$8,000.00	\$30.00	\$4,800.00	\$30.00	\$4,800.00	\$100.00	\$16,000.00	\$100.00	\$16,000.00	\$50.00	\$8,000.00
15	Geogrid	430.00	SY	\$13.00	\$5,590.00	\$60.00	\$25,800.00	\$40.00	\$17,200.00	\$8.00	\$3,440.00	\$12.00	\$5,160.00	\$20.00	\$8,600.00	\$20.00	\$8,600.00	\$20.00	\$8,600.00
16	Geotextile Filter Fabric	840.00	SY	\$3.90	\$3,276.00	\$2.00	\$1,680.00	\$5.00	\$4,200.00	\$8.00	\$6,720.00	\$4.00	\$3,360.00	\$13.00	\$10,920.00	\$5.00	\$4,200.00	\$10.00	\$8,400.00
17	Rip Rap No. 1 (12"-18")	60.00	TON	\$110.50	\$6,630.00	\$60.00	\$3,600.00	\$75.00	\$4,500.00	\$150.00	\$9,000.00	\$85.00	\$5,100.00	\$125.00	\$7,500.00	\$120.00	\$7,200.00	\$150.00	\$9,000.00
18	Grout	50.00	CY	\$325.00	\$16,250.00	\$100.00	\$5,000.00	\$50.00	\$2,500.00	\$550.00	\$27,500.00	\$180.00	\$9,000.00	\$500.00	\$25,000.00	\$300.00	\$15,000.00	\$400.00	\$20,000.00
19	Site Restoration- Seeding/Hydromulch/Topsoil/Final Grading	0.80	AC	\$4,680.00	\$3,744.00	\$15,000.00	\$12,000.00	\$75,000.00	\$60,000.00	\$35,000.00	\$28,000.00	\$15,000.00	\$12,000.00	\$10,000.00	\$8,000.00	\$18,750.00	\$15,000.00	\$15,000.00	\$12,000.00
TOTAL COST (Math Check)				\$337,220.00		\$447,730.00		\$600,000.00		\$364,644.00		\$455,000.00		\$399,820.00		\$539,489.16		\$391,050.00	
TOTAL AMOUNT BID (Bid Form)						\$466,630.00		\$600,000.00		\$364,644.00		\$455,000.00		\$399,820.00		\$1,027,598.40		\$391,050.00	
						Bid Form Error		Apparent Low Bid				Bid Form Error - NO consequence		Bid Form Error					

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 20, 2020

Topic:

Approve Resolution No. 2020-03, a Resolution of the City of Tomball, Texas, Adopting the City of Tomball's Investment Policy, as Set Out in City of Tomball Administrative Policy No. 13, Entitled "*Investment Policy*"

Background:

Administrative Policy No. 13 - Investment Policy identifies those types of investments into which the City may place its funds. The City's policy is constrained by the Texas Public Funds Investment Act. Each year, the Public Funds Investment Act requires that the governing body review and adopt the policy by resolution.

The Investment Policy was last reviewed and adopted at the regular council meeting on September 3, 2019.

At the time of that review, the City had four brokerage firms listed as approved:

Robert W. Baird & Co. Incorporated
FTN Financial
Wells Fargo Securities, LLC
Cantor Fitzgerald National Markets Group.

The broker that we were using at Cantor Fitzgerald is now with Hilltop Securities (HTS), the firm that is also our financial advisor. This broker is familiar with the City of Tomball, our cash flow requirements, and our capital project needs. Based upon our history with this broker, we would like to add the firm of Hilltop Securities to our approved broker listing and delete Cantor Fitzgerald. Additionally, we have not used the firm Robert W. Baird & Co. in over eight years and we can remove them from the approved list. After these changes are approved, our new list of approved brokers will be:

FTN Financial
Wells Fargo Securities, LLC
Hilltop Securities

Origination:

Finance

Recommendation:

Approval of Investment Policy as amended.

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

Glenn Windsor, CPA, Finance Director

ACTION TAKEN

--	--	--

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

ATTACHMENTS:

Resolution No. 2020-03

Proposed Amendment to Administrative Policy No. 13

RESOLUTION NO. 2020-03

**A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, ADOPTING
THE CITY OF TOMBALL’S INVESTMENT POLICY, AS SET OUT IN
CITY OF TOMBALL ADMINISTRATIVE POLICY NO. 13, ENTITLED
“INVESTMENT POLICY”.**

* * * * *

WHEREAS, Texas Government Code, Section 2256.005(a), states that “the governing body of an investing entity shall adopt by rule, order, ordinance, or resolution, as appropriate, a written investment policy regarding the investment of its funds and funds under its control”; and

WHEREAS, the governing body of an investing entity shall review its investment policy and investment strategies not less than annually, adopting a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies;

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

Section 1. The City Council has reviewed the investment policy and now desires to reaffirm and re-adopt said investment policy, as set forth in City of Tomball Administrative Policy No. 13, entitled “Investment Policy”, a copy of which is attached hereto and made a part hereof as Exhibit “A”.

Section 2. All resolutions or parts of resolutions inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 3. In the event any clause phrase, provision, sentence, or part of this Resolution 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 Resolution 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.

PASSED, APPROVED, AND RESOLVED this the 20th day of January 2020.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT INVESTMENT POLICY	NUMBER: 13	EFFECTIVE DATE: July 27, 1992	PAGE 1 OF 8
	REVISED: January 20, 2020	APPROVED BY CITY MANAGER:	
	SUPERSEDES: September 3, 2019	APPROVED BY CITY COUNCIL:	

CITY OF TOMBALL

INVESTMENT POLICY

I. SCOPE OF POLICY

PURPOSE:

This policy is developed to be in accordance with the Public Funds Investment Act, Chapter 2256 and with the Public Funds Collateral Act, Chapter 2257 of the Texas Government Code, as amended. This investment policy applies to the investment activities of the City of Tomball. This policy serves to satisfy the statutory requirement to define and adopt a formal investment policy. The investment portfolio shall be designed and managed in a manner to be responsive to public trust and to be in compliance with legal requirements and limitations.

INVESTMENT FUNDS:

All financial assets of all funds of the City of Tomball, Texas, at the present time and any funds to be created in the future shall be administered in accordance with the provisions of this policy. For investment purposes, all funds of the City shall be combined in a common pool, except as provided by applicable federal or state statutes, City ordinance, or other law. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

II. PRIMARY OBJECTIVES

SAFETY OF PRINCIPAL:

The safety of the principal invested always remains the primary and foremost objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk, the risk of loss due to the failure of the security issuer or backer, and interest rate risk, the risk that the market value of securities in the portfolio will fall due to changes in general interest rates.

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT INVESTMENT POLICY	NUMBER: 13	EFFECTIVE DATE: July 27, 1992	PAGE 2 OF 8
	REVISED: January 20, 2020	APPROVED BY CITY MANAGER:	
	SUPERSEDES: September 3, 2019	APPROVED BY CITY COUNCIL:	

LIQUIDITY:

The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated. Liquidity shall be achieved by structuring the portfolio so that investments mature concurrent with forecasted cash flow requirements. Because all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets. A portion of the portfolio will also be placed in interest bearing accounts which offer same day liquidity for short-term funds.

DIVERSIFICATION:

Invested funds shall be diversified to minimize risk resulting from over-concentration of assets in a specific maturity, specific market sector, or specific instruments.

YIELD:

The City's cash management portfolio shall be designed with the objective of attaining reasonable market rates of return on investments, while remaining within the objective of safety and liquidity, throughout budgetary and economic cycles. The investment program shall seek to augment these returns consistent with risk limitations identified herein and prudent investment principles, also taking into account the risk constraints associated with the protection of capital.

MATURITY:

The investment maturity schedule shall correspond with the City's projected cash flow needs. Market risk shall be minimized by diversification of maturity dates. The City has a "buy and hold" portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, securities may be sold before they mature should it be in the City's best interest. No City investments shall exceed a maturity of more than four years.

INVESTMENT MANAGEMENT:

All participants in the investment process shall seek to act responsibly as custodians of the public trust. They shall avoid any transactions that might impair public confidence in the City's ability to govern effectively. The system of internal controls will be reviewed annually with the independent auditor of the City. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the City.

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT INVESTMENT POLICY	NUMBER: 13	EFFECTIVE DATE: July 27, 1992	PAGE 3 OF 8
	REVISED: January 20, 2020	APPROVED BY CITY MANAGER:	
	SUPERSEDES: September 3, 2019	APPROVED BY CITY COUNCIL:	

III. AUTHORIZED INVESTMENTS

Assets of funds of the government of the City of Tomball may be invested in:

- A. Obligations of the United States or its agencies and instrumentalities;
- B. Direct obligations of the State of Texas or its agencies and instrumentalities;
- C. 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;
- D. 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;
- E. 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;
- F. Certificates of Deposit issued by state or national banks with its main office or a branch in the State of Texas, a savings bank with its main office or a branch in the State of Texas, or a state or federal credit union with its main office or a branch in the State of Texas and are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor and are secured by the obligations named within this policy under items A through E above.
- G. Repurchase agreements which are fully collateralized, have a defined termination date, are secured by obligations of the United States or its agencies and instrumentalities; are purchased and pledged to the City of Tomball; are held in the City of Tomball's name; are deposited with third-party safekeeping of collateral at the time the investment is made; and are purchased through a primary government securities dealer or state or national bank doing business in the State of Texas evidenced by a fully executed Master Repurchase Agreement on file with the City. The repurchase agreement is a simultaneous agreement to buy, hold for a specified time, and sell back at a future date obligations of the United States or its agencies and instrumentalities, at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed.

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT INVESTMENT POLICY	NUMBER: 13	EFFECTIVE DATE: July 27, 1992	PAGE 4 OF 8
	REVISED: January 20, 2020	APPROVED BY CITY MANAGER:	
	SUPERSEDES: September 3, 2019	APPROVED BY CITY COUNCIL:	

H. Commercial paper is an authorized investment if the commercial paper:

- a. Has a stated maturity of 270 days or fewer from the date of its issuance; and
- b. Is rated not less than A-1 or P-1 or an equivalent rating by at least:
 - i. Two nationally recognized credit rating agencies; or
 - ii. One nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by organized and existing under the laws of the United States or any state.

- I. An eligible investment pool authorized by the governing body, which must furnish to the City an offering circular or other similar disclosure instrument that contains, at a minimum, the types of investments in which money is allowed to be invested; the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool; the maximum stated maturity date of any investment within the portfolio; the objectives of the pool; the size of the pool; the names of the members of the advisory board of the pool and the dates their terms expire; the custodian bank that will safe-keep the pool's assets; whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation; whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment; the name and address of the independent auditor of the pool; the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool; and the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios.

To maintain eligibility to receive funds from and invest funds on behalf of the City of Tomball, an investment pool must furnish to the City investment transaction confirmations; and a monthly report that contains, at a minimum, the types and percentage breakdown of securities in which the pool is invested, the current average dollar-weighted maturity based on the stated maturity date of the pool, the current percentage of the pool's portfolio in investments that have stated maturities of more than one year, the book value versus the market value of the pool's portfolio, using amortized cost valuation, the size of the pool, the number of participants in the pool, the custodian bank that is safekeeping the assets of the pool, a listing of daily transaction activity of the entity participating in the pool, the yield and expense ratio of the pool, the portfolio managers of the pool and any changes or addenda to the offering circular.

Investment pool yield shall be calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940, as promulgated from time to time by the Federal Securities and Exchange Commission.

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT INVESTMENT POLICY	NUMBER: 13	EFFECTIVE DATE: July 27, 1992	PAGE 5 OF 8
	REVISED: January 20, 2020	APPROVED BY CITY MANAGER:	
	SUPERSEDES: September 3, 2019	APPROVED BY CITY COUNCIL:	

To be eligible to receive funds from and invest funds on behalf of the City of Tomball, a public funds investment pool created to function as a money market mutual fund must mark its portfolio to market daily, and, to the extent reasonably possible, stabilize at a \$1 net asset value.

If the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, portfolio holdings shall be sold as necessary to maintain the ration between 0.995 and 1.005.

A public funds investment pool must have an advisory board composed: equally of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for a public funds investment pool created and managed by a state agency; or of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for other investment pools.

To maintain eligibility to receive funds from and invest funds on behalf of the City of Tomball, an investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service or no lower than investment grade by at least one nationally recognized rating service with a weighted average maturity no greater than 90 days.

Although allowed under State Law, Prime Domestic Bankers' Acceptances, and Money-market mutual funds are not considered suitable investments of the City of Tomball, and the City of Tomball will refrain from making such investments or allowing such instruments to be pledged to the City's deposits or serve as underlying collateral.

IV. RESPONSIBILITY AND CONTROL

DELEGATION OF AUTHORITY:

Management responsibility for the investment program is hereby delegated to the Finance Director, or in the absence of such, Assistant City Manager, or such other person specifically designated by the City Manager or Assistant City Manager. The Finance Director, or designated person by such, shall be responsible for all transactions, compliance with internal controls, and insuring that all safekeeping, custodial, and collateral duties are in compliance with this investment policy and other applicable laws and regulations.

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT INVESTMENT POLICY	NUMBER: 13	EFFECTIVE DATE: July 27, 1992	PAGE 6 OF 8
	REVISED: January 20, 2020	APPROVED BY CITY MANAGER:	
	SUPERSEDES: September 3, 2019	APPROVED BY CITY COUNCIL:	

TRAINING REQUIREMENT:

The Finance Director, and any person designated by the Finance Director, City Manager, and/or Assistant City Manager to be responsible for the investment of City funds shall attend an independent and approved source of investment training session no less often than once every two fiscal years and shall receive not less than 10 hours of instruction relating to investment responsibilities under the state statutes. Any person newly designated to duties relating to the investment program shall be required to attend an independent and approved source of investment training session within 12 months of such designation. Training must include education in investment controls, security risks, strategy risks, market risks, diversification of the investment portfolio, and compliance with the Public Funds Investment Act under the Texas Government Code Chapter 2256.

QUARTERLY REPORTS:

The Finance Director, and the person or persons designated by such, shall submit quarterly an investment report that summarizes the investment portfolio for all funds to the City Council. The report shall describe in detail the investment position of the City on the date of the report; be prepared and signed by all investment officers of the City; contain a summary statement, prepared in compliance with generally accepted accounting principles; provide the beginning market value for the reporting period, the additions and changes to the market value during the period, the ending market value for the period, and fully accrued interest for the reporting period; state the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested; state the maturity date of each separately invested asset that has a maturity date; state the account, fund or pooled group fund in City for which each individual investment was acquired; and state the compliance of the investment portfolio of the City's policy as it relates to the strategy. The reports shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the governing body by that auditor.

CONFLICTS OF INTEREST:

The Finance Director, or any person designated by such to be responsible for investments, shall not be designated as an investment officer for any investing entity other than the City of Tomball. Any person responsible for investments for the City who has a personal business relationship with a business organization offering to engage in an investment transaction with the entity shall file a statement disclosing that personal business interest. Any person responsible for investments for the City who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. This statement must be filed

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT INVESTMENT POLICY	NUMBER: 13	EFFECTIVE DATE: July 27, 1992	PAGE 7 OF 8
	REVISED: January 20, 2020	APPROVED BY CITY MANAGER:	
	SUPERSEDES: September 3, 2019	APPROVED BY CITY COUNCIL:	

with the Texas Ethics Commission and the City of Tomball. A personal business relationship is defined as owning 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization; funds received from the business organization exceed 10 percent of the person's gross income for the previous year; or the acquisition of investments from the business organization during the previous year have a book value of \$2,500 or more for the person's personal account. Any person involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Secretary any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial and/or investment positions that could be related to the performance of the City's portfolio. Any person responsible for investments shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales.

V. COLLATERAL AND SAFEKEEPING

COLLATERAL REQUIRED:

Funds of the City of Tomball shall be secured by collateral, whereby the market value of such collateral shall not be less than the total amount of the sum of the City's deposits, investments and accrued interest less the amount of insurance provided by the United States or an instrumentality of the United States, such as FDIC and FSLIC insurance. All items held for collateral for the City of Tomball shall be qualified investments as stated in items III.A. through III.E. of the City's investment policy.

SECURITY OF COLLATERAL:

All securities owned by thy City or pledged to the City shall be held in safekeeping by the City; in a City approved account in a third party financial institution with a main office in the State of Texas and capital stock and permanent surplus of \$5 million or more; the Texas Treasury Safekeeping Trust Company; a federal home loan bank; or with a Federal Reserve Bank. A third party custodian shall be required to issue original safekeeping receipts directly to the City and monthly provide a listing of each specific security, rate description, maturity, CUSIP number, and other information as may be deemed necessary and appropriate by the City. Each safekeeping receipt will be clearly marked that the security is pledged to the City of Tomball. It shall be the sole responsibility of the financial institution to immediately, without notice from the City or cost to the City, replace any nonconforming pledged security.

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT INVESTMENT POLICY	NUMBER: 13	EFFECTIVE DATE: July 27, 1992	PAGE 8 OF 8
	REVISED: January 20, 2020	APPROVED BY CITY MANAGER:	
	SUPERSEDES: September 3, 2019	APPROVED BY CITY COUNCIL:	

DELIVERY VS. PAYMENT:

Treasury Bills, Notes and Bonds and Government Agencies' securities shall be purchased using the delivery vs. payment method. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the City of Tomball or its designated Trustee. The security shall be held in the name of the City. The Trustee's records shall reflect that the City owns such securities. In the event that the security is held by Trustee, the original copy of all safekeeping receipts shall be delivered to the City Treasurer, or person designated by such.

VI. AUTHORIZED BROKERS

The City of Tomball shall annually review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the City. Following are authorized brokers for the City of Tomball:

~~Robert W. Baird & Co. Incorporated~~
FTN Financial
Wells Fargo Securities, LLC
~~Cantor Fitzgerald National Markets Group~~
Hilltop Securities

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 20, 2020

Topic:

Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.074 – Deliberation Regarding the Appointment, Employment, Evaluation, Duties, of an Interim Chief of Police

Background:**Origination:**

City Manager

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: January 20, 2020

Topic:
Consideration and Possible Approval of Contract of Employment with an Interim Chief of Police

Background:

Origination:

Recommendation:

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

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