

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



MONDAY, SEPTEMBER 16, 2019

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, September 16, 2019 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 Associate Pastor Marco Barnes – New Hope 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

- September 28, 2019 - **GroovFest '19 at the Depot**
- October 5, 2019 – **7th “Annual Paces for Pink” 5K Run** – 7:00 a.m.-11:00 a.m.

- October 12, 2019 – **“Zomball in Tomball”**
- October 19, 2019 – **Freight Train Food Truck Festival at the Depot**
- October 26, 2019 – **9th Annual Tomball Bluegrass Festival – 12:00 Noon-6:00 p.m.**
- Reports by City staff and members of council about items of community interest on which no action will be taken:

6.0 Approve the Minutes of the September 3, 2019 Regular Tomball City Council Meeting

7.0 New Business:

7.1 Update by Randall Scott Architects regarding the Comprehensive Facility Needs Assessment and Facility Master Planning for the City

7.2 Announce that Voting on the 2019 Tax Rate will be held at a Special City Council Meeting on September 30, 2019 at 5:30 p.m. and at the Regular City Council Meeting on October 7, 2019 at 6:00 p.m.

7.3 Consideration to Approve the City of Tomball Comprehensive Plan Update.

- Conduct Public Hearing on the City of Tomball Comprehensive Plan Update
- Adopt, on First Reading, Ordinance No. 2019-22, an Ordinance of the City of Tomball, Texas Adopting the Tomball Comprehensive Plan, as an Update to the First Comprehensive Plan – Vision 2030, Providing an Overview of Existing Conditions, Demographics and Socioeconomic Characteristics; Analyzing Community Input; Providing Maps Describing Proposed Future Land Uses; Establishing Goals, Recommendations, Implementation Strategies; and Providing for Severability.

7.4 Conduct Public Hearing to Consider the Annexation of the Following Tract of Land: *Being 9.493 Acres of Land Situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and Being a Part of That Certain Tract of Land Described in the Deed to Merenco Realty, Inc. Recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is Part of that Certain 606.1394 Acre Tract of Land Described in the Deed to Merenco Realty, Inc. [an Undivided One-Half Interest) Recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T. - Merenco Tract]*

7.5 Adopt, on First Reading, Ordinance No. 2019-20, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include All of the Territory Within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory Within Such Limits and Boundaries; Approving a Service Plan for All of the Area Within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause *(Being 9.493 Acres of Land Situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and Being a Part of That Certain Tract of Land Described in the Deed to Merenco Realty, Inc. Recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is Part of that Certain 606.1394 Acre Tract of Land Described in the Deed to Merenco Realty, Inc. [an Undivided One-Half Interest) Recorded in Harris County Clerks File No.*

- 7.6 Approve Resolution No. 2019-36, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 54th Annual Tomball Holiday Parade, to be Held in Tomball on Saturday, November 23, 2019, and Requesting Street Closures and In-Kind Services
- 7.7 Approve Resolution No. 2019-38, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 12th Annual Homecoming Parade & Community Rally, to be Held at the Tomball Depot, Sponsored by the Tomball Independent School District and the Tomball High School Student Council on Wednesday, October 2, 2019
- 7.8 Approve Resolution No. 2019-37, a Resolution of the City Council of the City of Tomball, Texas, for the Designation of Its Representative and Alternate for the Houston-Galveston Area Council 2020 General Assembly
- 7.9 Approve Resolution No. 2019-31, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2019-2020
- 7.10 Approve Fixed Pricing for Natural Gas Acquisitions for the City's North Gate Natural Gas Purchases from EDF Trading for a Fixed Price of \$3.22/MMBtu from September 2019 thru August 2020
- 7.11 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 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager
- 7.12 Consideration and Possible Action regarding Amendments to and Extension of the Employment Contract for Robert Hauck, City Manager
- 8.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 12th day of September 2019 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: September 16, 2019

Topic:

- Led by Associate Pastor Marco Barnes – New Hope Baptist Church

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: September 16, 2019

Topic:

- September 28, 2019 - **GroovFest '19 at the Depot**
- October 5, 2019 – **7th “Annual Paces for Pink” 5K Run** – 7:00 a.m.-11:00 a.m.
- October 12, 2019 – **“Zomball in Tomball”**
- October 19, 2019 – **Freight Train Food Truck Festival at the Depot**
- October 26, 2019 – **9th Annual Tomball Bluegrass Festival – 12:00 Noon-6:00 p.m.**
- Reports by City staff and members of council about items of community interest on which no action will be taken:

Background:

Origination:

Various

Recommendation:

N/A

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

Assistant City Secretary

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 16, 2019

Topic:
Approve the Minutes of the September 3, 2019 Regular Tomball City Council Meeting

Background:

Origination:
City Secretary

Recommendation:
Approval

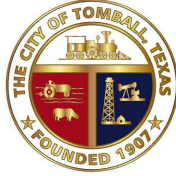
Party(ies) responsible for placing this item on agenda:
City Secretary

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

ATTACHMENTS:

Draft Minutes of the September 3, 2019 Regular Tomball City Council Meeting

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



**TUESDAY, SEPTEMBER 3, 2019
6:00 P.M.**

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

Councilman Ford
Councilman Stoll
Councilman Degges

Members absent:

Councilman Klein Quinn – Excused
Councilman Townsend – Excused

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
Marketing Director – Mike Baxter
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Director of Community Development – Craig Meyers
Fire Marshal – Joe Sykora
Assistant City Secretary – Tracy Garcia
Community Center Manager – Rosalie Dillon
Senior Accountant – Christine Brookshire
Executive Director-TEDC – Kelly Violette
Police Sergeant – Chris Burns

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 Joe Sykora.

4.0 No public comments were received.

5.0 Reports and Announcements:

- September 14, 2019 – **2nd Saturday at the Depot**
- September 28, 2019 – **GroovFest '19 at the Depot**
- October 5, 2019 – **5th “Annual Paces for Pink” 5K Run** – 7:00 a.m.-11:00 a.m.
- October 12, 2019 – **“Zomball in Tomball”**
- October 19, 2019 – **Freight Train Food Truck Festival at the Depot**
- October 26, 2019 – **9th Annual Tomball Bluegrass Festival – 12:00 Noon-6:00 p.m.**
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Mike Baxter presented a report on the *Texas Festival & Events* Awards to the City of Tomball. The City of Tomball won six first place marketing awards at the recent Texas Festivals and Events Association annual conference in McAllen:
 - * Best Radio Spot
 - * Best TV Spot
 - * Best Print Ads
 - * Best Hat
 - * Best New Event - GroovFest '18
 - * Best Mascot - Rusty Rails
 - Mike Baxter – The City was also awarded three Silver and five Bronze Marketing Awards from the TFEA. The Tomball Sister City Organization took two Gold awards in the \$75,000 to \$250,000 budget category for its annual Tomball German Heritage Festival:
 - * Best Event Promotional Poster
 - * Best Radio Promotion
 - Mike Baxter advised that Grady and Sandra were inducted into the Texas Festivals & Events Association Hall of Honor.
 - Mike Baxter advised that Denise Fiore and Craig Bogner are attending Texas Festivals & Events Association-sponsored classes offered by the **Texas Event Management Institute (TEMI)**, working toward their certification as a Certified Festivals & Events **Associate**; following certification, they can continue class work toward certification as a Certified Festivals & Events **Executive** through the International Festivals & Events Association.

6.0 Motion was made by Councilman Stoll, second by Councilman Degges, to approve the Minutes of the August 19, 2019 Special Joint Tomball City Council and Tomball Planning and Zoning Commission Meeting and the August 19, 2019 Regular Tomball City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

- 7.1 Motion was made by Councilman Ford, second by Councilman Stoll, to approve, on Second Reading, Resolution No. 2019-29-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and Phillips Cleaning Services, LLC, to make direct incentives to, or expenditures for, assistance with infrastructure costs required or suitable for the promotion of new or expanded business enterprises related to the construction of an office/warehouse facility to be located at 1311 Hicks Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$26,313.00.

Motion carried unanimously.

- 7.2 Motion was made by Councilman Ford, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2019-19, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2019-2020; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2018-2019 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance. Vote was as follows:

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

Motion carried unanimously.

- 7.3 Motion was made by Councilman Stoll, second by Councilman Degges, to adopt, on Second Reading, Ordinance No. 2019-16, 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 0.53 Acres of Land, Legally Described as Tract 91K Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Single-Family 9 District to the Single-Family 6 District; Said Property being generally located on the East Side of Hospital Road, at 601 Hospital Road; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

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

Motion carried unanimously.

8.0 New Business:

- 8.1 Motion was made by Councilman Stoll, second by Councilman Ford, to approve Resolution No. 2019-30, a Resolution of the City of Tomball, Harris County, Texas, to Execute an Agreement with Harris County, for the Exchange of Approximately 11,304 Feet of Right-of-Way Located within the City Limits to be Maintained by Harris County, and Receive 14,522 Feet of Right-of-Way within the City Limits to be Maintained by the City of Tomball.

Motion carried unanimously.

- 8.2 Motion was made by Councilman Ford, second by Councilman Stoll, to approve Resolution No. 2019-32, a Resolution of the City of Tomball, Texas, Adopting and Ratifying the City of Tomball's Investment Policy, as set forth in the City's Administrative Policy No. 13, entitled "Investment Policy"

Motion carried unanimously.

- 8.3 Conduct Public Hearing of the City Council of the City of Tomball to Consider the Advisability of the Creation of a Public Improvement District to make Certain Improvements over Certain Property located within the Corporate Limits of the City of Tomball (TPID 10 – Reserves at Raburn Subdivision)

Mayor Fagan opened the Public Hearing Regarding at 6:22 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:23 p.m.

- 8.4 Motion was made by Councilman Stoll, second by Councilman Degges, to approve the Acknowledgment of Assignment between Tomball Copper Cove, LLC and First Continental Investment Co., Ltd., of the Assessments described in the Development Agreement dated November 6, 2017 between the City of Tomball and Tomball Copper Cove, LLC to Finance Public Improvement District Number Six (TPID 6) Copper Cove Subdivision and Authorize the Mayor to Execute the Acknowledgment of Assignment.

Motion carried unanimously.

- 8.5 Motion was made by Councilman Ford, second by Councilman Stoll, to ratify the FY 2019-2020 Budget and Find that the Proposed Tax Rate of \$.341455/\$100 Does Not Exceed the Effective Tax Rate and Will Generate More Property Tax Revenue than the FY 2018-2019 Budget.

Motion carried unanimously.

- 8.6 Mayor Fagan announced that no Public Hearings on the Proposed Tax Rate for 2019 will be required.

No action necessary.

- 8.7 Motion was made by Councilman Ford, second by Councilman Stoll, to approve and announce that the dates for the Vote on the 2019 Tax Rate will be held at a Special City Council Meeting on September 30, 2019 at 5:30 p.m. and at the Regular City Council Meeting on October 7, 2019 at 6:00 p.m.

Motion carried unanimously.

- 8.8 Motion was made by Councilman Stoll, second by Councilman Degges, to approve Health Insurance Contracts for City Employees with Blue Cross Blue Shield and Aetna and authorize the City Manager to execute the agreements.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 16th day of September 2019.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 16, 2019

Topic:
Update by Randall Scott Architects regarding the Comprehensive Facility Needs Assessment and Facility Master Planning for the City

Background:

Origination:
administration

Recommendation:
na

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

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

ATTACHMENTS:

Council Presentation - City of Tomball FCA Report 8-5-19 Final

COUNCIL BRIEFING

CITY OF TOMBALL

MUNICIPAL BUILDINGS

FACILITY CONDITION ASSESSMENT

AUGUST 5, 2019

Specialists in Municipal & Public Architecture





**RANDALL SCOTT
ARCHITECTS**

ARCHITECTURE | INTERIORS | PLANNING

CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT



CITY HALL | POLICE & MUNICIPAL COURT Page 3 of 43
FACILITY CONDITION INDEX SCORE: 4.5 (OUT OF 10) Page 17 of 240



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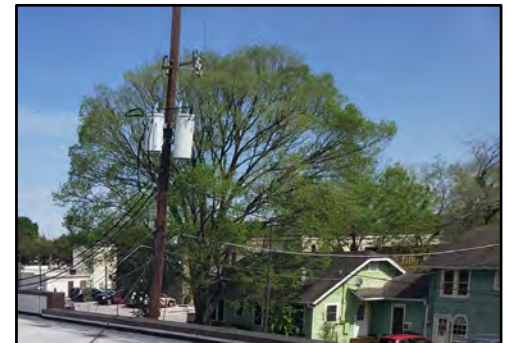
ARCHITECTURE | INTERIORS | PLANNING

CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CITY HALL | POLICE & MUNICIPAL COURT

OVERVIEW

- 15,800 SF constructed in 1974 (45 years old); 2 additions in 1985 (34 years old) and 1997 (22 years old)
- Inadequate Parking (overflows into ISD Administration Lot)
- Limited Covered Parking for Patrol Cars & Police Vehicles
- No secured Parking for Patrol Cars and Police/Staff Parking
- Envelope in fair condition
- Located adjacent to Residential Area
- Building is highly energy inefficient (does not meet current State Energy Code) for exterior envelope construction
- Does not meet current fresh air recommendations
- Accessibility non-compliance issues





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ARCHITECTURE | INTERIORS | PLANNING

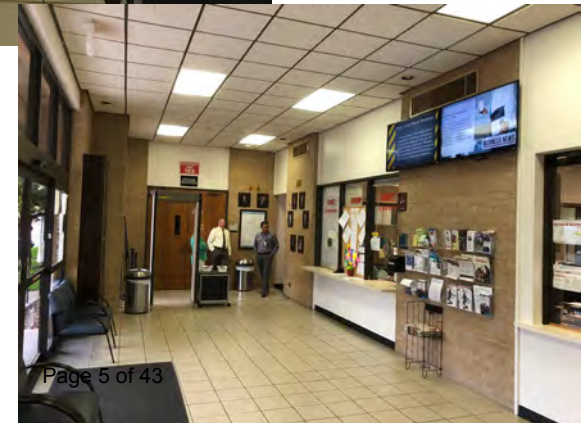
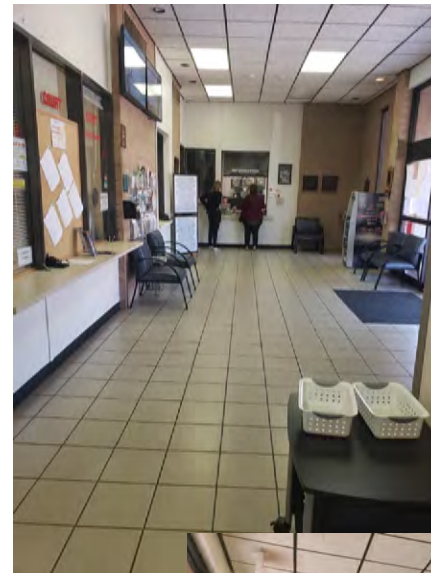
CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CITY HALL | POLICE & MUNICIPAL COURT

FUNCTIONALITY ISSUES

CITY HALL

- Piecemeal construction | cumbersome functionality | extremely inefficient workflow
- City Administration is less than half the size needed
- Many key administrative functions normally located in City Hall are in the Public Works Building 1 mile away
- Inconvenienced citizens confused by the split services regularly arrive at the wrong building
- City Hall Lobby is narrow and underwhelming
- Security type Customer Service windows are a barrier to developing a relationship with citizens
- “One Stop Shop” needed with intuitive cueing





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CITY HALL | POLICE & MUNICIPAL COURT

FUNCTIONALITY ISSUES

CITY HALL (CONT.)

- City Administration located behind locked doors with no Reception/Waiting Area (unwelcoming to citizens)
- Offices are poorly arranged & inefficiently configured
- No Collaboration Space; no CM's Conference Room
- Interior finishes are dated
- Facilities are inadequate to accommodate Birth and Death Certificate traffic (expected to triple in the near future)
- City Secretary needs a Work Room & Secured File Room
- Legally sensitive information cannot be secured from public





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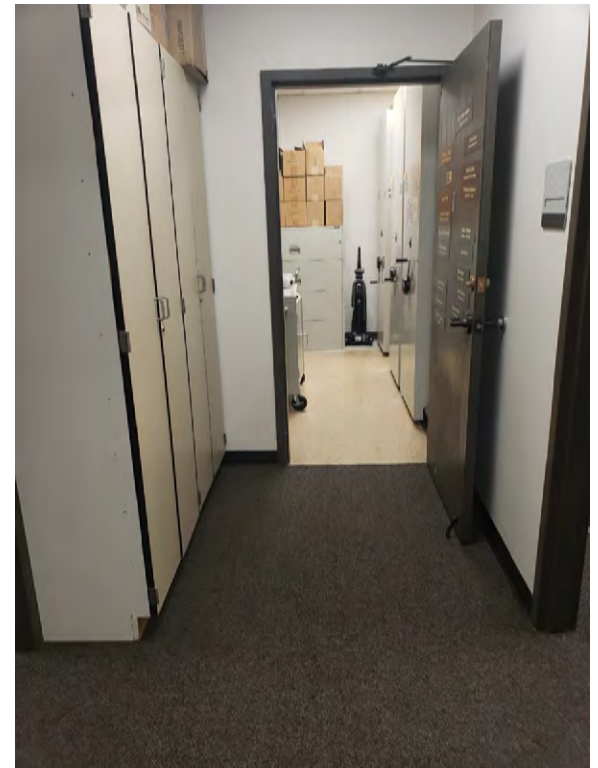
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CITY HALL | POLICE & MUNICIPAL COURT

FUNCTIONALITY ISSUES

CITY HALL (CONT.)

- Break Room, Archive Files Staging Area, HR Conference Room, HR Storage Room for Events Items, HC Staff Restrooms, & Secured Storage for election equipment are needed
- City Admin. Offices do not have a “civic presence”
- Ceilings sag due to excessive cabling in plenum
- Not an inviting workplace
- Only a single Staff Restroom that is not ADA compliant





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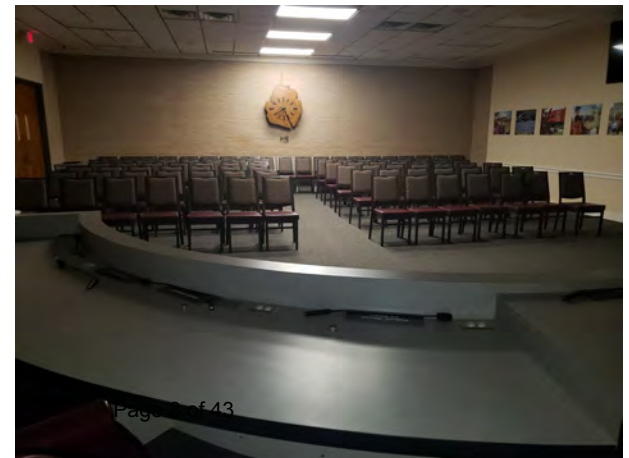
CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CITY HALL | POLICE & MUNICIPAL COURT

FUNCTIONALITY ISSUES

COUNCIL CHAMBERS | COURT ROOM

- A Council Chambers should communicate the importance of City governance to Citizens and Visitors
- Current Council Chambers lacks the “Civic Presence” normally accorded this impact space
- Chambers is undersized
- Executive Council/Jury Sequester Room is not physically connected to Chambers/Court
- Multi-purpose Community/Training/Pre-Proposal Room needed for overflow crowds at Council Meetings
- Public Restroom are difficult to find and inconvenient
- Options to enhance security
- Poor acoustics result in speech intelligibility issues





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CITY HALL | POLICE & MUNICIPAL COURT

FUNCTIONALITY ISSUES

COUNCIL CHAMBERS | COURT ROOM BEST PRACTICES

- Joint-use Council Chambers/Court Room
- High volume space with sloped floor and fixed auditorium seating to improve sight lines
- Non-parallel walls improve speech intelligibility
- Quality finishes with acoustical absorption
- Adjoining Executive Conference/Jury Sequester Room with dedicated Galley Kitchen and Restroom
- Secure escape route for Council and Judge
- Multi-purpose (overflow) Community Room with live feed audio/video streaming capability



CITY HALL | POLICE & MUNICIPAL COURT

FUNCTIONALITY ISSUES

POLICE DEPARTMENT

- Significantly undersized
- High cost of modifications to this building
- Limited adjacent space downtown to expand
- Lack of parking
- Challenges of hardening Police Dept. & barriers to breaching
- Adjacency to existing residential neighborhoods
- Antiquated detention facilities
- Significantly more space needed for Evidence Storage & Evidence Processing
- Shortage of office space
- Piecemeal construction results in inefficient workflow





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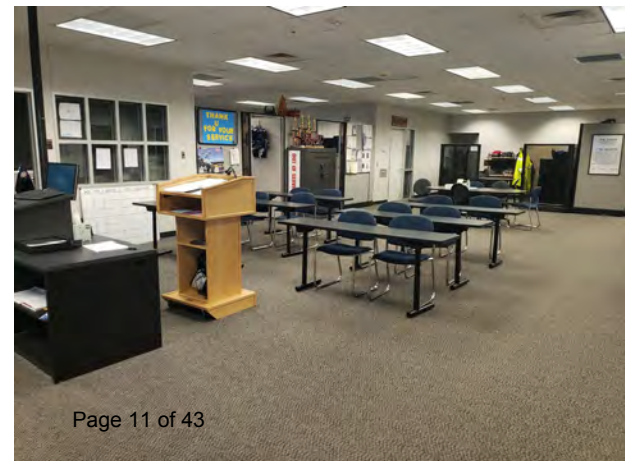
CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CITY HALL | POLICE & MUNICIPAL COURT

FUNCTIONALITY ISSUES

POLICE DEPARTMENT (CONT.)

- HVAC System hodgepodge functions poorly
- Current codes require a "Safe Room" for First Responders
- Dispatch needs to expand 50%; ADA concerns
- Locker Rooms significantly undersized; ADA concerns
- Exercise Fitness Room undersized by 200%
- Need a dedicated and larger Patrol Briefing Room
- Additional officer workstations, Report Writing area and Quartermaster Storage are needed
- Drive-through Sallyport is considered Best Practices for security and processing. Need space for (2) vehicles at a time





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CITY HALL | POLICE & MUNICIPAL COURT

FUNCTIONALITY ISSUES

POLICE DEPARTMENT (CONT.)

- A Man-Trap should connect the Sallyport to the Booking Area
- Booking Area and Corridors in Detention have ADA issues
- No ADA showers in Detention (only one shower now)
- Additional detention cells for men & women are needed (will get worse as the City grows)
- In CID Offices, detectives share a common room without the ability to have confidential conversations
- Training Room is significantly undersized
- Current Best Practices recommend an Outdoor "Decompression Space" for Dispatch and Police personnel





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CITY HALL | POLICE & MUNICIPAL COURT

A/V EQUIPMENT (TECHNOLOGY)

- Inadequate in Court Room and Police Briefing Room
- Dispatch needs to double in size to add 911 consoles and meet employee needs





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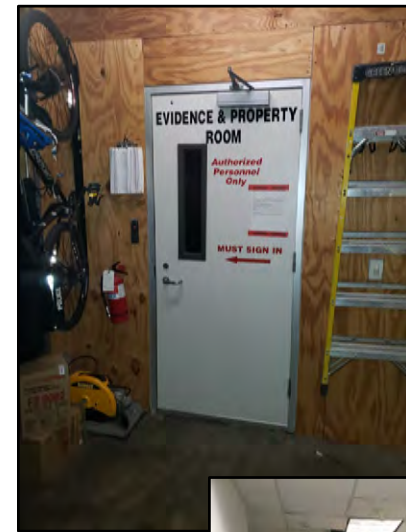
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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CITY HALL | POLICE & MUNICIPAL COURT

EVIDENCE PROCESSING | EVIDENCE STORAGE

- Evidence Storage needs to have hardened perimeter
- Evidence pass-through locker should be located between Evidence Processing & Evidence Storage
- Best Practices require a locked room with HEPA exhaust system to remove narcotics fumes
- Need a locked refrigerator for blood samples; and a locked gun/valuables storage room
- Best Practices would remove separation between Evidence Processing and Evidence Storage





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

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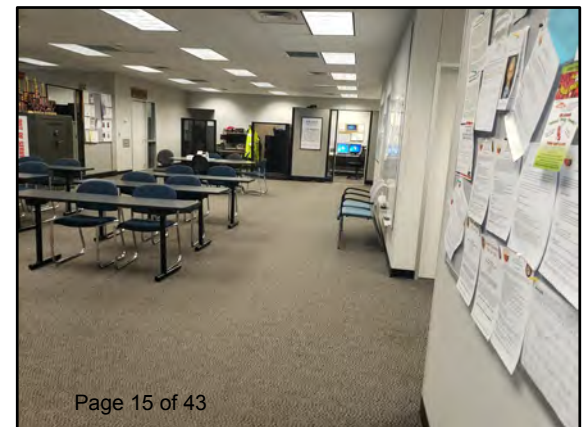
MECHANICAL SYSTEM

- Mechanical Units inefficient; major energy user
- HVAC system does not provide currently recommended fresh air volume
- Additional cooling capacity had to be added at Dispatch recently due to discomfort of employees
- Hodgepodge system does not provide comfort through temperature control of individual spaces



ELECTRICAL SYSTEM:

- New fully designed LED lighting system would save on energy costs
- Inadequate lighting levels result in unpleasant work environment





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

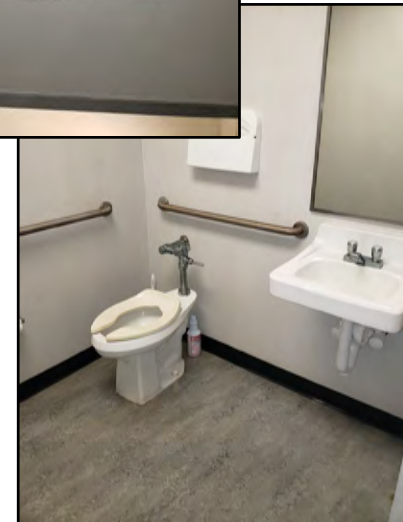
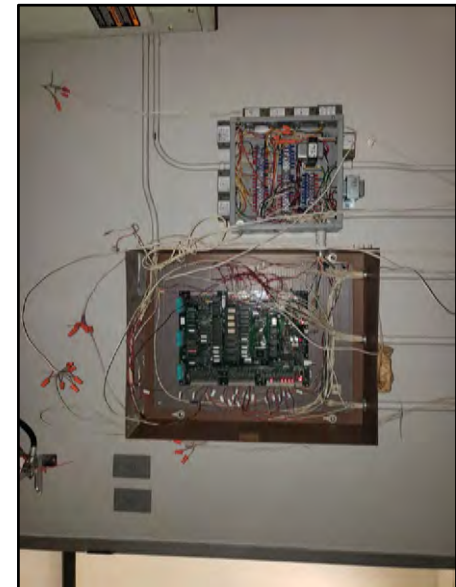
CITY HALL | POLICE & MUNICIPAL COURT

ELECTRICAL SYSTEM (CONT.)

- Chaotic electrical system with panels spread throughout the building
- Space in front of and around electrical panels is a safety issue
- Not enough outlets for charging today's personal devices

PLUMBING SYSTEM

- Inadequate number of plumbing fixtures
- Some plumbing fixtures do not meet ADA
- Restroom locations inconvenient for citizens and Staff
- Purpose-built facility would correct these deficiencies





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ARCHITECTURE | INTERIORS | PLANNING

CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

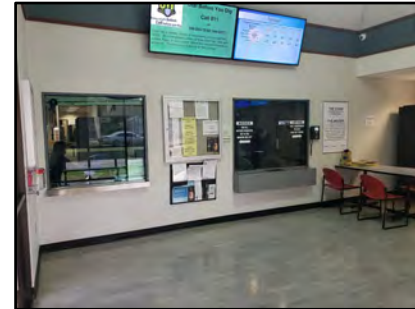
CITY HALL | POLICE & MUNICIPAL COURT

HAZARDOUS MATERIALS | INDOOR AIR QUALITY

- Hazardous Materials very common in 1970's vintage buildings; need to be abated
- Building should be tested for indoor air quality issues due to limited air changes provided by older HVAC systems

SECURITY & SAFETY

- Police Lobby Reception wall needs to be hardened
- Exterior building walls need to be hardened
- Vehicular breaching protection needs to be provided





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT



PUBLIC WORKS | ADMINISTRATIVE OFFICE BUILDING

FACILITY CONDITION INDEX SCORE: 7.0 (OUT OF 10)



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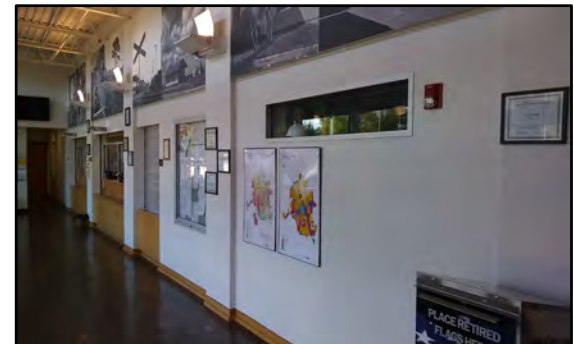
ARCHITECTURE | INTERIORS | PLANNING

CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

PUBLIC WORKS | ADMINISTRATIVE OFFICE BUILDING

OVERVIEW

- 15,800 SF Constructed in 2004 (15 years old)
- Generally in good shape
- Does not meet current State Energy Code (SECO)
- Many of the functions located in this building should be in City Hall such as:
 - Assistant City Manager
 - Public Works Director
 - Permitting Dept.
 - Building Inspection
- Split location of City Administration functions results in workflow inefficiencies and confusion of citizens
- Building is a prime candidate for repurposing





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PUBLIC WORKS | ADMINISTRATIVE OFFICE BUILDING

OVERVIEW (CONT.)

- Accessible ramp needed at Training/Community Room
- Roof needs to be replaced
- “Race Track” design concept with Offices on perimeter glass and utilitarian functions in central core space
- Exit from Training Room leads directly out onto side drive aisle for secured parking





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PUBLIC WORKS | ADMINISTRATIVE OFFICE BUILDING

FUNCTIONALITY ISSUES

- Building Lobby is long and narrow
- Lobby is not inviting nor welcoming
- Lobby does not present a “Civic” impression
- Security type service windows create atmosphere of detachment with the public
- Staff would prefer a concierge Customer Service approach with Staff at desks in the Lobby





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

PUBLIC WORKS | ADMINISTRATIVE OFFICE BUILDING

ROOFING & ROOF DRAINAGE

- Exterior roof drainage system dumps stormwater directly on the ground outside the foundation
- Water needs to be collected and discharged away from the foundation
- Roof membrane at the end of its life expectancy. Replace within the next year or two



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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT



PUBLIC WORKS | SERVICE CENTER
FACILITY CONDITION INDEX SCORE: 2.0 (OUT OF 10)



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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

PUBLIC WORKS | SERVICE CENTER

OVERVIEW

- 8,900 SF constructed in 1984 (35 years old)
- 2 Story pre-engineered metal structures
- Structural Frames in good shape but remainder in poor condition
- Site layout inefficient and undersized
- Restrictive size of complex requires multiple deliveries of materials which presents logistics and cost issues
- Heavy vehicles damage adjacent residential streets
- Located in residential neighborhood
- Semi Tractor Trailers have difficulty making deliveries due to size and configuration of site

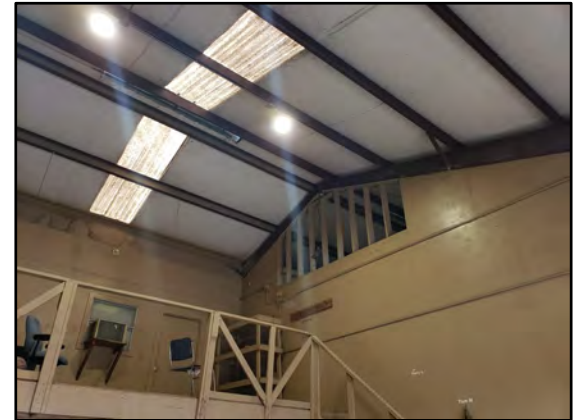


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PUBLIC WORKS | SERVICE CENTER

OVERVIEW (CONT.)

- Metal R-panel cladding in poor condition due to rusting and damage
- Light penetrates building between metal wall panels
- Insulation panels inside building falling down and damaged
- Windows in building are loose
- Corrugated plastic skylights are dirty
- ADA/TAS issues in Staff areas
- Stair and mezzanine railings not compliant with current codes
- Door hardware and Restroom signage have ADA issues





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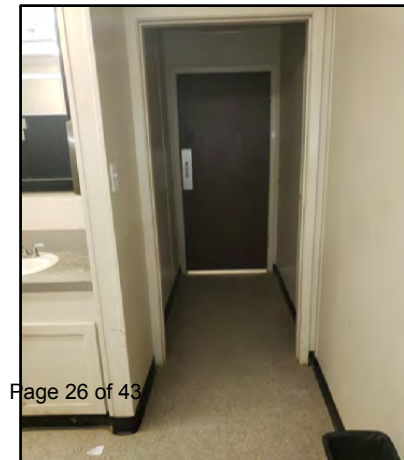
ARCHITECTURE | INTERIORS | PLANNING

CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

PUBLIC WORKS | SERVICE CENTER

OVERVIEW (CONT.)

- VCT flooring delaminating or missing
- Acoustical ceilings sagging/damaged
- Door hardware not functioning
- Overall appearance depressing and ill-kempt
- Mezzanine areas have code compliance issues; fit for Staff use
- Service bay walls show extreme wear and need to be replaced with more abuse resistant construction
- ADA clearance non-compliance issues





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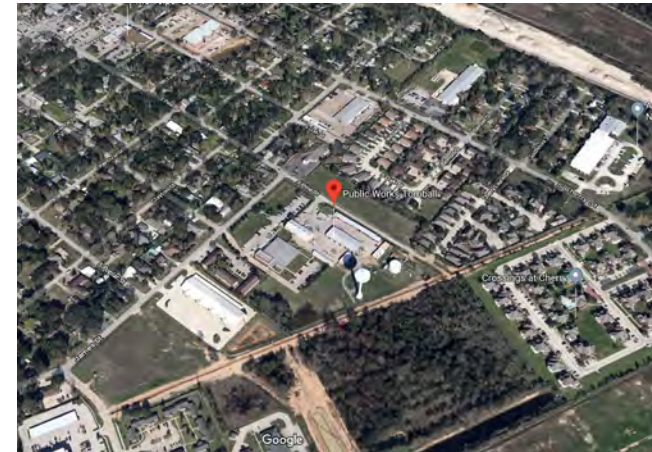
ARCHITECTURE | INTERIORS | PLANNING

CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

PUBLIC WORKS | SERVICE CENTER

FUNCTIONALITY ISSUES

- Best Practices would have this Facility located in a more industrial area or at the City's periphery
- Service Centers by their nature are unsightly, noisy, create odors and have constant heavy equipment traffic
- Service Centers inflict heavy damage on residential streets
- Fuel deliveries are very difficult at the site due to turning radii and layout
- The Service Center is in dire need of the following:
 - Training Room for 65 people
 - Conference Room for 15 people
 - Locker Rooms/showers for male & female employees
 - Bunk Rooms for 24/7 emergency shift workers
 - Larger Break Room





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

PUBLIC WORKS | SERVICE CENTER

FUNCTIONALITY ISSUES (CONT.)

- Wash Bays and Fueling Stations not compliant with current codes
- Space is needed on site to stage equipment for auction
- More space is needed for equipment and materials storage on site

FIRE SUPPRESSION

- The building does not have a fire protection sprinkler system



PUBLIC WORKS | SERVICE CENTER

MECHANICAL SYSTEM

- Split DX units are near the end of their life expectancy
- Very little of the Staff building is conditioned
- Unit heaters in the Service Bays no longer work or are inadequate

ELECTRICAL SYSTEM:

- Fluorescent lights are high energy users by today's standard
Recommend LED retrofit w/3-5 year payback
- Electrical panels co-located in the same room as water heaters which is against Best Practices
- Electrical room cluttered with storage is a safety issue
- Low lighting levels result in gloomy atmosphere for employees





CENTRAL FIRE STATION | FIRE ADMINISTRATION

FACILITY CONDITION INDEX SCORE: 4.0 (out of 10)

CENTRAL FIRE STATION | FIRE ADMINISTRATION

OVERVIEW

- Phase I Constructed in 1998 (21 years old)
- Phase II Constructed in 2001 (18 years old)
- Phase III Constructed in 2012 (7 years old)
- Total square footage 14,821 SF
- Contains Fire Administration, Fire Prevention, FD Training and 6 Apparatus Bays
- Bays consist of 2 double drive-through bays and 4 single back-in bays (total of 8 apparatus)
- Unusual 45 degree bays not as functional as drive-through bays
- Coiling doors in 45 degree bays have height restrictions for apparatus





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CENTRAL FIRE STATION | FIRE ADMINISTRATION

- Exterior R-panel cladding needs to be replaced or repainted soon
- R-panel envelopes are low quality and not an appropriate look for the City's primary Fire Station
- Pre-engineered metal building structure
- Drywall interior walls in apparatus bays are inappropriate material. Should be CMU block, several locations have sustained damage
- Wood storage mezzanine on north end does not meet ADA; not compliant with current codes



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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CENTRAL FIRE STATION | FIRE ADMINISTRATION

FUNCTIONALITY ISSUES

- Severe shortage of Fire Administration space for office and support
- Back-in type bays not Best Practices; prone to accidents and damage to Station
- Need at least 3 double drive-through bays with adequate turning radii and apron space outside
- Current double drive-through bays do not appear to have adequate turning radii and apron space for larger trucks
- Major issue - need dedicated Training Room. Current configuration is disruptive to offices and training
- No dedicated Fitness Room





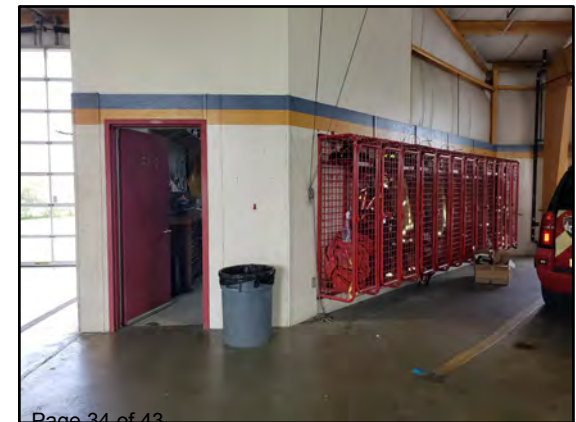
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CENTRAL FIRE STATION | FIRE ADMINISTRATION

FUNCTIONALITY ISSUES (CONT.)

- No Decontamination Room for cleansing of carcinogens and bodily fluids off gurneys and equipment
- No central exhaust system in Apparatus Bays to remove carcinogens & diesel fumes
- Ice machine and SCBA (breathing tank filler) equipment should not be in bays due to diesel fume absorption
- Best Practices are not to house bunker gear in the bays due to diesel and carcinogen absorption
- Need pressurized air-locks between Apparatus Bays and Living Spaces/Fire Admin.
- Best Practices recommend Detoxification Room for removal of carcinogens from firefighters upon return from a fire event





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

CENTRAL FIRE STATION | FIRE ADMINISTRATION

FUNCTIONALITY ISSUES (CONT.)

- Water heater in same room as electrical panels
- Multiple companies located at this Station in the future will require additional Bunk Room, Dining, Restroom and Day Room space
- Wasted space in the areas between the angled Apparatus Bays
- Overall design and planning of this facility is poor and difficult to modify
- Roof has multiple leaks
- Gas fired heaters inadequate for heating the bays
- Lack of trench drains in bays is a safety hazard for firefighters



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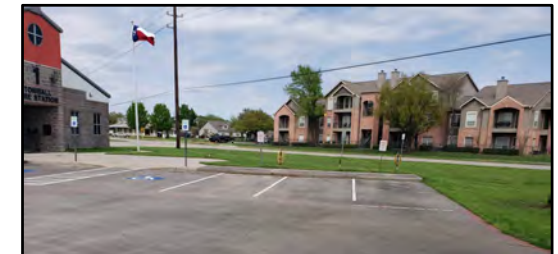
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CENTRAL FIRE STATION | FIRE ADMINISTRATION

FUNCTIONALITY ISSUES (CONT.)

- Current Best Practices in fire station design recommend outdoor detoxification space for firefighter mental health
- Kitchen equipment is residential; should be commercial
- Addition of coiling metal grilles at bay doors would allow passive cooling while securing the bays
- Building is a patchwork of three phases that render it inefficient for employee workflow
- Located in a residential district, not ideal for emergency traffic, engine noise and sirens





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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT



FIRE STATION NO. 2

FACILITY CONDITION INDEX: 8.0 (OUT OF 10)



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FIRE STATION NO. 2

OVERVIEW

- 7,150 SF Constructed in 2006 (13 years old);
- Contains Fire Operations with 3 double drive-through Apparatus Bays. Includes EMS equipment
- Needs a few more joint parking spaces to accommodate adjacent firing range
- Exterior envelope is CMU split face block with aluminum storefront glazing
- Envelope in good condition
- Interior of bays CMU block
- Shift refrigerators and dry food storage need to be relocated to the Kitchen
- No dedicated Fitness Room
- No Decontamination Room for cleansing carcinogens and bodily fluids off gurneys and equipment





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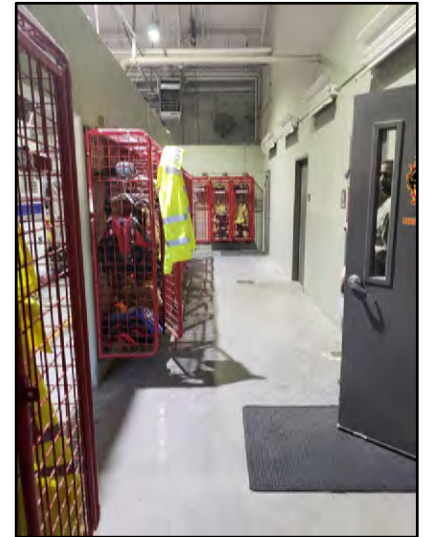
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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

FIRE STATION NO. 2

OVERVIEW (CONT.)

- Exhaust system not ideal; pulls from end of bays
- Bunker gear exposed to diesel fumes and carcinogens in Bays. Needs to be in pressurized separate room
- Recommend firefighter Detoxification “Cleansing” Room be added for firefighter physical wellness
- Recommend outdoor detoxification space for firefighter mental health
- Minor drainage issues noted around building
- Lighting not LED type. Best Practices would suggest LED lighting retrofit with 3-5 yr ROI



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CITY OF TOMBALL MUNICIPAL BUILDINGS FACILITIES CONDITION ASSESSMENT

FIRE STATION NO. 2

OVERVIEW (CONT.)

- Existing millwork is damaged; recommend replacement with commercial grade
- Utilize double stacked commercial lockers for efficiency
- Recommend addition of coiling metal grilles at bay doors to allow passive cooling and securing of bays
- Facility is generally in good condition
- A small addition could remedy many of the items listed above





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FCI SCORING SUMMARY

FCI SCORES | RECOMMENDATIONS

FACILITY NAME	SCORE
City Hall Court Police	4.5
Public Works Admin. Offices	7.0
Public Works Service Center	2.0
Central Fire Station Fire Admin	4.0
Fire Station No. 2	8.0



NEXT STEPS

- Recommend a “Rolling Workshop Tour” of City’s facilities with Council, Staff & RSA to visualize the condition of existing facilities and answer questions
- Recommend a “Benchmarking Tours” of peer municipal City Halls, Police, Fire Stations and Public Works facilities with Council, Staff & RSA to experience peer facilities
- Finalize Program of Requirements (POR’s) for City’s current Facility Needs with building square footage requirements and estimated construction costs
- Present recommendations for potential replacement facilities, repurposing and expansion/renovation options with associated cost estimates to Council



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THANK YOU !

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Announce that Voting on the 2019 Tax Rate will be held at a Special City Council Meeting on September 30, 2019 at 5:30 p.m. and at the Regular City Council Meeting on October 7, 2019 at 6:00 p.m.

Background:

Council is required to announce the dates that Council will vote on the passage of Ordinance No. 2019-21, setting the 2019 tax levy. On September 3, 2019 Council approved and announced that the dates for voting on the tax rate would be at a Special Council meeting on September 30, 2019 at 5:30 p.m. and at the regular Council meeting of October 7, 2019.

Although a special meeting is required, the 2019 tax levy will be adopted within the 60-day time frame required under Tax Code, Sec. 26.05. The deadline to adopt the 2019 tax rate is October 12, the 60th day after the date we received the certified tax rolls.

October 7 is Day 55; the Notice of Vote on 2019 Tax Rate was published in the September 11, 2019 issue of the Potpourri.

Origination:

City Secretary

Recommendation:

Announce September 30, 2019 and October 7, 2019 as the dates for Council consideration and vote to adopt the 2019 Tax Rate.

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

Doris Speer, City Secretary

ACTION TAKEN

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

Notice of Vote on 2019 Tax Rate

**NOTICE OF VOTE ON 2019 TAX RATE
FOR THE
CITY OF TOMBALL, TEXAS**



MONDAY, SEPTEMBER 30, 2019

5:30 P.M.

AND

MONDAY, OCTOBER 7, 2019

6:00 P.M.

Notice is hereby given that a **Vote to Adopt the 2019 Tax Rate** will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Special Council Meeting on Monday, September 30, 2019 at 5:30 p.m., and at a Regular Council Meeting on Monday, October 7, 2019 at 6:00 p.m., at TOMBALL CITY HALL, 401 MARKET STREET, Tomball, Texas 77375, for the purpose of considering the following:

Ordinance No. 2019-21, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.341455/\$100 Value Assessed for the Year 2019 on All Taxable Real and Personal Property Located in the City of Tomball, Texas; Providing for Penalty, Interest, and Additional Penalty on Taxes Not Timely Paid; and Providing Other Matters Relating to the Subject.

A copy of the Ordinance 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, September 9, 2019**.

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 4th day of September 2019 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.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Consideration to Approve the City of Tomball Comprehensive Plan Update.

- Conduct Public Hearing on the City of Tomball Comprehensive Plan Update
- Adopt, on First Reading, Ordinance No. 2019-22, an Ordinance of the City of Tomball, Texas Adopting the Tomball Comprehensive Plan, as an Update to the First Comprehensive Plan – Vision 2030, Providing an Overview of Existing Conditions, Demographics and Socioeconomic Characteristics; Analyzing Community Input; Providing Maps Describing Proposed Future Land Uses; Establishing Goals, Recommendations, Implementation Strategies; and Providing for Severability.

Background:

The Draft City of Tomball Comprehensive Plan Update was presented during a Joint Workshop with City Council and Planning & Zoning Commission on August 19th.

On September 9th, after conducting a Public Hearing, the Planning & Zoning Commission recommended approval of the Comprehensive Plan with a 5-0 vote along with seven conditions. Six of the seven conditions include amendments to the proposed Future Land Use Map. The seventh condition involved exploring an expanded east/west connectivity of Theis Lane/Alice Road.

A copy of the City of Tomball Comprehensive Plan can be found at:

<https://tomballtx.gov/DocumentCenter/View/3859/Updated-Tomball-Comprehensive-Plan-Draft?bidId=>

Origination:

Community Development Department

Recommendation:

Approval

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2019-22

Notice of Public Hearing

Joint Workshop Presentation

P&Z Recommendations Presentation

ORDINANCE NO. 2019-22

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS ADOPTING THE TOMBALL COMPREHENSIVE PLAN, AS AN UPDATE TO THE FIRST COMPREHENSIVE PLAN – VISION 2030, PROVIDING AN OVERVIEW OF EXISTING CONDITIONS, DEMOGRAPHICS AND SOCIOECONOMIC CHARACTERISTICS; ANALYZING COMMUNITY INPUT; PROVIDING MAPS DESCRIBING PROPOSED FUTURE LAND USES; ESTABLISHING GOALS, RECOMMENDATIONS, IMPLEMENTATION STRATEGIES; AND PROVIDING FOR SEVERABILITY.

* * * * *

Whereas, the City of Tomball desires to ensure that growth and development continues to occur in a safe, orderly, and healthy fashion, and seeks by its regulations to promote the health, safety, and general welfare of the municipality; and

Whereas, the City seeks to ensure that future development enhances community character and accurately reflects the vision and values of the community; and

Whereas, Chapter 213 of the Texas Local Government Code authorizes cities to adopt a comprehensive plan for the long-range development of the City and for use to coordinate and guide the establishment of development regulations; and

Whereas, the City Council retained a professional planning consultant to assist in the preparation of a Comprehensive Plan for the City of Tomball; and

Whereas, an Advisory Committee was established and reviewed recommendations made by the Planning Consultant for the Comprehensive Plan; and

Whereas, both the Planning and Zoning Commission and the City Council of the City of Tomball, Texas have published notices and conducted public hearings regarding the Comprehensive Plan and all persons were given the opportunity to present verbal and written testimony; and

Whereas, the Planning and Zoning Commission has evaluated such Plan and has recommended approval of the Plan to the City Council; and

Whereas, the City Council finds it in the best interest of the health, safety, and welfare of its citizens to adopt the Comprehensive Plan.

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 Plan is intended to constitute the Comprehensive Plan of the City of Tomball,

Texas for all matters related to long-range guidance relative to zoning decisions, land development, thoroughfare construction and growth management.

Section 3. The Comprehensive Plan and all maps that are attached hereto and incorporated therein for all purposes, is hereby adopted by the City Council as a guide and public policy.

Section 4. The City Council reserves the right to amend the Comprehensive Plan by adding or removing components or by amending in part or in whole any components of the Plan.

Section 5. Pursuant to the authority provided in the charter and ordinances of the City, the Planning and Zoning Commission shall periodically review the projection assumptions, changing growth patterns, and planning guidelines that provide the foundation for the policies contained in the Plan and shall recommend such amendments as it deems appropriate for the purpose of keeping the Plan relevant and useful as a guide for growth, revitalization and renewal of the City.

Section 6. All ordinances or portions thereof, of the City of Tomball, in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

Section 7. All references in City of Tomball ordinance to the Comprehensive Plan or to the Future Land Use Map shall henceforth refer to such as are here adopted.

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 16TH DAY OF SEPTEMBER 2019.

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

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 7TH DAY OF OCTOBER 2019.

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

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
SEPTEMBER 9, 2019
&
CITY COUNCIL
SEPTEMBER 16, 2019**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, September 9, 2019, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, September 16, 2019, 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:

The Tomball Comprehensive Plan will guide future growth and development in the City of Tomball. The draft Plan provides guidance for the City's future development in the areas of land use, circulation, economic opportunity, parks and recreation and growth capacity.

The draft Comprehensive Plan is available for public review at the following locations:

- Tomball Public Works Building (501 James Street) during normal business hours
- The City of Tomball website: <https://tomballtx.gov/404/Comprehensive-Plan>

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. 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 **5th** day of **September 2019** 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.

Tomball Comprehensive Plan

CITY COUNCIL / P&Z JOINT WORKSHOP

AUGUST 19, 2019



Agenda



1. Plan overview review
2. Present key findings from the early public engagement activities
3. Thoroughfare plan
4. Future land use plan
5. Recommendations
6. Next Steps





Project Overview

Scope of Work, Comprehensive Plan Content:

- Chapter 1: Introduction
- Chapter 2: Existing Conditions
- Chapter 3: Community Inputs
- Chapter 4: Community Vision
- Chapter 5: Future Directions
- Chapter 6: Plan Implementation

Engagement Overview



Kick-off Activities:

- Stakeholder interview meetings
- Driving tour with city staff
- CPAC Meeting
- Visual reconnaissance

Online Public Survey – 269 responses

Public Open House – 45⁺ attendees

CPAC Meetings

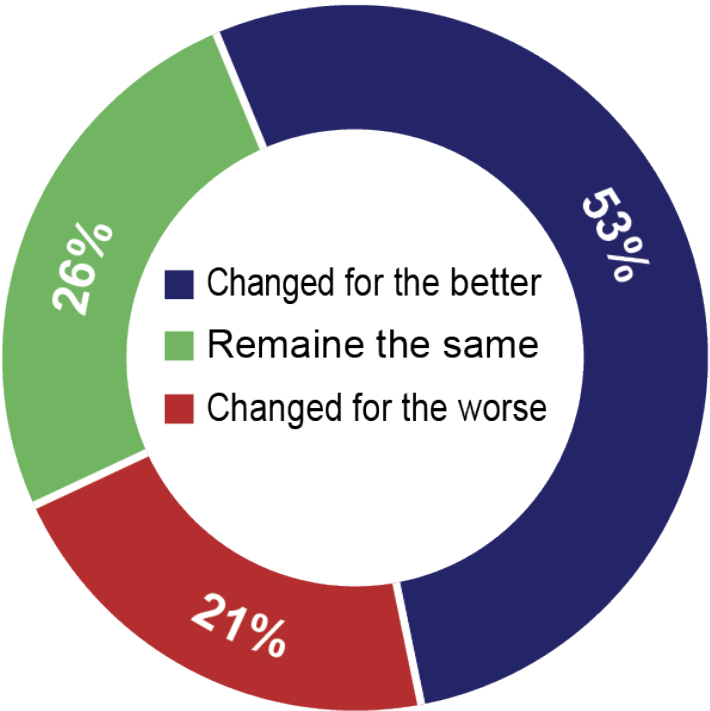
Joint mid-point briefing 10/18/18



Engagement Overview



During the time you’ve lived in Tomball things have...



Satisfaction with Tomball Community

Very Unsatisfied

Very Satisfied





Community Services

1. Police protection
2. Emergency medical services
3. Fire protection
4. Storm drainage/flood protection
5. Street maintenance and repair
6. Water/wastewater services
7. Trash/recycling
8. Community events and festivals
9. Sidewalk maintenance and repair
10. Parks in Tomball
11. Traffic enforcement
12. Recreation services and programs
13. Municipal court
14. Code enforcement
15. Library services and programs
16. Animal control
17. Trails in Tomball
18. Senior services and programs

Public Survey Highlights

Performance versus Importance Assessment

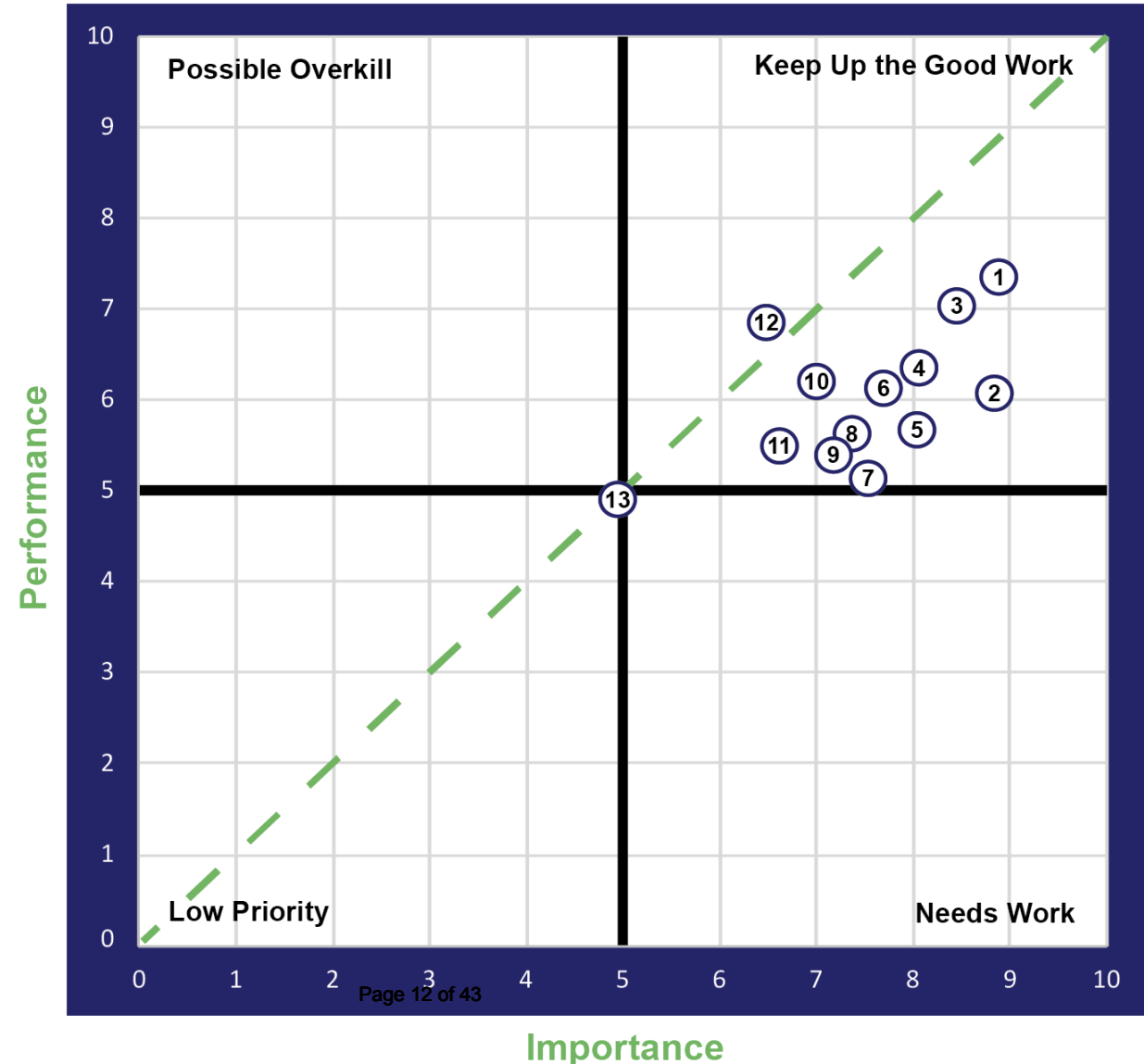


Transportation

1. Safety
2. Traffic congestion
3. Street condition and maintenance
4. Pedestrian accommodation
5. Add off-street parking in downtown
6. Street connectivity
7. Mitigate truck traffic on Main Street
8. Streetscape improvements along Main Street
9. Reroute pass-through traffic around downtown Tomball
10. Wayfinding signage
11. Bicycle accommodation
12. Traffic calming (i.e., slowing traffic speed)
13. Public transportation

Public Survey Highlights

Performance versus Importance Assessment

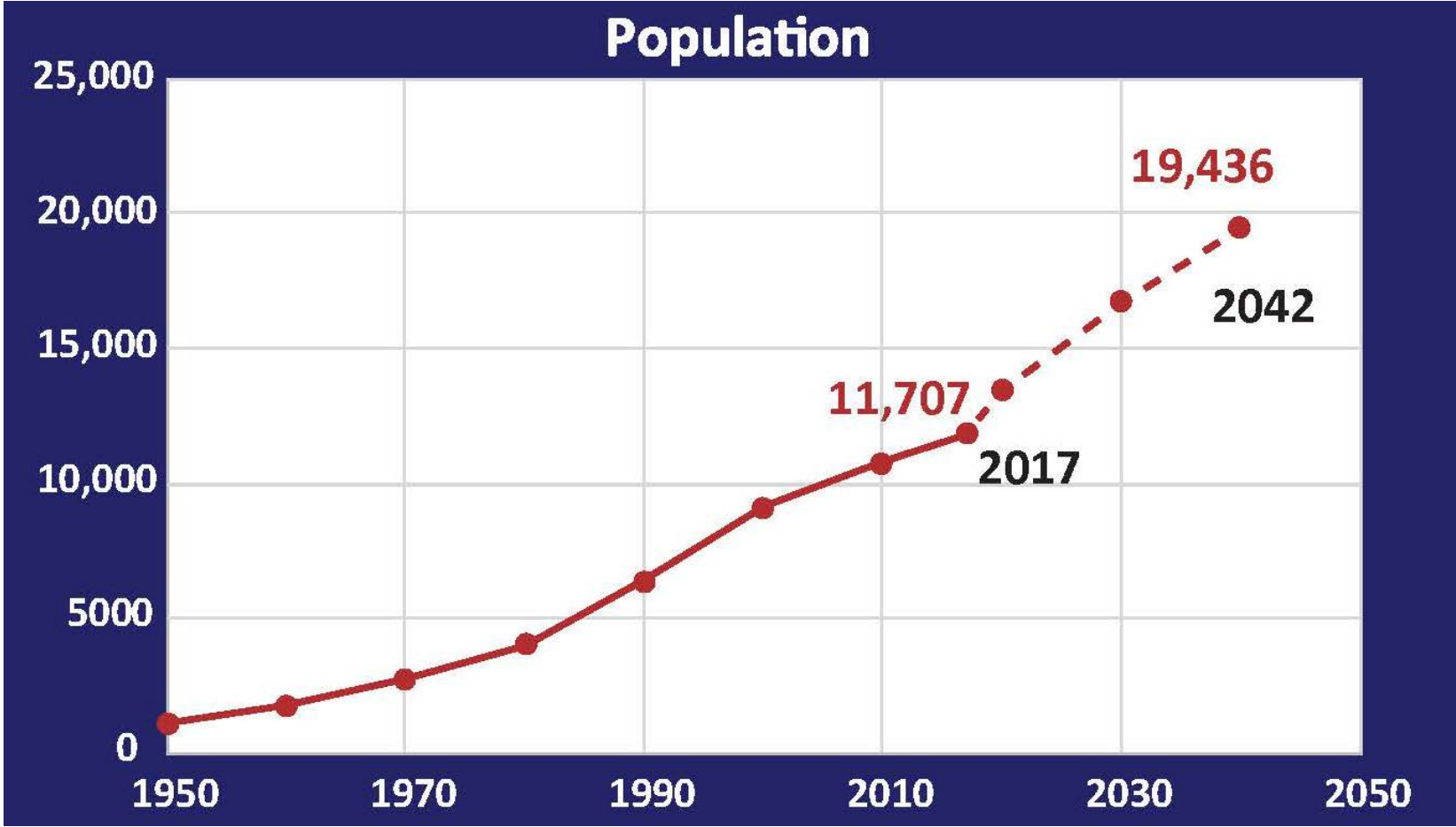




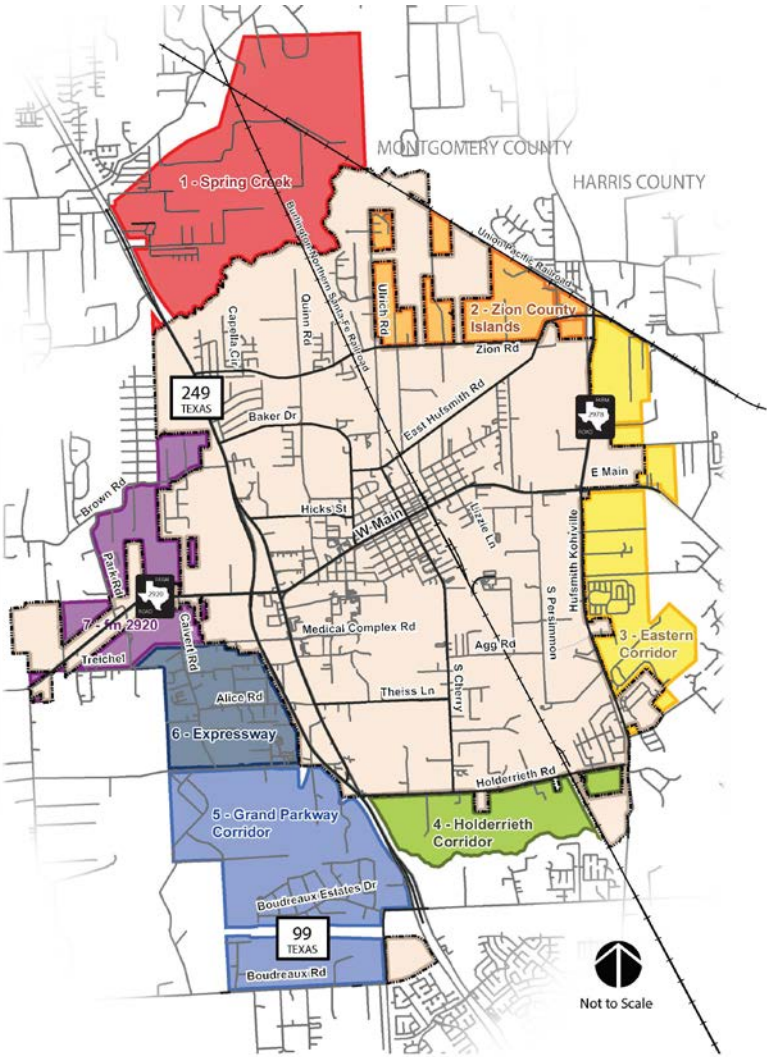
Community Input Key Findings

- There is strong community support and satisfaction with Tomball as a place to live.
- There is general overall satisfaction with the provision of City services.
- There is community support for increasing transportation connectivity through development of alternative routes to address traffic issues, rather than adding additional travel lanes.
- Traffic, especially along Main Street, is a critical issue facing Tomball.
- There is strong support for the continued development of Downtown Tomball, both as an economic driver and as a local amenity.
- There is community support for increased aesthetic design standards for nonresidential buildings.
- There is general support for increased sidewalk and trails through a pragmatic and targeted approach.
- There is support for more single-family residential housing choices, like patio/zero-lot-line homes.
- There is a desire to focus primarily on enhancement of existing parks over addition of new parks.
- Localized flooding is a priority for infrastructure investment.
- Maintaining a strong sense of small town, family feel is important when responding to growth pressures and threats to Tomball's uniqueness.

Population Projections



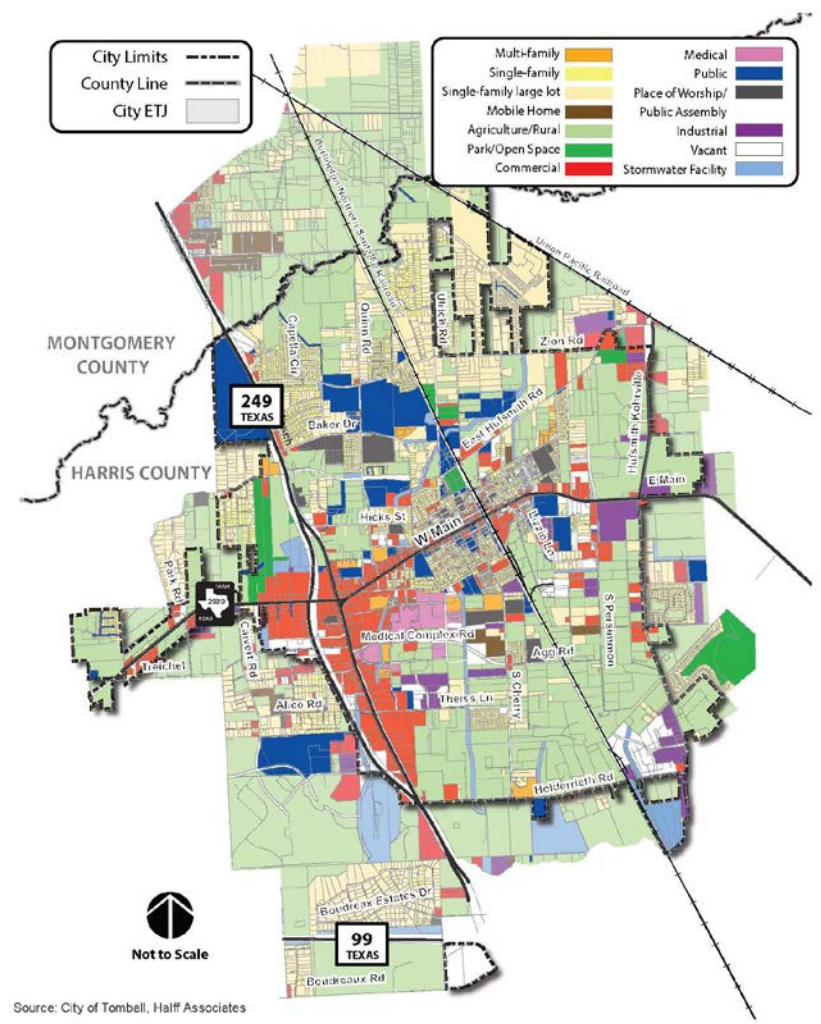
Growth



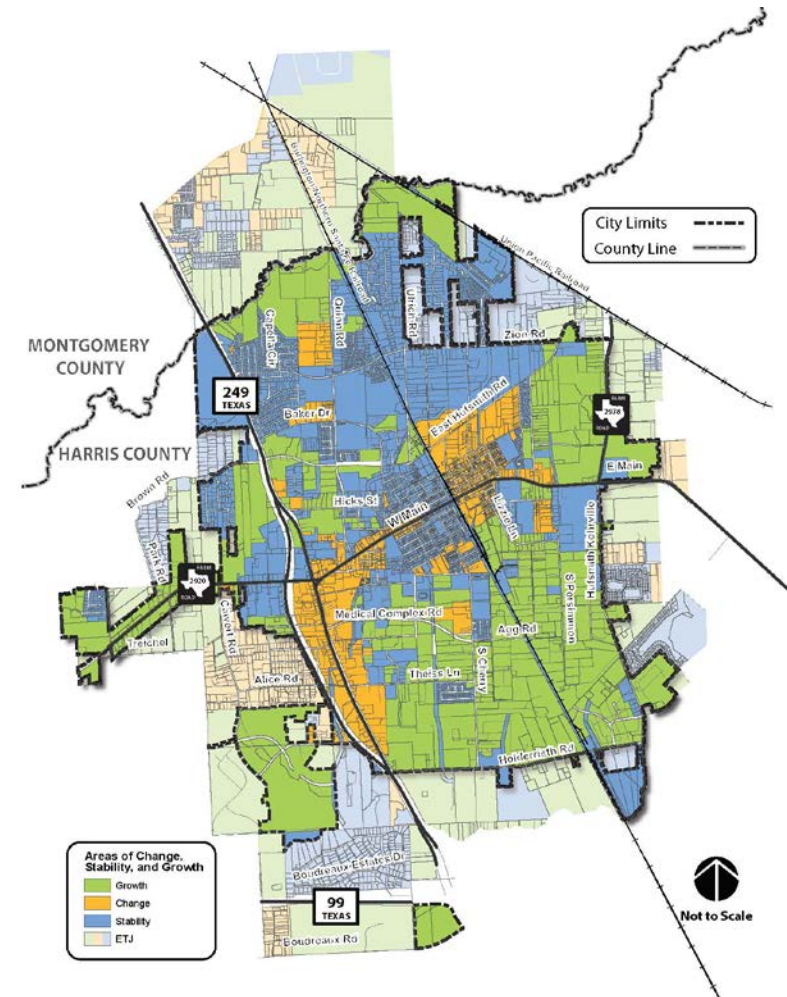
POTENTIAL GROWTH AREA	REMEDIES INFILL ISLANDS	CONTROL GATEWAY / ENTRANCE TO CITY QUALITY	CONTROL GROWTH PATTERNS & QUALITY OF DEVELOPMENT	CONTROL UTILITY RIGHTS	PROTECT POTENTIAL FUTURE REVENUE GENERATION
Area 1		√	√		√
Area 2	√		√		
Area 3		√	√	√	√
Area 4		√	√	√	√
Area 5		√	√	√	√
Area 6			√	√	
Area 7		√	√	√	√

Note: All annexation will have to be pursued through the lens of the recently approved HB 347.

Existing Land Use



Growth, Stability & Change

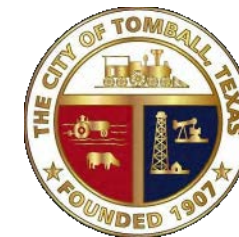


Vision



“Tomball in 2040 is a place where people make great connections—with families, friends, neighbors, through schools, jobs and businesses, to govern, worship, and celebrate. Our community has grown in an attractive, balanced, and well-managed way from a small farm-to-market town to a 21st century commerce center, maintaining its hometown feel and character while creating new amenities, services, and opportunities. Our strong values keep us focused on what is important—family, community, heritage, health, education, and environment. Tomball is a vibrant and healthy City we are proud to call home.”

~ Vision 2030, 2009 Comprehensive plan



GOAL 1: GROWTH AND CAPACITY

Be a good steward of public dollars through provision of quality public services.

GOAL 2: LAND USE AND DEVELOPMENT

Work with the development community to meet the needs of a growing community while being true to the character of Tomball.

GOAL 3: MOBILITY

Strive to address mobility concerns by partnering with other jurisdictions as well as promoting alternative routes across the community.

GOAL 4: COMMUNITY LIVABILITY

Continue to recognize Old Town as an important economic and cultural center of the community and promote Tomball's sense of place in all projects.

GOAL 5: ECONOMIC DEVELOPMENT

Identify areas of reinvestment and re-imagining so that all parts of Tomball contribute to a prosperous future.

GOAL 6: COMMUNITY FACILITIES AND SERVICES

Provide high-quality community facilities and services which are forward thinking and responsive to the needs of the Tomball community.

GUIDING PRINCIPLES

- Continue the City commitment on the implementation of the adopted City plans, specifically those related to water, wastewater and drainage.
- Identify and promote opportunities for partnerships in the development of community infrastructure and facilities, not only between City departments, but also between other governmental agencies.
- Promote infill and redevelopment to take advantage of existing infrastructure and reduce the potential impacts of disinvestment and corresponding blight.
- With limited annexation opportunities, work with the City of Houston and Harris County in the consideration of the fiscal and social implications of annexation or non annexation in reference to the provision of public services.
- Improve the City's resiliency and lessen flooding impacts on residents through a multifaceted approach to drainage infrastructure by encouraging both public and private drainage facilities to be more integrated into the built environment.

GUIDING PRINCIPLES

- Encourage new development and redevelopment consistent with the types of development patterns and character recommendations associated with the Future Land Use Plan, zoning map, and development regulations.
- Promote development patterns that utilize existing infrastructure to its fullest capacity.
- Guide compatible development to create a Medical District with complimentary land uses and improved connectivity to Old Town.
- Pursue modifications to development regulations to create high-quality spaces that reflect Tomball's welcoming small town feel, while allowing for modern growth to occur in targeted areas.
- Encourage development with a mix of uses and walkable environment, both in Old Town and developing areas.
- Establish land use policies that encourage high quality housing, with improved housing choice appropriate for Tomball's character.
- Facilitate development of new neighborhoods to integrate with the surrounding built environment, providing opportunities for all stages of life (recent graduates, young families, empty nesters, etc.)

GUIDING PRINCIPLES

- Develop and encourage alternative routes through the City to improve cross-city connectivity outside of established neighborhoods.
- Reduce truck traffic through downtown.
- Address long-term parking needs in downtown and address access concerns by area merchants.
- Promote key pedestrian corridors and encourage accommodation along these routes; this effort may be complimented by bicycle facilities but emphasis should be on pedestrian connections first and foremost.
- With the completion of the Tomball Tollway, envision Tomball Parkway to better serve the community.
- Promote improved regional connectivity through open dialogue and partnerships with Harris County and the City of Houston.
- Protect the functional capacity of roadways in the City and ETJ by adhering to access management principles.
- Consider street alternatives in Old Town to maintain existing character and tree canopy.
- Consider a trail system as a means to encourage active transportation as a choice for community residents.

GUIDING PRINCIPLES

- Protect and encourage expansion of Old Town so that it grows as the City grows.
- Continue to promote events and festivals that attract people to the community and provides residents with opportunities for socializing and fellowship.
- Enhance the gateways and thoroughfares, complimented by wayfinding, to further enforce a sense of place upon arrival to Tomball.
- Prioritize recreation and leisure opportunities to meet the needs of a growing population.
- Promote beautification city-wide, including but not limited to alley enhancements.

GUIDING PRINCIPLES

- Identify opportunities for further promotion of Old Town and its local entrepreneurship brand.
- Continue to work with Lone Star College to emphasize workforce training that compliments Tomball's industries (healthcare, technology, energy, manufacturing, etc.).
- Encourage continued growth of business parks and corporate campuses in Tomball.
- Ensure that is a Tomball competitive business environment regionally and maintain efforts for a balanced economy.
- Promote districts in Tomball, such as the Medical district, with complimentary land use policy.
- Capitalize on the mix-use developments that promote entertainment opportunities found in private development.

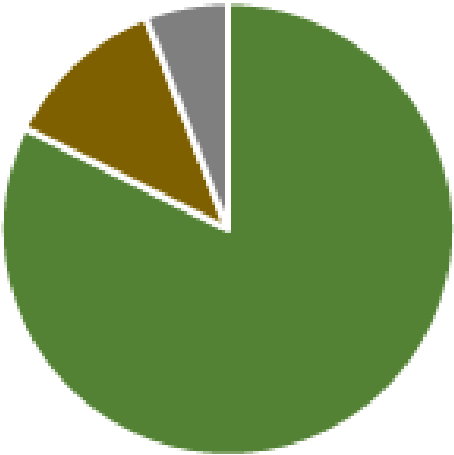
GUIDING PRINCIPLES

- Further develop the City's parks, open spaces, and trail network, specifically looking at how these spaces link to each other and promote citywide access and active lifestyles.
- Continue to invest in and provide high levels of public safety services to prioritize the City's commitment to ensuring public health, safety, and welfare.
- Encourage joint use of new sites to serve multiple public purposes.
- Incentivize the use of the City's natural and man-made drainageways and floodplains for stormwater conveyance, open space protection, and recreation.
- Consider public facilities as economic development investments for the future. New public facilities should set the bar for the quality of development envisioned by the Tomball community and should consider both first and long-term costs.

Understanding Character



Rural Character



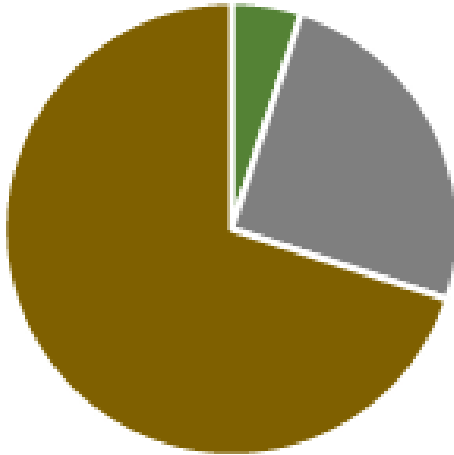
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Suburban Character

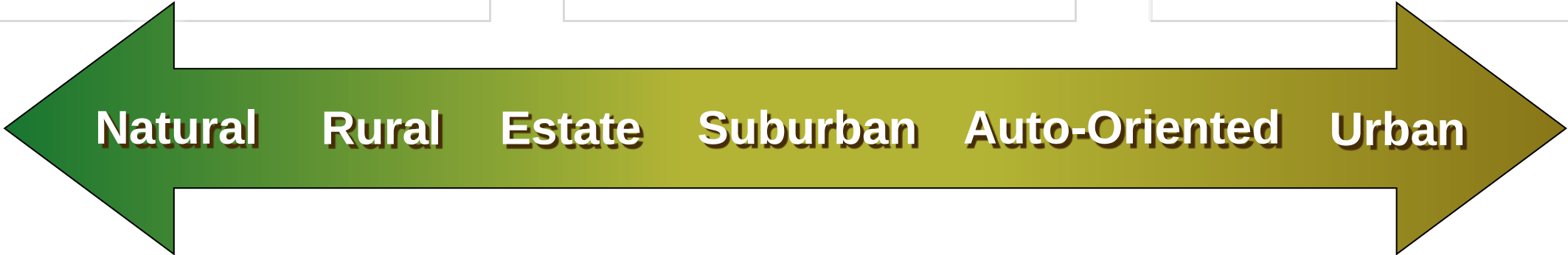


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Urban Character

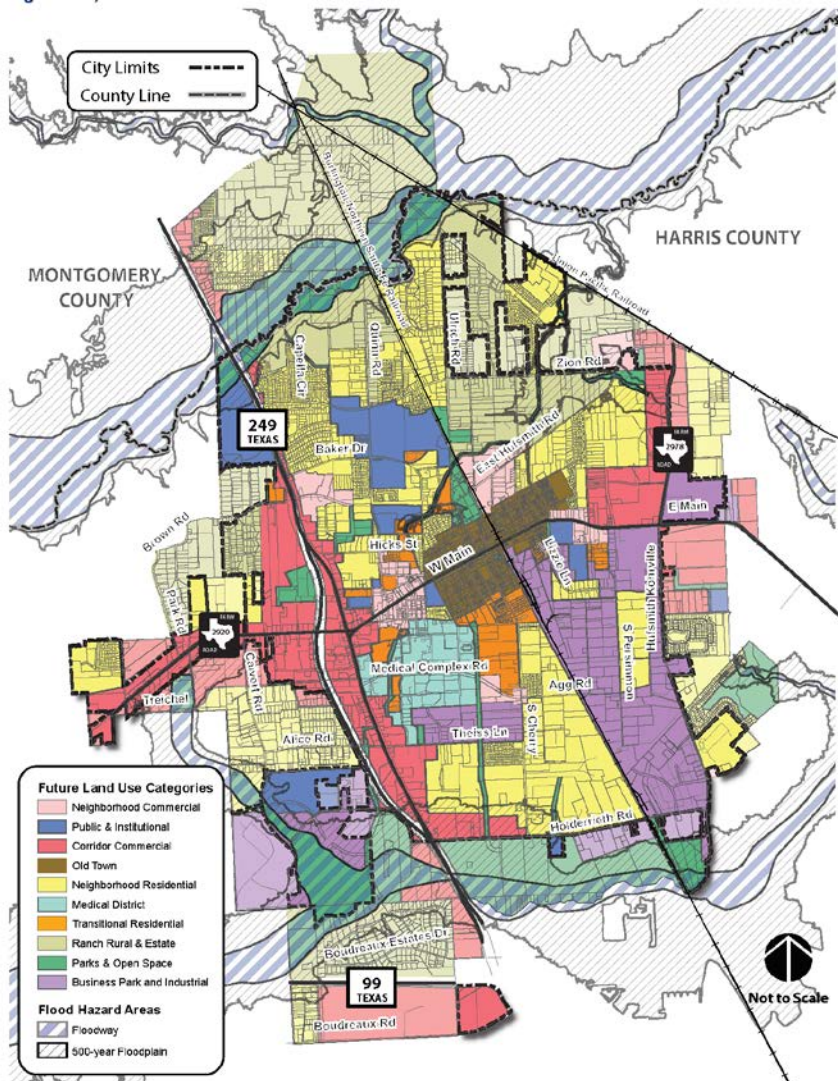


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Future Land Use Planning



Future Land Use Categories

- Parks & Open Space
- Ranch & Rural Estate
- Neighborhood Residential
- Transitional Residential
- Neighborhood Residential
- Corridor Commercial
- Medical District
- Public Institutional
- Business Park & Industrial
- Old Town



Future Land Use

- **Intent & Character.** This subsection provides a general description of the intent and intended character of development.
- **Appropriate Land Use Types.** This subsection provides guidance on the primary, and in many cases, secondary uses which may be appropriate in certain areas of the City and to update zoning district regulations.
- **Compatible Zoning Districts.** This subsection provides guidance as to which established zoning district may be most appropriate to implement the intent of the future land use category. In many cases, improvement to the City's regulations may be warranted to fully achieve the envisioned character.
- **Moving Forward.** This subsection provides guidance on proposed locations and development qualifiers which may be appropriate during zoning requests, development approvals, as well as during subsequent updates to the City's regulations.



Goals, Objectives & Actions

- **6 Goals**
- **25 Objectives**
- **89 Actions**





Goal 1: Growth & Capacity

Systematically provide public infrastructure to support current and projected development in a quality, cost effective manner.

- **GC 1.1.7.** Maintain a water conservation program that applies to both City facilities and private land development.
- **GC 1.2.4.** Consider additional development impact fees so new growth contributes its fair share for likely expansions in community facilities and services.
- **GC 1.3.3.** Evaluate opportunities for multi-functional drainage improvements in Old Town.
- **GC 1.3.5.** Adopt regulatory policy similar to that of Harris County for development within the floodplain.
- **GC 1.3.6.** Improve coordination with Harris County regarding necessary maintenance along the county's drainage corridors.



Goal 2: Land Use & Development

Work with the development community to meet the needs of a growing community while protecting the valued small-town character of Tomball.



- **LU 2.2.1.** Review and evaluate development codes to align with the community's vision for the future as set out in this comprehensive plan.
- **LU 2.4.1.** Work with area partners to develop educational materials explaining opportunities and benefits for rural land preservation.





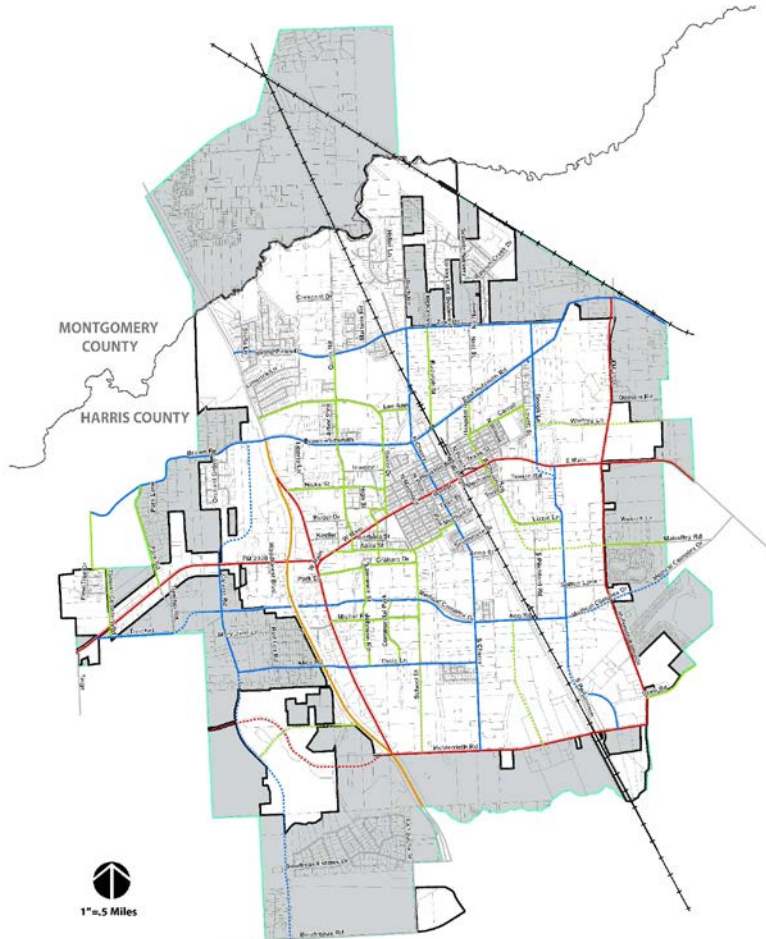
Goal 3: Mobility

Strive to address mobility concerns by partnering with other jurisdictions as well as promoting alternative routes across the community.

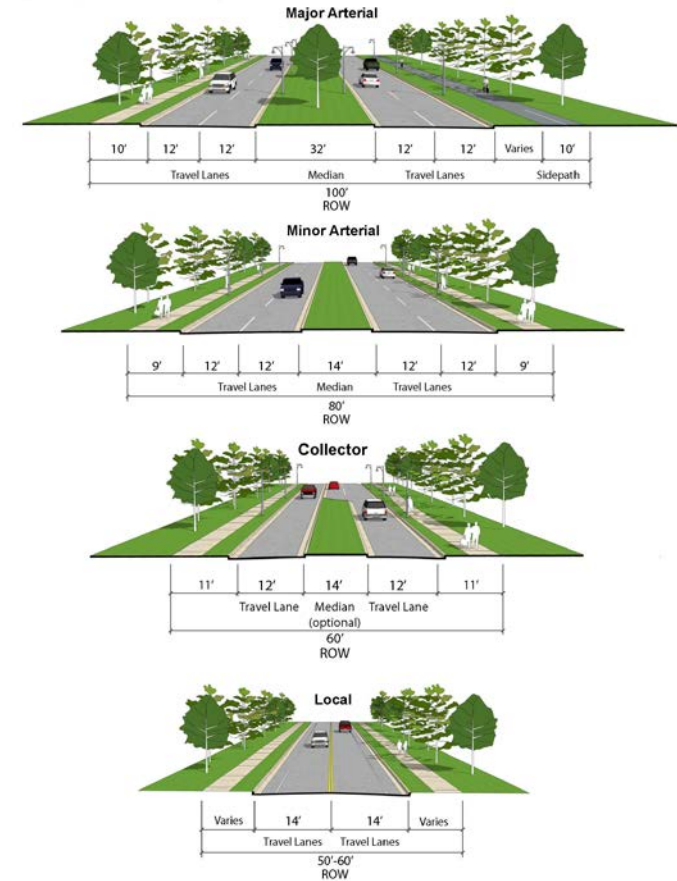
- **MO 3.2.2.** Perform safety audits at high accident locations to minimize the congestion-related impacts of crashes.
- **MO 3.2.3.** Investigate an alternative to FM 2920 to provide a bypass for through traffic and heavy trucks.
- **MO 3.2.4.** Invest in improvements to east/west thoroughfares.
- **MO 3.3.2.** Develop objectives, detailed standards, and guidelines for the treatment of public streetscapes to improve safety and walkability; recommendations should address street trees, street lighting, street furniture, traffic calming, and other pertinent issues.
- **MO 3.2.2.** Perform safety audits at high accident locations to minimize the congestion-related impacts of crashes.
- **MO 3.3.3.** Continue to partner with area agencies and stakeholders to implement the improvements set out in the FM 2920 Access Management Study (2008).
- **MO 3.4.1.** Support a Grand Parkway (SH 99) traffic interchange at SH 249.
- **MO 3.4.2.** Establish a traffic calming program to maintain appropriate traffic conditions on residential streets to ensure safety.

Goal 3: Mobility

Strive to address mobility concerns by partnering with other jurisdictions as well as promoting alternative routes across the community.



DEFINING ELEMENTS	MAJOR ARTERIAL	MINOR ARTERIAL	COLLECTOR	LOCAL STREET
PURPOSE	Mobility and continuous traffic flow are a primary function, while access is secondary. Connects primarily to other arterials.	Connects major arterials and lower classification collectors. Continuous traffic flow is still the primary function, while access is secondary.	Collects local street traffic to the arterial network. Transport of this traffic is the primary function, however access as a function may be successful.	Provides direct access to properties. Intended to carry traffic to collector streets, but access is the primary function. Best paired with slower speeds.
FUNCTIONAL ROLE	Serves the highest volumes of traffic. Provides regional connections to area communities.	Serves high volumes of traffic at citywide scale. It connects activity centers to major arterials.	Connects local land uses to the greater community. May serve as the effective spine of a new development.	Provides direct access to abutting properties.
NUMBER OF LANES	4 to 6 lanes of travel; up to two turn lanes	4 to 5 lanes; one turn lane	2 to 3 lanes; one turn lane	2 lanes
MEDIAN	Medians are intended to provide both refuge for pedestrian crossing and landscaping.	Medians are intended to provide both refuge for pedestrian crossing and landscaping.	Medians are appropriate to improve aesthetics and access management.	N/A
ROW	100 ft.	80 ft.	60 ft.	50 - 60 ft.
ACCESS	State facility guidelines	State facility guidelines	Commercial Driveway Access	Driveway Access
NEIGHBORHOOD RELATIONSHIP	Connects neighborhoods to the greater area.	Defines boundaries and connects neighborhoods to the community.	Disseminates from and funnels to traffic street system.	Internal access.
ON-STREET PARKING	Restricted	Restricted	Allowed in certain circumstances	Permitted
SIDEWALKS	7 ft.	6 ft.	5 ft.	5 ft.
TRAFFIC CALMING	No	No	Yes	Yes
TRUCK ROUTES	Permitted	Permitted	No, except for industrial areas	No

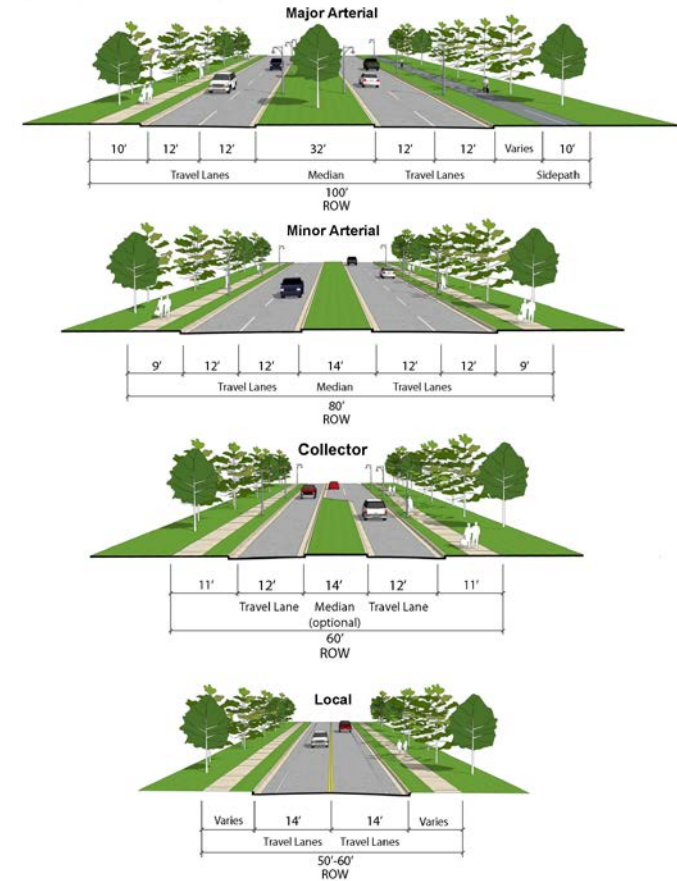


Goal 3: Mobility

Strive to address mobility concerns by partnering with other jurisdictions as well as promoting alternative routes across the community.



DEFINING ELEMENTS	MAJOR ARTERIAL	MINOR ARTERIAL	COLLECTOR	LOCAL STREET
PURPOSE	Mobility and continuous traffic flow are a primary function, while access is secondary. Connects primarily to other arterials.	Connects major arterials and lower classification collectors. Continuous traffic flow is still the primary function, while access is secondary.	Collects local street traffic to the arterial network. Transport of this traffic is the primary function, however access as a function may be successful.	Provides direct access to properties. Intended to carry traffic to collector streets, but access is the primary function. Best paired with slower speeds.
FUNCTIONAL ROLE	Serves the highest volumes of traffic. Provides regional connections to area communities.	Serves high volumes of traffic at citywide scale. It connects activity centers to major arterials.	Connects local land uses to the greater community. May serve as the effective spine of a new development.	Provides direct access to abutting properties.
NUMBER OF LANES	4 to 6 lanes of travel; up to two turn lanes	4 to 5 lanes; one turn lane	2 to 3 lanes; one turn lane	2 lanes
MEDIAN	Medians are intended to provide both refuge for pedestrian crossing and landscaping.	Medians are intended to provide both refuge for pedestrian crossing and landscaping.	Medians are appropriate to improve aesthetics and access management.	N/A
ROW	100 ft.	80 ft.	60 ft.	50 - 60 ft.
ACCESS	State facility guidelines	State facility guidelines	Commercial Driveway Access	Driveway Access
NEIGHBORHOOD RELATIONSHIP	Connects neighborhoods to the greater area.	Defines boundaries and connects neighborhoods to the community.	Disseminates from and funnels to traffic street system.	Internal access.
ON-STREET PARKING	Restricted	Restricted	Allowed in certain circumstances	Permitted
SIDEWALKS	7 ft.	6 ft.	5 ft.	5 ft.
TRAFFIC CALMING	No	No	Yes	Yes
TRUCK ROUTES	Permitted	Permitted	No, except for industrial areas	No





Goal 3: Mobility

Strive to address mobility concerns by partnering with other jurisdictions as well as promoting alternative routes across the community.

- **MO 3.4.3.** Evaluate the long-term opportunities and constraints of establishing an intracity circulator in Tomball.
- **MO 3.5.2.** Use technology to improve safety at grade crossings that cause the least environmental harm (e.g., automated horn systems).
- **MO 3.6.1.** Consider the establishment of a Trails Master Plan to ensure effective implementation of a on-and off-street trail system.

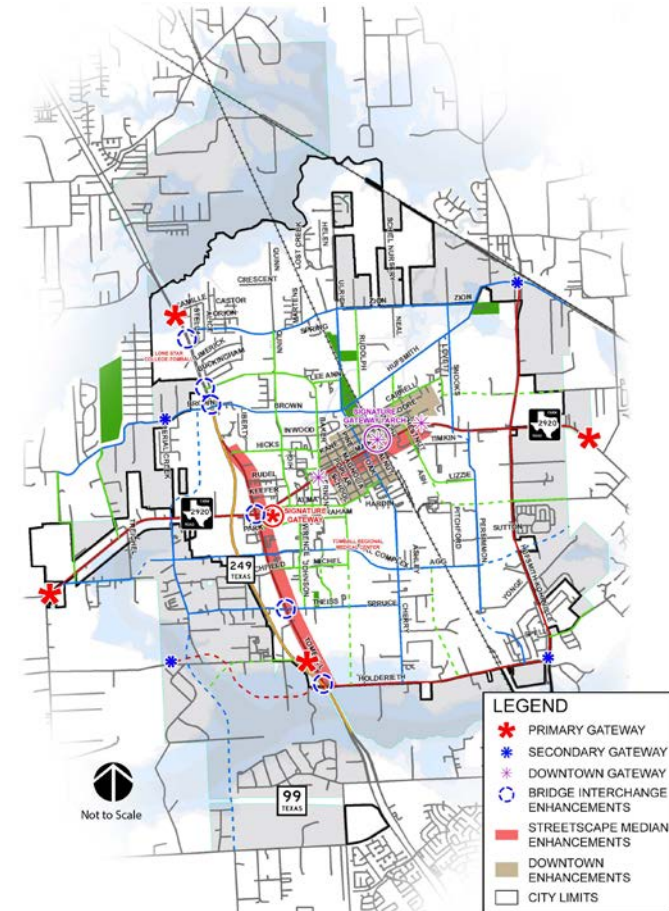




Goal 4: Community Livability

Continue to recognize old town as an important economic and cultural center of the community and promote Tomball's sense of place in all projects.

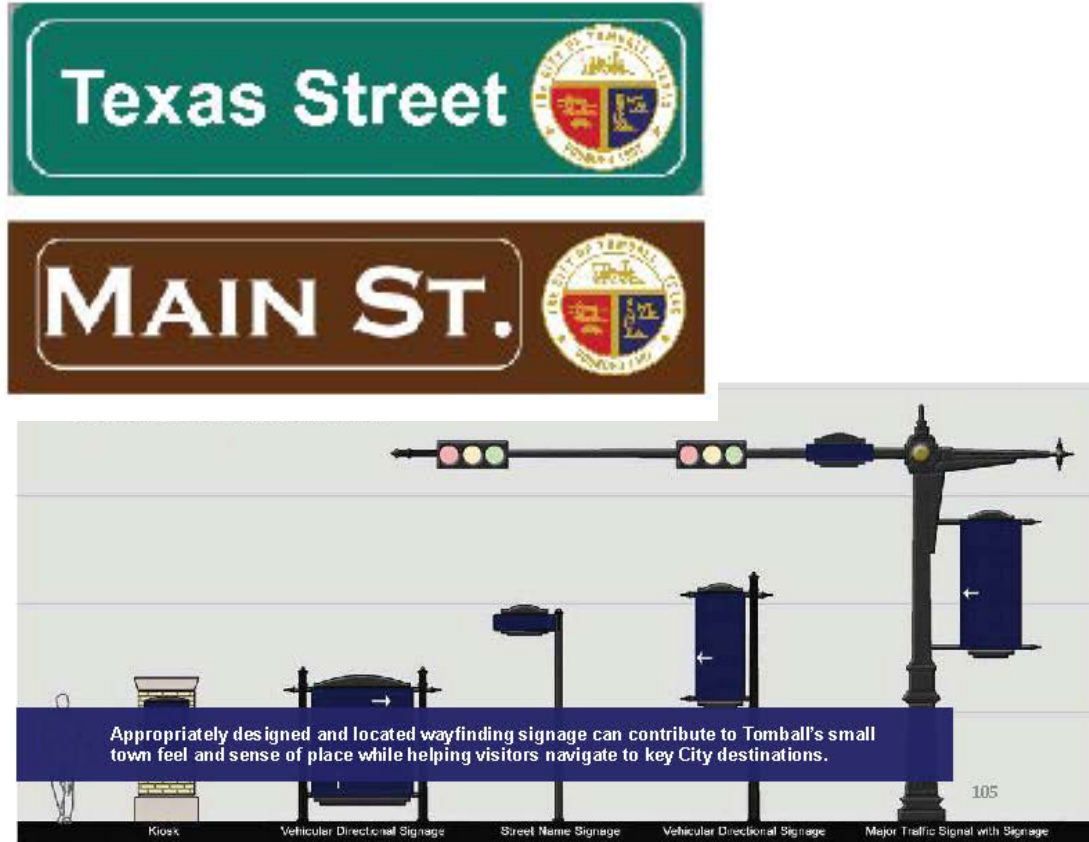
- **CL 4.1.1.** Identify alternative financing solutions to address the growing infrastructure needs of Old Town.
- **CL 4.1.3.** Develop a Tourism Strategic Plan to identify and implement appropriate strategies for expanding tourism in Tomball.
- **CL 4.1.4.** Develop and implement a strategy to develop public art and cultural amenities in Old Town.
- **CL 4.2.1.** Establish a program to fund community image enhancement projects in Tomball.





Goal 4: Community Livability

Continue to recognize old town as an important economic and cultural center of the community and promote Tomball's sense of place in all projects.



- **CL 4.3.1.** Develop and implement a wayfinding signage program in Tomball.
- **CL 4.3.2.** Develop design guidelines for alley enhancements and identify locations for application.
- **CL 4.3.4.** Enhance public landscaping along prominent corridors and entries into Tomball.
- **CL 4.3.5.** Consider replacing and enhancing street signage throughout Tomball to improve community identification.



Goal 5: Economic Development

Identify areas of reinvestment and re-imaging so that all parts of Tomball contribute to a prosperous future.

- **ED 5.2.1.** Establish a Medical Campus Specific Area Plan in order to institute land use policy and development standards that promote and protect Tomball's medical industry.
- **ED 5.4.4.** Identify and evaluate partnership opportunities to establish a local Convention and Visitors Bureau specifically for Tomball.





Goal 5: Economic Development

Identify areas of reinvestment and re-imaging so that all parts of Tomball contribute to a prosperous future.





Goal 6: Community Facilities & Services

Provide high-quality community facilities and services which are forward thinking and responsive to the needs of the Tomball community.

- **CF 6.1.1.** Fund efforts to complete a Parks Master Plan.
- **CF 6.2.4.** Evaluate near-term needs to improve operations at the City's existing police department.
- **CF 6.3.3.** Evaluate opportunities to formalize a Fire Explorer program for the community.
- **CF 6.3.6.** Conduct a staffing manpower study to evaluate the long-term operational needs of the volunteer firefighter program.
- **CF 6.3.8.** Undertake a Fire Department facility study to prepare for long-term station development.

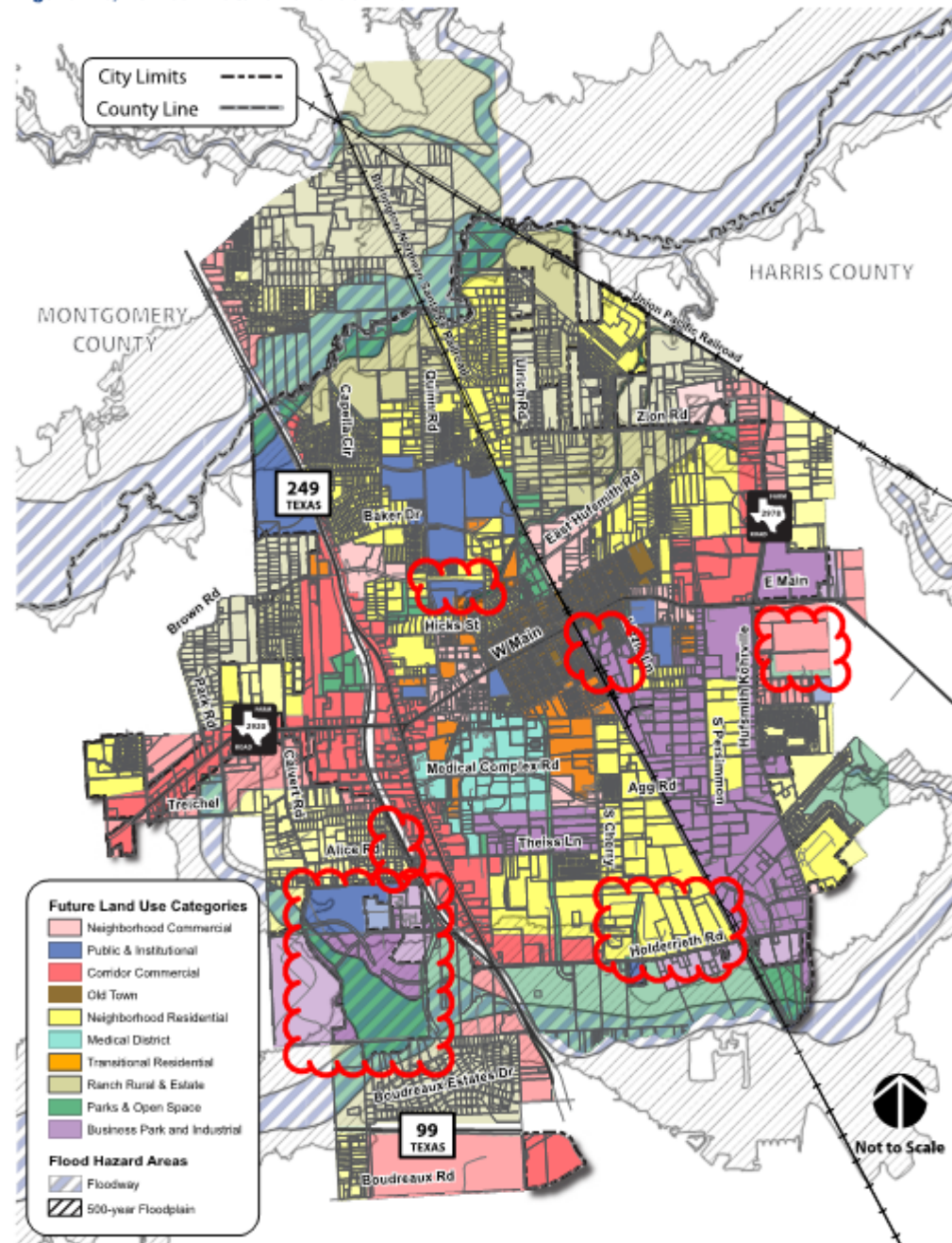


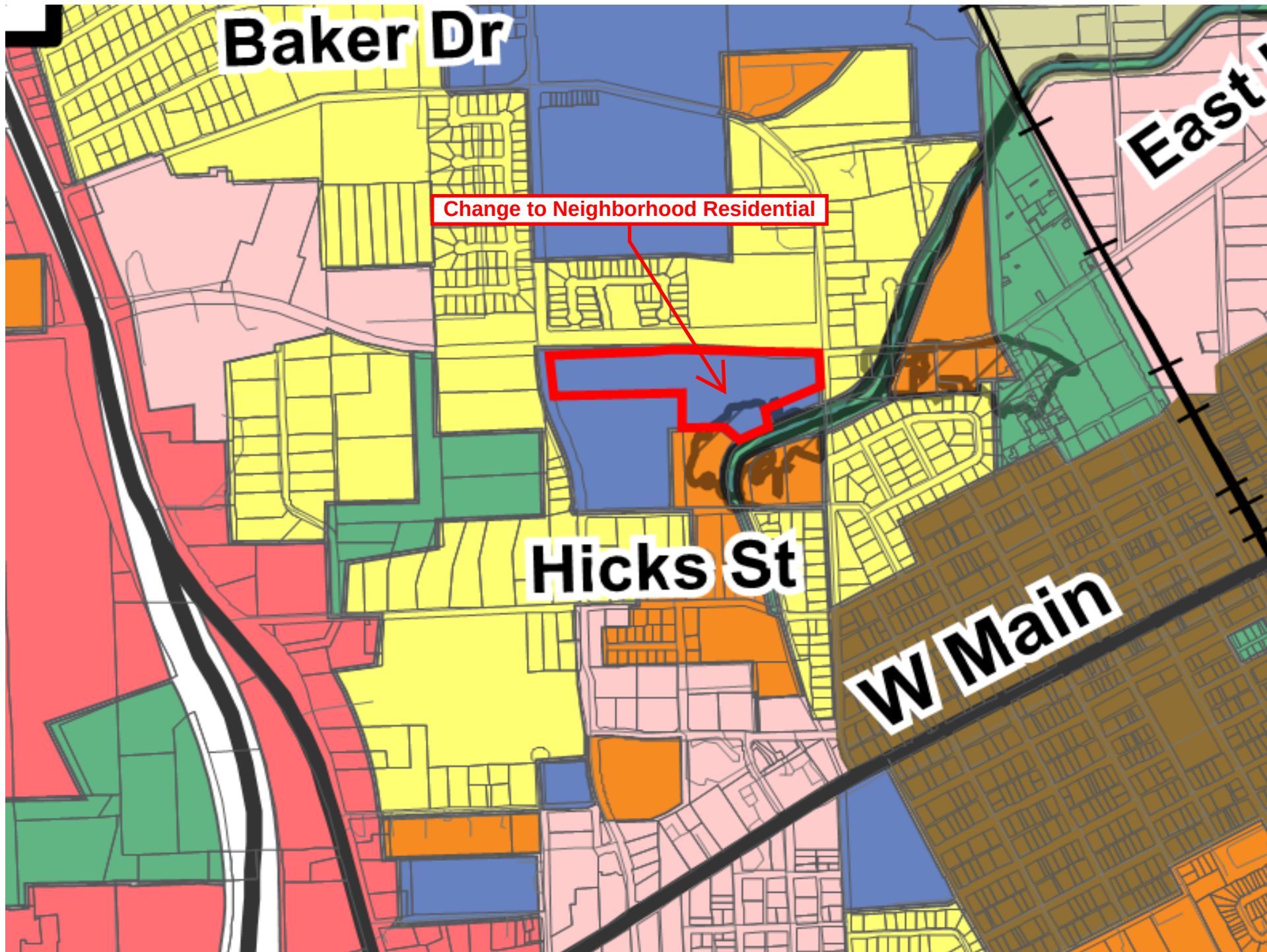
Next Steps

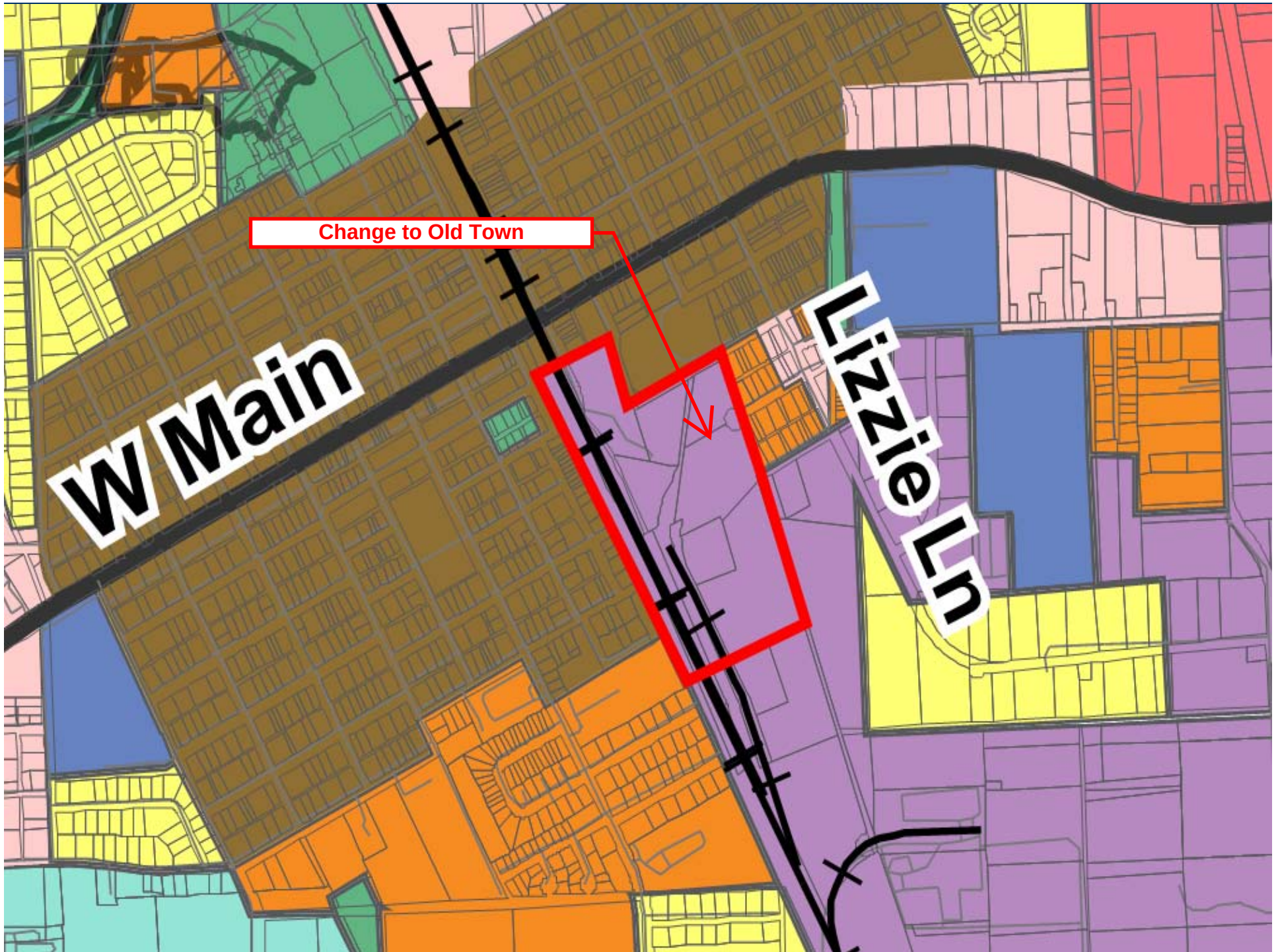
- Identify any final comments on plan chapters
- Sept. 9th – P&Z Public Hearing
- Sept. 16th – City Council 1st Reading



Figure 4.5, Tomball Future Land Use Plan



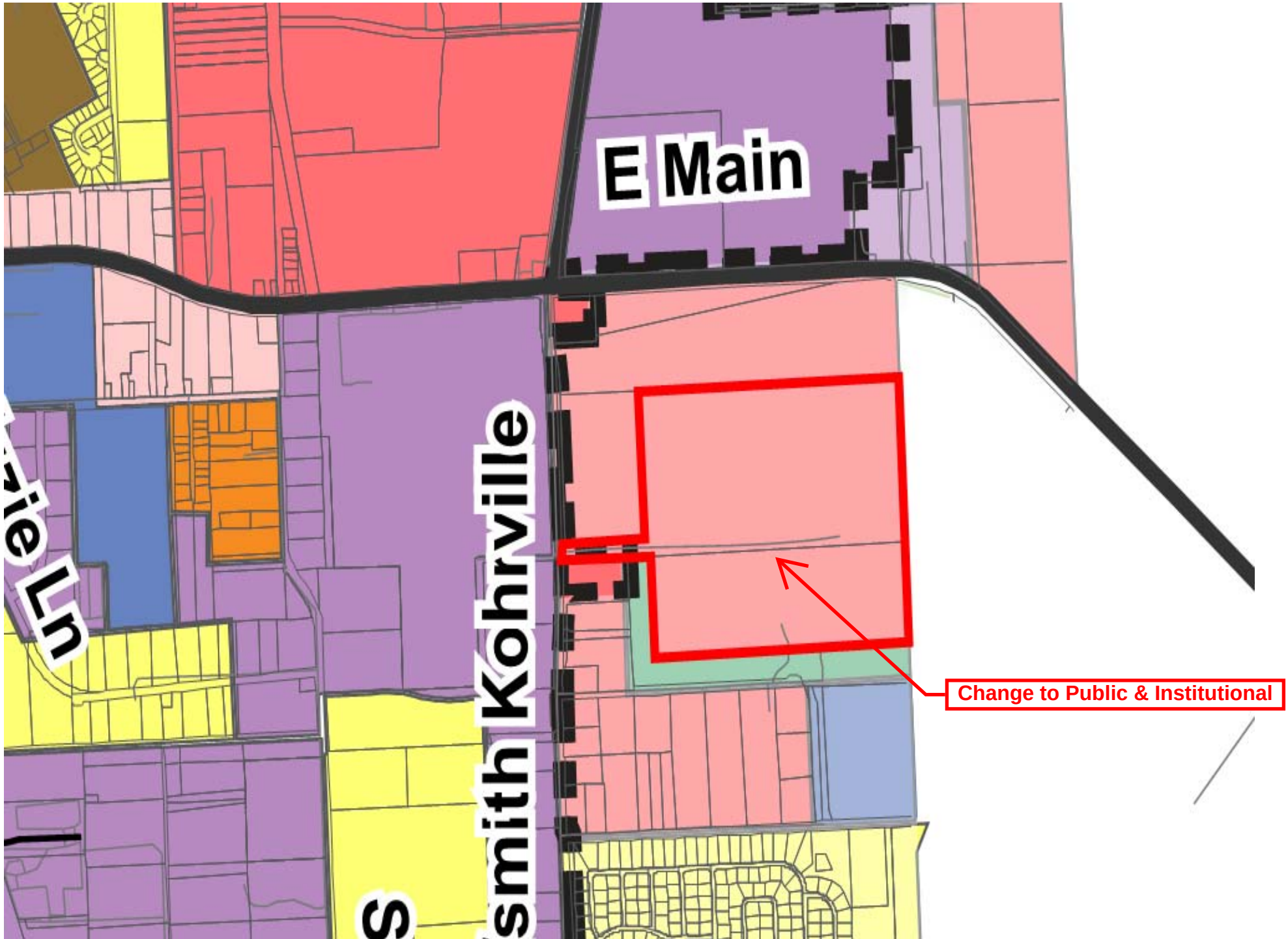


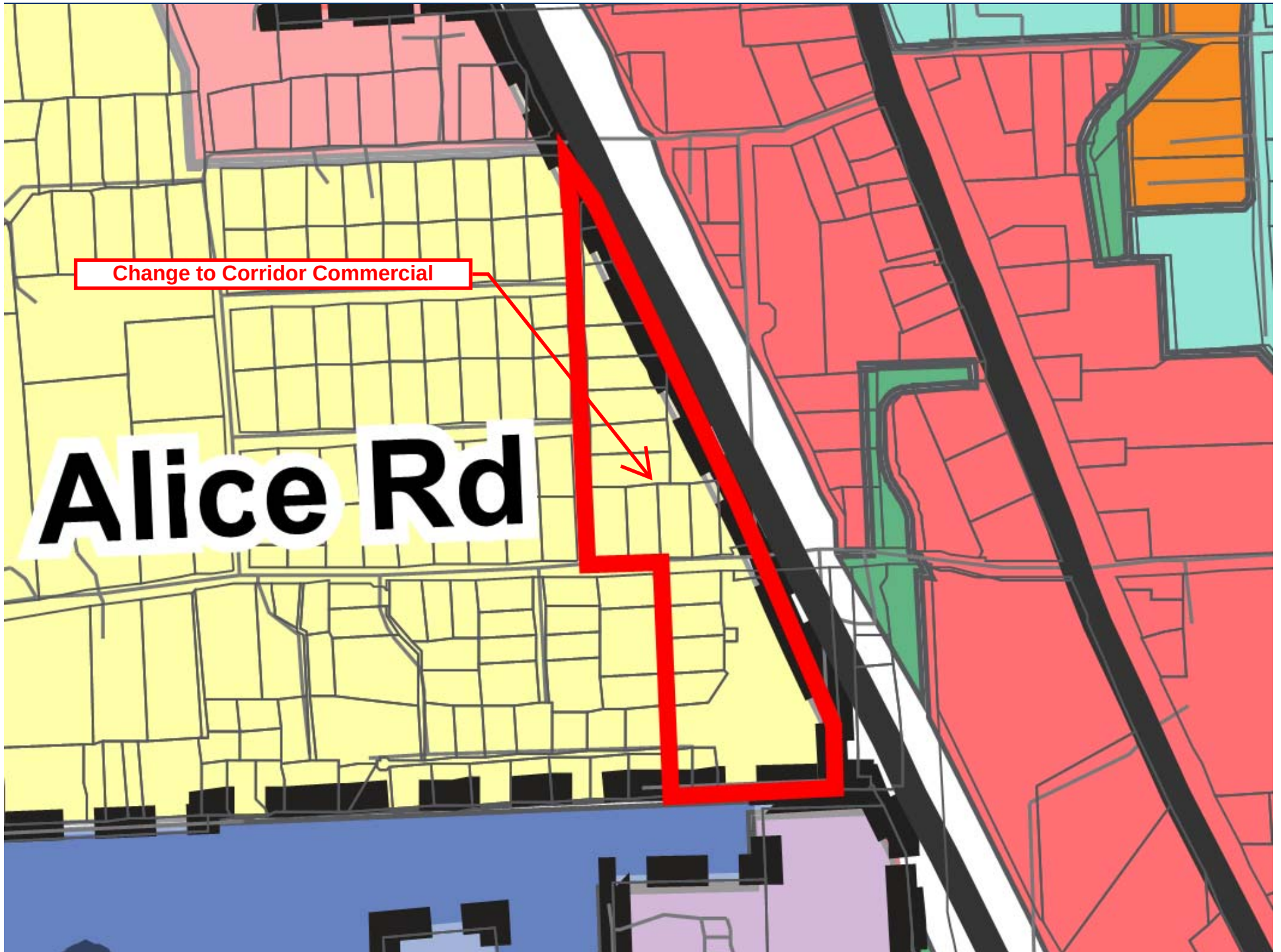


Change to Old Town

W Main

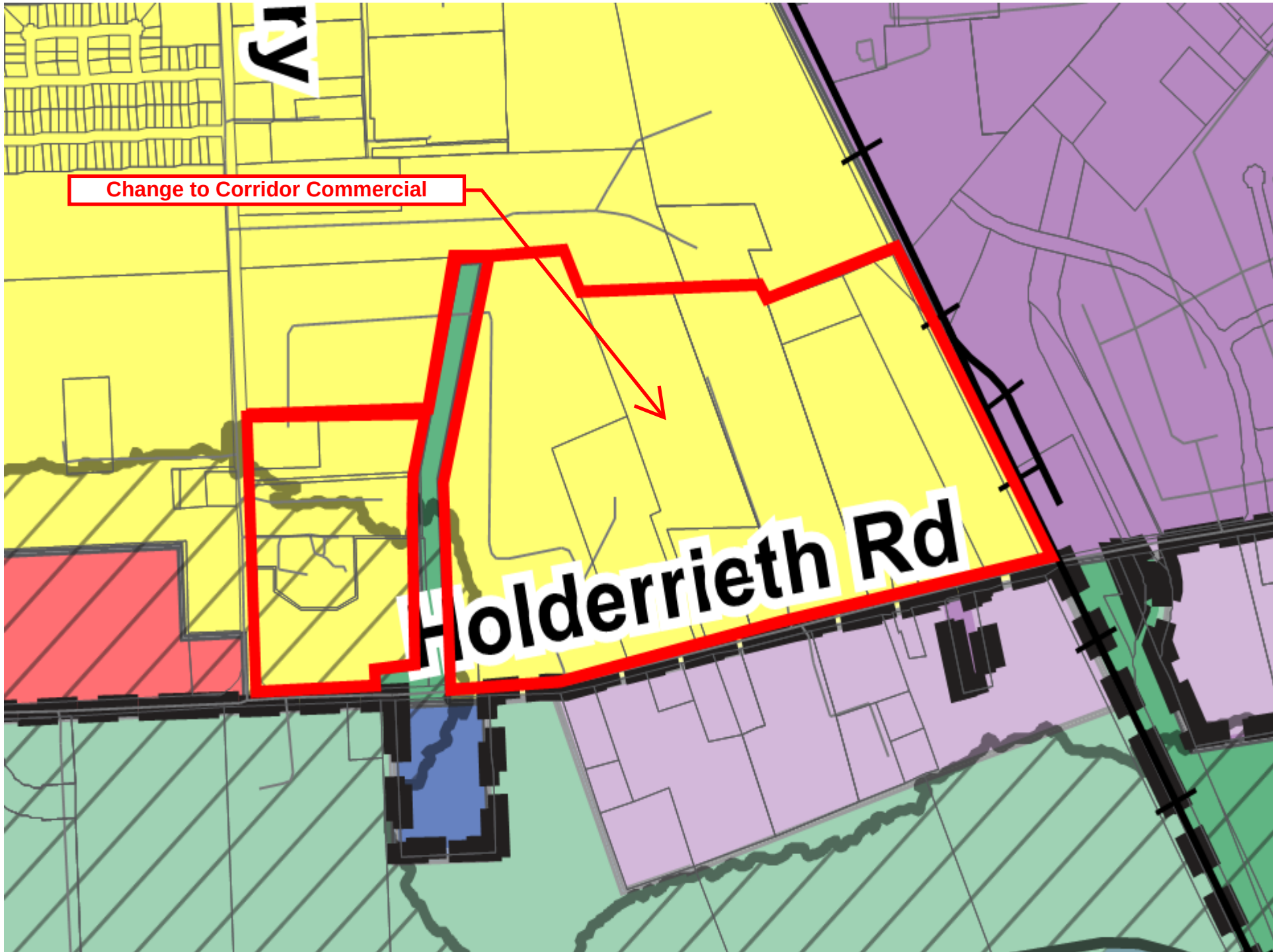
Lizzie Ln





Change to Corridor Commercial

Alice Rd



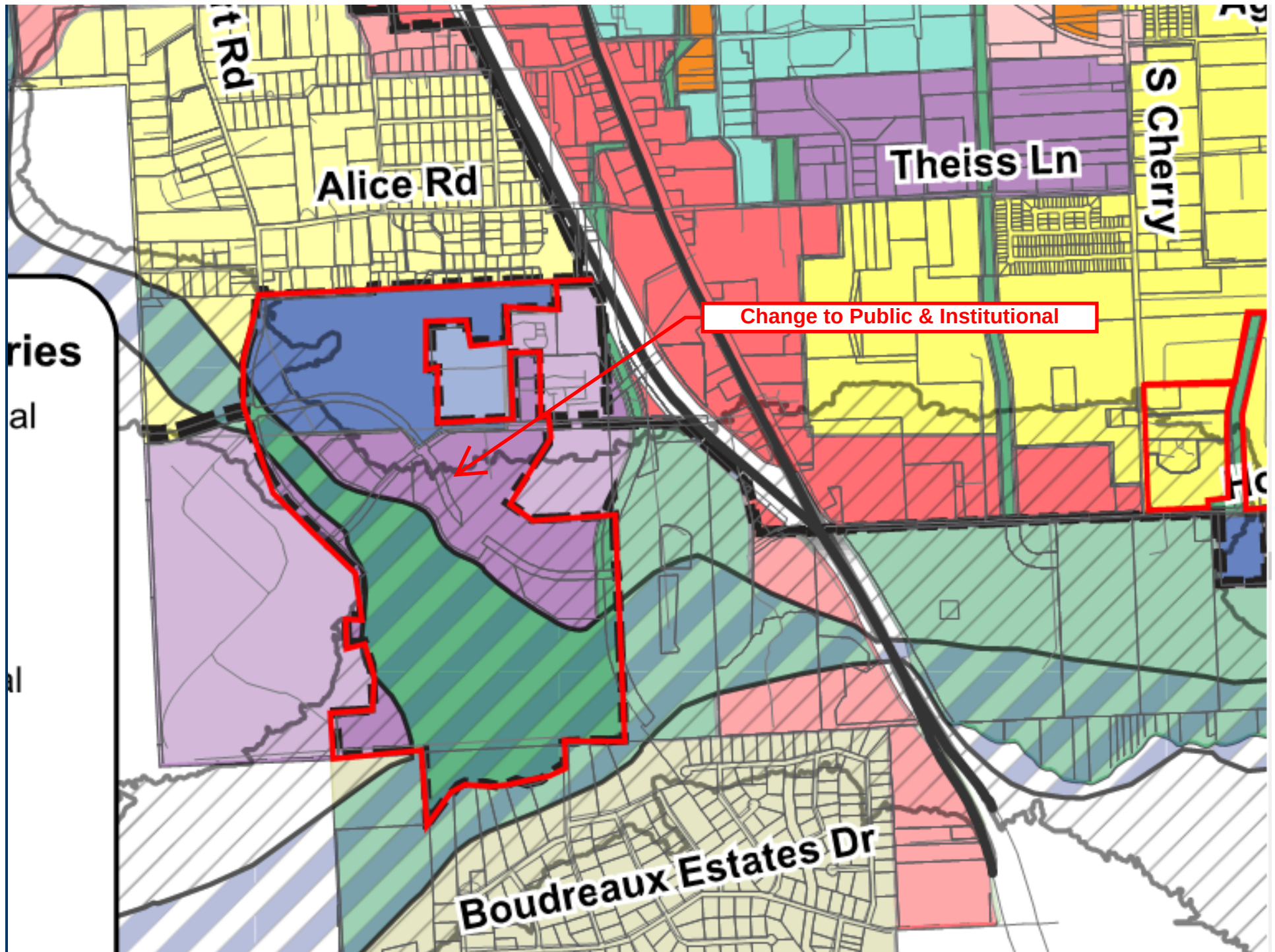
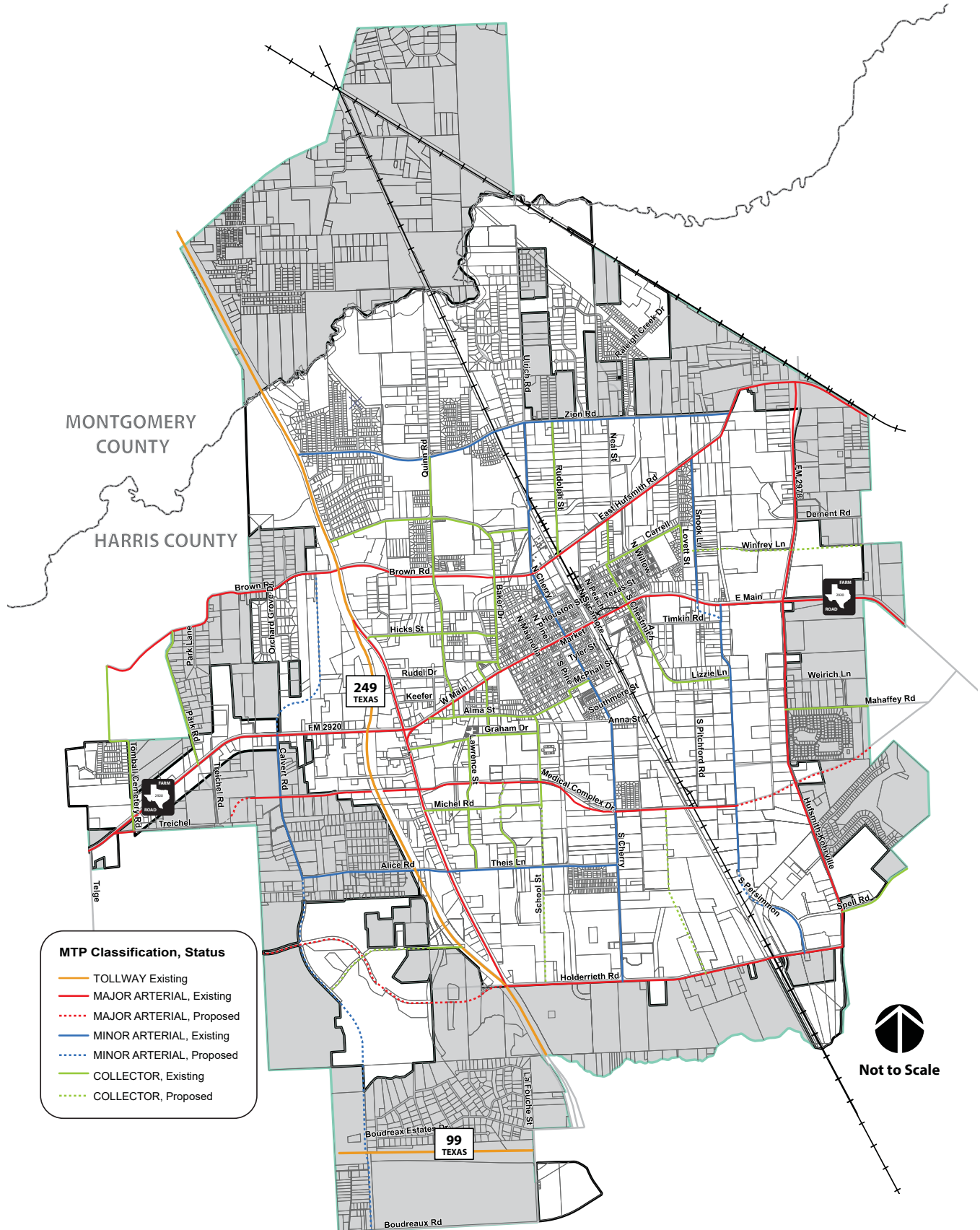


Figure 4.6, Major Thoroughfare Plan



Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Conduct Public Hearing to Consider the Annexation of the Following Tract of Land: *Being 9.493 Acres of Land Situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and Being a Part of That Certain Tract of Land Described in the Deed to Merenco Realty, Inc. Recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is Part of that Certain 606.1394 Acre Tract of Land Described in the Deed to Merenco Realty, Inc. [an Undivided One-Half Interest) Recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T. - Merenco Tract]*

Background:

Following the passage of HB 347, Chapter 43, Subchapter C-3, of the Local Government Code now requires a single public hearing to annex an area if petitioned by the landowner. The first reading of the ordinance to annex the area may immediately follow the public hearing.

Council approved Resolution No. 2019-26, to begin the annexation process, on August 19, 2019.

Written notice was provided to the area school districts and public entities, as required and proper publication was made in the official newspaper and the City's website.

The second reading of the ordinance will be presented to Council at the regular Council meeting on October 7, 2019.

Origination:

Joe Bullard, President, Merenco Realty, Inc.

Recommendation:

N/A

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

City Secretary

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

ATTACHMENTS:

Notice of Public Hearing - Merenco Tract

Map - Merenco Tract Tract and HCID 17 Area

Plat - Merenco Tract

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



**MONDAY, SEPTEMBER 16, 2019
6:00 P.M.**

Notice is hereby given that a **PUBLIC HEARING** will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday, September 16, 2019 at 6:00 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following Annexation:

**METES AND BOUNDS DESCRIPTION
9.493 ACRES OF LAND IN THE
C. GOODRICH SURVEY, ABSTRACT No. 305
WILLOW CREEK INDUSTRIAL PARK, HARRIS COUNTY, TEXAS**

BEING 9.493 acres of land situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and being a part of that certain tract of land described in the deed to Merenco Realty, Inc. recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is part of that certain 606.1394 acre tract of land described in the deed to Merenco Realty, Inc. (an undivided one-half interest) recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T., said 9.493 acre tract is described by metes and bounds as follows:

BEGINNING at a Mag nail in concrete found for the most easterly corner of that certain 75.1117 acre tract (described as Tract 1) in the deed to the County of Harris, recorded in Harris County Clerks File No. 20140471160, O.P.R.R.P.H.C.T., said rod lying on the westerly right-of-way line of State Highway 249 as described in the Judgement on the Special Commissioners' Award recorded in Harris County Clerks File No. 20070057608, O.P.R.R.P.H.C.T;

THENCE, South 26 degrees 16 minutes 12 seconds East, with the westerly right-of-way line of said State Highway 249, 210.50 feet to set 5/8 inch Baseline Corp. plastic capped iron rod on the east line of said 606.1394 acre tract from which a found 5/8 inch iron rod bears North 31 degrees West, 2.67 feet;

THENCE, South 02 degrees 49 minutes 47 seconds East, with the east line of said 606.1394 acre tract, 751.43 feet to a set 5/8 inch Baseline Corp. plastic capped iron rod for the northeasterly corner of that certain 9.26 acre tract described in the deed to Humble Oil & Refining Co. recorded in Volume 1063, Page 557, Deed Records of Harris County, Texas;

THENCE, North 32 degrees 02 minutes 49 seconds West, with a chain link fence and the north line of said 9.26 acre tract, 204.26 feet to a chain link fence post for corner;

THENCE, South 87 degrees 17 minutes 31 seconds West, continuing with a chain link fence and the north line of said 9.26 acre tract, 442.47 feet to a chain link fence post for a southeast corner of that certain 7.7884 acre tract described in the deed to Barron Family Properties, LLC recorded in Harris County Clerks File No. 20140134468, O.P.R.R.P.H.C.T;

THENCE, North 02 degrees 10 minutes 01 seconds West, with a chain link fence and the east line of said 7.7884 acre tract, 503.47 feet to a chain link fence post for the northeast corner of said 7.7884 acre tract and a southerly corner of said 75.1117 acre tract;

THENCE, North 02 degrees 12 minutes 39 seconds West, with an easterly line of said 75.1117 acre tract, 265.61 feet to a found 5/8 inch Harris County plastic capped iron rod;

THENCE, North 87 degrees 38 minutes 17 seconds East, with a southerly line of said 75.1117 acre tract, 449.75 feet to the POINT OF BEGINNING and containing 9.493 acres of land.

Persons interested in the above-proposed Annexation will be given an opportunity to be heard. Legal descriptions and maps of said property are available for inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas.

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 28th day of August 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 contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Merenco Realty Tract



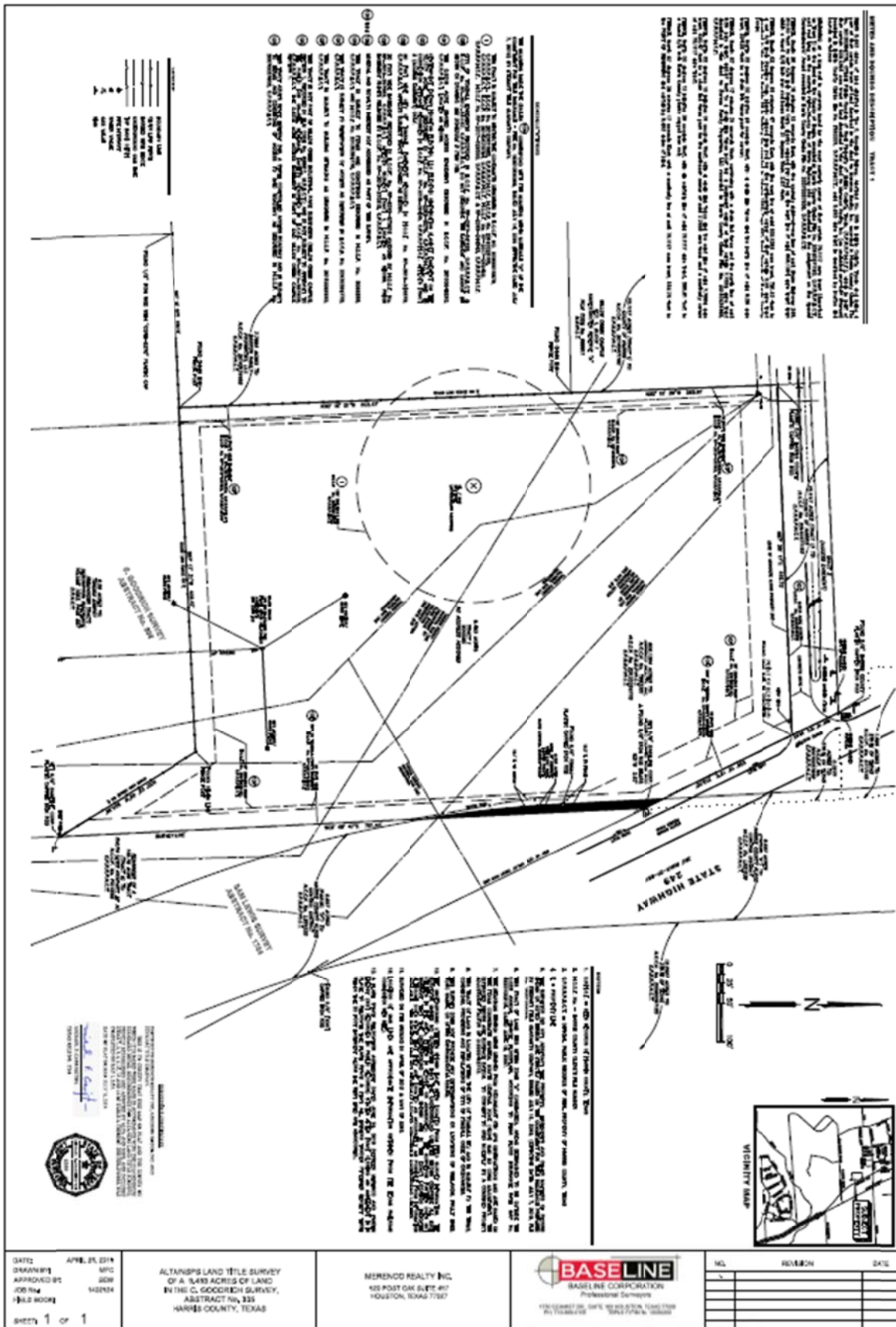
Google Earth

© 2018 Google

Page 105 of 240

Page 3 of 4

1 mi



Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Adopt, on First Reading, Ordinance No. 2019-20, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include All of the Territory Within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory Within Such Limits and Boundaries; Approving a Service Plan for All of the Area Within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause (*Being 9.493 Acres of Land Situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and Being a Part of That Certain Tract of Land Described in the Deed to Merenco Realty, Inc. Recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is Part of that Certain 606.1394 Acre Tract of Land Described in the Deed to Merenco Realty, Inc. [an Undivided One-Half Interest] Recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T. - Merenco Tract*)

Background:

The required public hearing for this annexation, petitioned by the landowner, has been held and the required notices and publications have been completed.

The second reading of the ordinance will be presented to Council at the regular Council meeting on October 7, 2019.

Origination:

Joe Bullard, President, Merenco Realty, Inc.

Recommendation:

Adopt Ordinance No. 2019-20 on First Reading.

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

City Secretary

ACTION TAKEN

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

Ordinance No. 2019-20

Plat - Merenco Tract

Annexation and Service Agreement, with Petition to Annex

ORDINANCE NO. 2019-20

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, EXTENDING THE CITY LIMITS OF SAID CITY TO INCLUDE ALL OF THE TERRITORY WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF TOMBALL ALL OF THE TERRITORY WITHIN SUCH LIMITS AND BOUNDARIES; APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE (*BEING 9.493 ACRES OF LAND SITUATED IN THE C. GOODRICH SURVEY, ABSTRACT NO. 305 IN HARRIS COUNTY, TEXAS AND BEING A PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN THE DEED TO MERENCO REALTY, INC. RECORDED IN HARRIS COUNTY CLERKS FILE NO. 20130384778, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, (O.P.R.R.P.H.C.T.), WHICH IS PART OF THAT CERTAIN 606.1394 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO MERENCO REALTY, INC. [AN UNDIVIDED ONE-HALF INTEREST] RECORDED IN HARRIS COUNTY CLERKS FILE NO. T693301, O.P.R.R.P.H.C.T. – MERENCO TRACT*)

* * * * *

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

Section 1. The boundaries and limits of the City of Tomball, Texas, are hereby extended to embrace and include all of the territory described in **Exhibit "A"** attached hereto and made a part hereof and such territory hereby annexed to and made a part of the city.

Section 2. The plan for extension of municipal services into the territory annexed to the City of Tomball by the provisions of this ordinance is set forth in the "Municipal Service Plan" attached hereto as **Exhibit "B"** and made a part hereof for all purposes. Such Municipal Service Plan is hereby approved.

Section 3. If any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no wise affect, impair, or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect; and should

this Ordinance for any reason be ineffective as to any part of the territory hereby annexed to the City of Tomball, such ineffectiveness of this Ordinance as to any such part or parts of any such territory shall not affect the effectiveness of this ordinance as to all of the remainder of such

ORDINANCE NO. 2019-20
Annexation – 9.493 Acres
Page 2

territory or area, and the City Council hereby declares it to be its purpose to annex to the City of Tomball every part of the territory described in Section 1 of this ordinance, regardless of whether any other part of such described territory is hereby effectively annexed to the City. Provided, further, that if there is included in the general description of territory set out in Section 1 of this Ordinance to be hereby annexed to the City of Tomball any territory which is already a part of and included within the general limits of the City of Tomball, or which is presently part of and included in the limits or extraterritorial jurisdiction of any other city, town, or village, or which is not within the City of Tomball's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed hereby as fully as if such excluded and excepted territory were especially and specifically described herein.

Section 4. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 16TH DAY OF SEPTEMBER 2019.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGS	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 7TH DAY OF OCTOBER 2019.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGS	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

GRETCHEN FAGAN, Mayor

ATTEST:

DORIS SPEER, City Secretary

Exhibit "A" – Page 1

**METES AND BOUNDS DESCRIPTION
9.493 ACRES OF LAND IN THE
C. GOODRICH SURVEY, ABSTRACT No. 305
WILLOW CREEK INDUSTRIAL PARK, HARRIS COUNTY, TEXAS**

BEING 9.493 acres of land situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and being a part of that certain tract of land described in the deed to Merenco Realty, Inc. recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is part of that certain 606.1394 acre tract of land described in the deed to Merenco Realty, Inc. (an undivided one-half interest) recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T., said 9.493 acre tract is described by metes and bounds as follows:

BEGINNING at a Mag nail in concrete found for the most easterly corner of that certain 75.1117 acre tract (described as Tract 1) in the deed to the County of Harris, recorded in Harris County Clerks File No. 20140471160, O.P.R.R.P.H.C.T., said rod lying on the westerly right-of-way line of State Highway 249 as described in the Judgement on the Special Commissioners' Award recorded in Harris County Clerks File No. 20070057608, O.P.R.R.P.H.C.T.;

THENCE, South 26 degrees 16 minutes 12 seconds East, with the westerly right-of-way line of said State Highway 249, 210.50 feet to set 5/8 inch Baseline Corp. plastic capped iron rod on the east line of said 606.1394 acre tract from which a found 5/8 inch iron rod bears North 31 degrees West, 2.67 feet;

THENCE, South 02 degrees 49 minutes 47 seconds East, with the east line of said 606.1394 acre tract, 751.43 feet to a set 5/8 inch Baseline Corp. plastic capped iron rod for the northeasterly corner of that certain 9.26 acre tract described in the deed to Humble Oil & Refining Co. recorded in Volume 1063, Page 557, Deed Records of Harris County, Texas;

THENCE, North 32 degrees 02 minutes 49 seconds West, with a chain link fence and the north line of said 9.26 acre tract, 204.26 feet to a chain link fence post for corner;

THENCE, South 87 degrees 17 minutes 31 seconds West, continuing with a chain link fence and the north line of said 9.26 acre tract, 442.47 feet to a chain link fence post for a southeast corner of that certain 7.7884 acre tract described in the deed to Barron Family Properties, LLC recorded in Harris County Clerks File No. 20140134468, O.P.R.R.P.H.C.T.;

THENCE, North 02 degrees 10 minutes 01 seconds West, with a chain link fence and the east line of said 7.7884 acre tract, 503.47 feet to a chain link fence post for the northeast corner of said 7.7884 acre tract and a southerly corner of said 75.1117 acre tract;

THENCE, North 02 degrees 12 minutes 39 seconds West, with an easterly line of said 75.1117 acre tract, 265.61 feet to a found 5/8 inch Harris County plastic capped iron rod;

THENCE, North 87 degrees 38 minutes 17 seconds East, with a southerly line of said 75.1117 acre tract, 449.75 feet to the POINT OF BEGINNING and containing 9.493 acres of land.

Exhibit “A” – Page 2

The bearings hereon were derived from redundant RTK GPS observations and are based on the Texas Coordinate System, South Central Zone (4204) NAD 83 CORS Adjustment. The distances shown are surface datum. To convert to grid multiply by a combined project adjustment factor of 0.9999412773.

This description was prepared in conjunction with a survey made on the ground in April of 2015 and May of 2019 and with a survey drawing prepared by Baseline Corporation bearing the same date as this description.

June 19, 2015

By: BASELINE CORPORATION

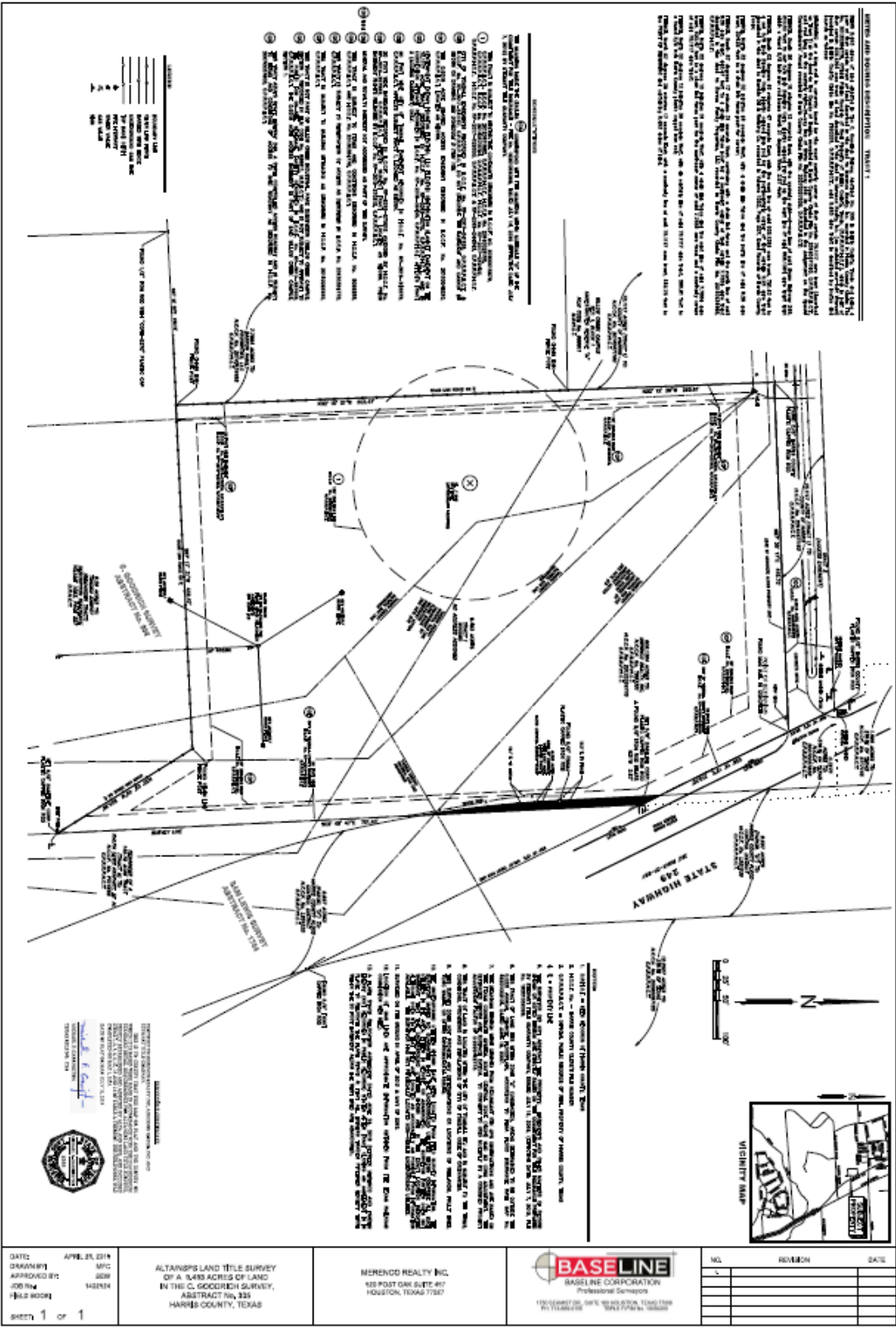


EXHIBIT "B"

CITY OF TOMBALL, TEXAS

MUNICIPAL SERVICE PLAN

I. INTRODUCTION

This Municipal Service Plan (the "Plan") is made by the City of Tomball, Texas (the "City"), pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation by the City of the tract of land ("Tract") described by metes and bounds in "Exhibit A," which is attached to this Plan and to the annexation ordinance of which this Plan is a part.

II. EFFECTIVE TERM

This Plan shall be in effect for a period of ten (10) years commencing on the effective date of the annexation of the Tract, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

III. INTENT

It is the intent of the City that services under this Plan shall equal the number of services and the level of services in existence within the Tract prior to annexation and which are available in other parts of the City with land uses and population densities similar to those reasonably contemplated or projected within the Tract. However, it is not the intent of this Plan to require that a uniform level of service be provided to all areas of the City, including the Tract, where differing characteristics of topography, land utilization, and population density are considered as a sufficient basis for providing differing service levels.

The City reserves the right, granted to it by Section 43.056(k), Texas Local Government Code, to amend this Plan, if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Texas Local Government Code, or other Texas laws to make this Plan unworkable, obsolete, or unlawful.

IV. SERVICE PROGRAMS

A. In General.

1. This Plan includes the following service programs: A 60-Day Program and a Capital Improvement Program.
2. As used in this Plan, "providing services" shall include having services provided by any method or means by which the City may extend

municipal services to any other area of the City. The City shall provide the area, or cause the area to be provided, with services in accordance with the Plan. This may include, but is not limited to, causing or allowing private utilities, governmental entities, and other public service organizations to provide such services, in whole or in part.

As used in this Plan, the phrase "standard policies and procedures" shall mean those policies and procedures of the City applicable to a particular service, which are in effect either at the time that the service is requested or at the time the service is made available or provided. Such policies and procedures may require a specific type of request be made, such as an application or a petition, may require that fees or charges be paid, and may include eligibility requirements or other similar provisions.

B. 60-Day Program. The following services will be provided within the Tract within the period required by State law. State law requires the City to provide the following services within sixty (60) days after the effective date of the annexation: police protection, fire protection, solid waste collection, operation and maintenance of water, wastewater, and gas facilities, operation and maintenance of roads and streets, including lighting, operation and maintenance of parks, playgrounds, and swimming pools, and maintenance of any other publicly owned facility, building or service. The 60-Day Program plan is as follows:

1. Police Protection. The Police Department of the City will provide protection and law enforcement within the Tract. These activities will include routine patrols and responses, handling of complaints and incident reports, and, as appropriate, support by special units. In order to provide the above services, the Police Department will operate from a City facility.
2. Fire Protection. The Fire Department of the City currently provides fire protection to the Tract. Fire protection will be provided from either the southside or central fire stations. Fire protection will remain at the current level of service.
3. Solid Waste Collection. All eligible residences and businesses will be provided solid waste collection service, either by City personnel or by contract.
4. Maintenance of Water, Wastewater, and Gas Facilities. There are no City water, wastewater, or gas facilities currently located within the Tract. If any such facilities are constructed or acquired by the City within the Tract, the City's Department of Public Works will operate and maintain such facilities at levels of service and maintenance comparable to those available for other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.

5. Operation and Maintenance of Roads and Streets (including lighting). The City's Department of Public Works will provide for the maintenance of roads and streets over which the City will have jurisdiction. Such Department will also provide services relating to traffic control devices and will provide street lighting for such roads and streets through an electric utility company or by other means. The operation and maintenance of roads and streets, including street lighting and traffic control devices, shall be provided at levels of service and maintenance comparable to those available for other roads and streets in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.
6. Operation and Maintenance of Parks, Playground and Swimming Pools. There are no public parks, playgrounds, or swimming pools currently located within the Tract. If, as a result of acquisition of park land, any such facilities are constructed by the City within the Tract, the City's Department of Parks and Recreation will operate and maintain such facilities at levels of service and maintenance comparable to those available for other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.
7. Operation and Maintenance of Any Other Publicly-Owned Facility, Building, or Service. Those drainage facilities associated with City-maintained public streets will be maintained by the City's Department of Public Works, as needed. Any other facility, building, or service existing or which may be constructed or located by the City within the Tract, will be operated and maintained by an appropriate City department at levels of service and maintenance comparable to those available to other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.

- C. Capital Improvement Program. It is the intent of the City to provide full City services within the Tract not less than four and one-half (4-1/2) years after the effective date of annexation of the Tract, in accordance with the Texas Local Government Code, § 43.056(e).

The City will initiate the acquisition and construction of the capital improvements necessary to provide municipal services adequate to serve the Tract. Any necessary construction or acquisition is indicated below, and any such construction or acquisition shall begin within two (2) years of the effective date of this Plan and shall be substantially completed within 4-1/2 years, except as otherwise indicated:

1. Police Protection. No capital improvements are necessary at this time to provide police protection services within the Tract. The Tract will be

included with other City territory in connection with planning for new, revised, or expanded police facilities.

2. Fire Protection. No capital improvements are necessary at this time to provide fire protection services within the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded fire facilities.
3. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services within the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded solid waste facilities and/or services.
4. Wastewater Facilities. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public wastewater facilities. Wastewater services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of wastewater services is attached to and made a part of this Plan.
5. Water Distribution. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public water facilities. Water services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of water services is attached to and made a part of this Plan.
6. Gas Distribution. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public gas facilities. Gas services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of gas services is attached to and made a part of this Plan.
7. Roads and Streets (including lighting). The City will acquire jurisdiction in and over all public roads and streets within the Tract upon annexation, pursuant to Section 311.001 of the Texas Transportation Code and other similar provisions, except for public roads and streets subject to the jurisdiction of other governmental entities. Additional roads, streets, or related facilities are not necessary at this time to service the Tract. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices or street lights, within the Tract will be governed by standard policies and procedures of the City. The Tract will be included with other City territory in connection with planning for new, improved, revised, widened, or enlarged roads, streets, or related facilities.
8. Parks, Playgrounds, and Swimming Pools. No capital improvements are necessary at this time to provide park and recreational services to the

Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded parks, playgrounds, and/or swimming pools.

9. Other Publicly-Owned Facilities, Buildings or Services: Additional Services. In general, other City functions and services can be provided to the Tract by using existing capital improvements. At this time, additional capital improvements are not necessary to provide City services. However, the Tract will be included with other City territory in connection with planning for new, revised, or expanded facilities, functions, and services.

V. AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed, except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes at any time. This Plan is subject to, and shall be interpreted in accordance with, the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and any orders, rules, or regulations of any other governmental body having jurisdiction.

VI. FORCE MAJEURE

In the event the City is rendered unable, wholly or in part, by force majeure to carry out its obligations under this Plan, notice shall be given with full particulars of such force majeure, in writing, as soon as reasonably possible after the occurrence of the cause relied on, and the City's obligations, so far as effected by such force majeure, shall be suspended during the continuance of such inability so caused but for no longer period, and such cause shall, so far as possible, be remedied with all reasonable dispatch; provided, however, City shall not be required to settle a strike or dispute with workmen when such settlement is against the will of the City. The term "force majeure" shall mean acts of God, strikes, acts of the public enemy, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests and restraints of rulers and people, explosions, breakage or accident to machinery or lines of pipe, droughts, hurricanes and tornadoes, and any other inability of either party, whether similar to those enumerated or otherwise, not within the control of the City, which, by the exercise of reasonable diligence, the City shall not have been able to avoid.

VIII. ENTIRE PLAN

This document contains the entire and integrated Plan relating to the Tract and supersedes all other negotiations, representations, plans, and agreements, whether written or oral.

If one or more provisions of this Plan is held to be invalid, unenforceable, or illegal in any respect, the remainder the Plan shall remain valid and in full force and effect.

SUMMARY OF EXTENSION POLICY FOR WATER, WASTEWATER, AND GAS SERVICE

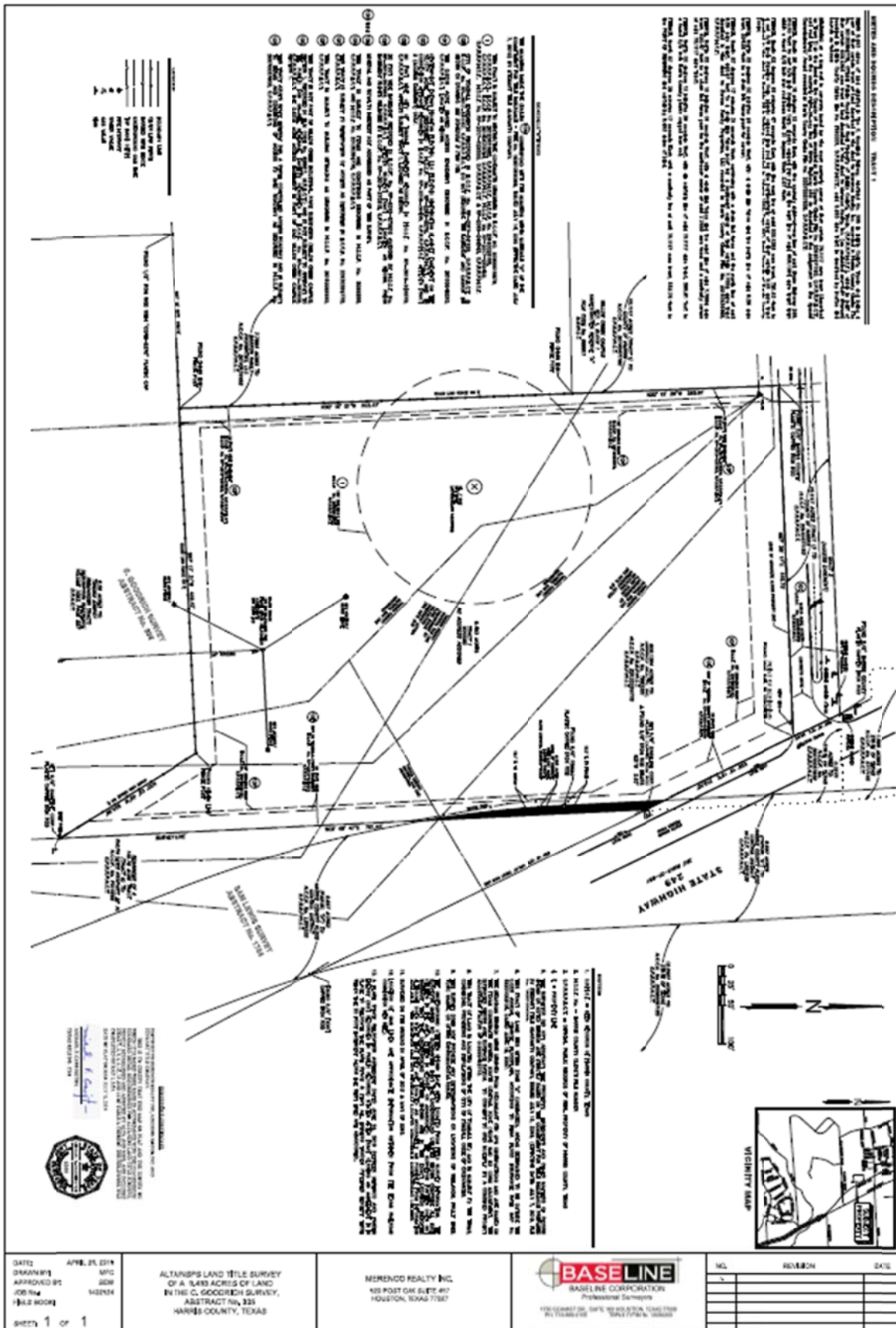
The following information is a summary of the City of Tomball's ("City") policies respecting water, wastewater and gas service extensions. This summary is made in compliance with the Texas Local Government Code, which requires that each annexation plan include a summary of the service extension policy. Nothing herein shall repeal any provision of the Code of Ordinances of the City of Tomball, as amended, or any of the uncodified ordinances that contain the City's policies and procedures.

The City extends water, wastewater, and gas services to existing unserved development as follows:

Construction of such service lines is based on a priority schedule that considers potential health hazards, population density, the number of existing buildings, the reasonable cost of providing service, and the desires of the residents of the unserved areas.

Extensions built by the City at its cost are included in its Capital Improvements Plan, which is updated annually. Placement of an extension or enlargement of any water and/or wastewater lines into the Capital Improvement Plan is based primarily on the following requirements: (1) to provide service to unserved areas, (2) and to provide adequate capacity for projected service requirements.

Persons or entities desiring to develop land within unserved areas must construct water, wastewater, and gas service lines and extensions to connect to City trunk lines to serve the new development.



ANNEXATION AND SERVICE AGREEMENT

This Annexation and Service Agreement (“Agreement”) is entered into by and among **MERENCO REALTY, INC.**, a Texas corporation (“Merenco”), Adkisson Group, Inc., a Texas corporation (“Contract Purchaser”), and the **CITY OF TOMBALL, TEXAS**, a home rule municipality and political subdivision of the State of Texas (“City”), as of _____, 2019 (the “Effective Date”). Merenco, Contract Purchaser and the City are sometimes referred to collectively as the “Parties.”

RECITALS

Merenco owns that certain tract of land described in Exhibit “A” attached hereto (“Tract”) and has entered into an agreement to sell the Tract to the Contract Purchaser, which intends to develop the Tract as light industrial.

The Tract lies within the exclusive extraterritorial jurisdiction of the City and within boundaries of Harris-Montgomery Counties Management District (“HMCMD”).

Aqua Texas, Inc. is the current holder of the Certificate of Convenience and Necessity (“CCN”) covering the Tract; however, neither Aqua Texas nor HMCMD is able to provide water and sewer service to the Tract.

Merenco desires to remove the Tract from the CCN and annex it into the corporate limits of the City to receive water and sewer services from the City as an in-City customer (“Service”).

The City has sufficient capacity to provide Service to the Tract.

The City is willing to annex the Tract and provide Service to the Tract upon the terms and conditions set forth herein.

The Parties desire to enter into this Agreement to set forth the terms and conditions by which the City will annex the Tract into the City’s corporate limits and provide Service to the Tract.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, obligations, and benefits herein set forth, the Parties contract and agree as follows:

ARTICLE I **ANNEXATION**

Section 1.1 Annexation. Simultaneously with the execution of this Agreement, Merenco shall execute and provide to the City a Petition for Annexation of the Tract into the City’s corporate limits substantially in the form attached hereto as Exhibit “B”.

Section 1.2 City Action on Annexation. The City shall approve the Annexation Petition as soon as reasonably possible.

ARTICLE II

CONSTRUCTION AND SERVICE

Section 2.1. Construction of Service Lines. Contract Purchaser, at its sole cost and expense, shall design and construct, or cause to be constructed, the water and sewer facilities as detailed on Exhibit “C” attached hereto (“Facilities”), which shall include acquiring necessary licenses, permits, or amendments thereto; acquiring necessary easements or other interests in real property; preparing plans and specifications; engineering and material-testing; fiscal, legal, administrative, and contingency costs; and all other costs and expenses reasonably necessary to acquire or construct the Facilities from the Tract to the Point of Connection, depicted on Exhibit “D” attached hereto.

Section 2.2 Conveyance and Acceptance of the Facilities. Upon the City’s final inspection and approval of the Facilities, Contract Purchaser shall convey to the City, and the City shall accept, the Facilities, free of any liens or encumbrances, for ownership, operation and maintenance. Such conveyance shall be made pursuant to the form attached hereto as Exhibit “E”.

Section 2.3 Capacity Commitment and Service to the Tract. The City agrees to provide Service to the Tract in an amount sufficient to serve ____ equivalent single family connections (“Capacity”). After the City annexes the Tract as contemplated in Article I herein, and the Contract Purchaser has constructed and conveyed the Facilities to the City, Contract Purchaser shall be a water and sewer service customer of the City for all purposes, subject to any and all City rates, fees charges, rules and regulations then in effect. Notwithstanding the foregoing, the City’s commitment to provide the Capacity shall expire if vertical improvements on the Tract have not commenced by the _____ anniversary of this Agreement.

ARTICLE III

CONSENT TO SERVE

Any provision of Service to the Tract by the City is subject to and contingent upon the release of the Tract from the CCN and execution by HMCMD of the form of consent attached hereto as Exhibit “F”.

ARTICLE IV

TERM

This Agreement shall terminate the earlier to occur of five (5) years from the Effective Date or upon the City providing Service to the Tract. Any extension to the term of this Agreement shall be in writing signed by Parties.

ARTICLE V

MISCELLANEOUS

Section 5.1. Approval or Consent. Whenever this Agreement requires or permits approval or consent to be hereafter given either Party, the Parties agree that such approval or consent shall not be unreasonably withheld.

Section 5.2. Force Majeure. In the event either Party is rendered unable, wholly or in part, by force majeure to carry out any of its obligations under this Agreement, except the obligation to pay amounts owed or required to be paid pursuant to the terms of this Agreement, then the obligations of such Party, to the extent affected by such force majeure and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of any inability so caused to the extent provided but for no longer period. As soon as reasonably possible after the occurrence of the force majeure relied upon, the Party whose contractual obligations are affected thereby shall give notice and full particulars of such force majeure to the other Party. Such cause, as far as possible, shall be remedied with all reasonable diligence. The term “force majeure”, as used herein, shall include without limitation of the generality thereof, acts of God, strikes, lockouts, or other industrial disturbances, acts of the public enemy, orders of any kind of the government of the United States or the State of Texas or any civil or military authority, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, washouts, drought, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or canals, partial or entire failure of water supply resulting in an inability of the City to provide water as set forth in this Agreement, or any other incapacities of any Party, whether similar to those enumerated or otherwise, which are not within the control of the Party claiming such inability, which such Party could not have avoided by the exercise of due diligence and care.

Section 5.3. Regulatory Agencies. This Agreement is subject to all rules, regulations and laws which may be applicable of the United States, the State of Texas, and any regulatory agency having jurisdiction.

Section 5.4. No Additional Waiver Implied. No waiver or waivers of any breach or default by any Party of any term, covenant, condition, or liability hereunder, or the performance thereby of any duty of obligation hereunder, shall be deemed or construed to be a waiver of subsequent breaches or defaults of any kind, under any circumstances.

Section 5.5. Addresses and Notice. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by (a) depositing same in the United States mail, addressed to the party to be notified, postage prepaid and registered or certified with return receipt requested; (b) delivering the same in person to such party; or (c) sending same by facsimile or electronic mail. Notice given by mail shall be effective three (3) days after deposit in the United States mail and notice delivered in person or sent by facsimile or electronic mail shall be effective upon receipt. For the purpose of notice, addresses of the Parties shall, until changed as hereinafter provided, be as follows:

If to Merenco, to:

Merenco Realty, Inc.
Joe Bullard, President
11941 Overlook Pass
Austin, TX 77498
Direct: 713-865-0061
E-mail: joebullard2019@gmail.com

If to Contract Purchaser, to:

Adkisson Group, Inc.
Steve Adkisson
1130 Enclave Pkwy
Houston, TX 77077
Direct: 832-954-2904
E-mail: steve@adkissondevelopment.com

If to the City, to:

The City of Tomball
Attention: Robert S. Hauck
City Manager
401 Market Street
Tomball, TX 77375
Phone: 281-290-1302
E-mail: RHauck@tomballtx.gov

Any Party may designate another address for all purposes of this Agreement by giving the other Parties not less than fifteen (15) days advance written notice of such change of address.

Section 5.6. Assignability. This Agreement shall bind and benefit the Parties hereto and their successors but shall not otherwise be assignable, in whole or in part, by the Parties.

Section 5.7. Modification. This Agreement shall be subject to change or modification only with the written mutual consent of the Parties.

Section 5.8. Parties in Interest. This Agreement shall be for the sole and exclusive benefit of the Parties, their legal successors and assigns, and shall not be construed to confer any rights upon any third party. Nothing herein shall be construed to confer standing to sue upon any party who did not otherwise have such standing and it is expressly agreed that nothing herein shall be construed to create any duty or obligation on the part of either of the Parties to the customers of the other.

Section 5.9. Severability. The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application thereof to any person or circumstances shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any

reason, the remainder of this Agreement and the application of such provision or part of this Agreement to other persons or circumstances shall not be affected thereby.

Section 5.10. Merger. This Agreement, including the exhibits that are attached hereto and incorporated herein for all purposes, embodies the entire agreement between the Parties relative to the subject matter hereof.

Section 5.11. Remedies. It is not intended hereby to specify (and this Agreement shall not be considered as specifying) an exclusive remedy for any default, but all remedies existing at law or in equity, including specific performance and mandamus, may be availed of by both Parties and shall be cumulative.

The Parties agree that alternative dispute resolution, as provided in Texas Civil Practice and Remedies Code, Chapter 54, as amended, is the preferable and most economical way to settle disputes and is an appropriate means for the parties to an ongoing contract such as this Agreement to resolve their differences. When any controversy, dispute, or claim arises out of or relates to the Agreement or when the breach of any provision of this Agreement is alleged, the Parties agree to pursue alternative dispute resolution in good faith to attempt to resolve these differences before pursuing other legal or equitable remedies. Moreover, the parties agree to pursue voluntary agreement forms of alternative dispute resolution before submitting the dispute to the judicial system or to a non-party or parties for resolution.

Section 5.12. Applicable Law. This Agreement shall be governed and construed in accordance with the laws of the State of Texas and venue shall be in Harris County, Texas.

Section 5.13. Counterpart Execution. This Agreement may be executed in any number of counterparts with the same effect as if the Parties signed the same document. All counterparts shall be construed together and shall constitute one and the same instrument.

[Execution pages follow]

IN WITNESS HEREOF, the Parties have executed this Agreement in multiple counterparts, each of which shall be deemed to be an original, as of the date and year first written above.

MERENCO REALTY, INC., a Texas corporation

By: _____
Joe Bullard, President

[CONTRACT PURCHASER]

By: _____
Name: _____
Title: _____

ATTEST:

CITY OF TOMBALL, TEXAS

By: _____
City Secretary

By: _____
City Manager

(SEAL)

Schedule of Exhibits

Exhibit "A" –	Description of Tract
Exhibit "B" –	Petition for Annexation
Exhibit "C" –	Description of Facilities
Exhibit "D" –	Diagram of Point of Connection
Exhibit "E" –	Form of Conveyance
Exhibit "F" –	Form of Consent

Exhibit "A"

**METES AND BOUNDS DESCRIPTION
9.493 ACRES OF LAND IN THE
C. GOODRICH SURVEY, ABSTRACT No. 305
WILLOW CREEK INDUSTRIAL PARK, HARRIS COUNTY, TEXAS**

BEING 9.493 acres of land situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and being a part of that certain tract of land described in the deed to Merenco Realty, Inc. recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is part of that certain 606.1394 acre tract of land described in the deed to Merenco Realty, Inc. (an undivided one-half interest) recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T., said 9.493 acre tract is described by metes and bounds as follows:

BEGINNING at a Mag nail in concrete found for the most easterly corner of that certain 75.1117 acre tract (described as Tract 1) in the deed to the County of Harris, recorded in Harris County Clerks File No. 20140471160, O.P.R.R.P.H.C.T., said rod lying on the westerly right-of-way line of State Highway 249 as described in the Judgement on the Special Commissioners' Award recorded in Harris County Clerks File No. 20070057608, O.P.R.R.P.H.C.T.;

THENCE, South 26 degrees 16 minutes 12 seconds East, with the westerly right-of-way line of said State Highway 249, 210.50 feet to set 5/8 inch Baseline Corp. plastic capped iron rod on the east line of said 606.1394 acre tract from which a found 5/8 inch iron rod bears North 31 degrees West, 2.67 feet;

THENCE, South 02 degrees 49 minutes 47 seconds East, with the east line of said 606.1394 acre tract, 751.43 feet to a set 5/8 inch Baseline Corp. plastic capped iron rod for the northeasterly corner of that certain 9.26 acre tract described in the deed to Humble Oil & Refining Co. recorded in Volume 1063, Page 557, Deed Records of Harris County, Texas;

THENCE, North 32 degrees 02 minutes 49 seconds West, with a chain link fence and the north line of said 9.26 acre tract, 204.26 feet to a chain link fence post for corner;

THENCE, South 87 degrees 17 minutes 31 seconds West, continuing with a chain link fence and the north line of said 9.26 acre tract, 442.47 feet to a chain link fence post for a southeast corner of that certain 7.7884 acre tract described in the deed to Barron Family Properties, LLC recorded in Harris County Clerks File No. 20140134468, O.P.R.R.P.H.C.T.;

THENCE, North 02 degrees 10 minutes 01 seconds West, with a chain link fence and the east line of said 7.7884 acre tract, 503.47 feet to a chain link fence post for the northeast corner of said 7.7884 acre tract and a southerly corner of said 75.1117 acre tract;

THENCE, North 02 degrees 12 minutes 39 seconds West, with an easterly line of said 75.1117 acre tract, 265.61 feet to a found 5/8 inch Harris County plastic capped iron rod;

THENCE, North 87 degrees 38 minutes 17 seconds East, with a southerly line of said 75.1117 acre tract, 449.75 feet to the **POINT OF BEGINNING** and containing 9.493 acres of land.

The bearings hereon were derived from redundant RTK GPS observations and are based on the Texas Coordinate System, South Central Zone (4204) NAD 83 CORS Adjustment. The distances shown are surface datum. To convert to grid multiply by a combined project adjustment factor of 0.9999412773.

This description was prepared in conjunction with a survey made on the ground in April of 2015 and May of 2019 and with a survey drawing prepared by Baseline Corporation bearing the same date as this description.

June 19, 2015

By: BASELINE CORPORATION

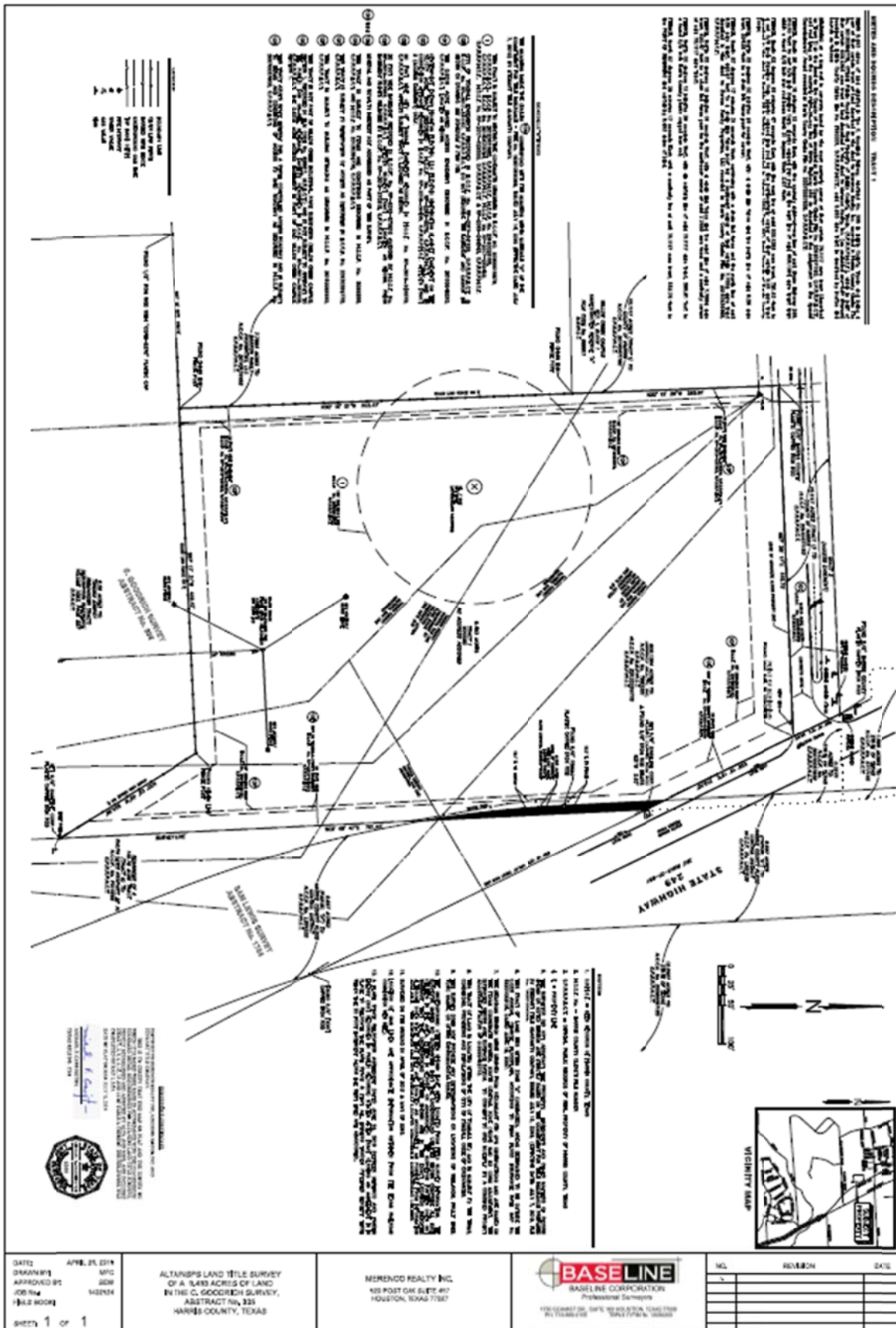


Exhibit "B"
Petition for Annexation

**PETITION FOR CONSENT TO
ANNEX LAND INTO CORPORATE LIMITS OF CITY OF TOMBALL, TEXAS**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

TO THE HONORABLE MAYOR AND CITY
COUNCIL OF THE CITY OF TOMBALL, TEXAS:

The undersigned (the "Petitioner"), respectfully petition the City of Tomball, Texas (the "City"), for its consent to the addition of land to the City's corporate limits. In support of this Petition, the Petitioners would show the following:

I.

The land sought to be added to the City is described by metes and bounds in Exhibit "A", attached hereto and made a part hereof for all purposes (the "Tract").

II.

The Tract lies wholly within Harris County, Texas, and wholly within the extraterritorial jurisdiction of the City.

III.

Merenco Realty, Inc., a Texas corporation holds fee simple title to the Tract, as shown by the Harris County Tax Rolls. There are no liens on the Tract. No one resides on the Tract.

IV.

The general nature of the work to be done by and within the Tract at the present time is the construction and operation of a commercial development.

WHEREFORE, the undersigned respectfully prays that this Petition be granted in all respects and that the City Council of the City of Tomball, Texas, adopt an ordinance giving its written consent to the addition of the Tract to the corporate limits of the City.

[EXECUTION PAGE FOLLOWS]

RESPECTFULLY SUBMITTED this _____ day of _____, 2019.

“Petitioner”

MERENCO REALTY, INC., a Texas corporation

By: _____
Name: Joe Bullard
Title: President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on _____, 2019, by Joe Bullard, President of Merenco Realty, Inc., a Texas corporation, on behalf of said corporation.

Notary Public in and for the
State of T E X A S

(SEAL)

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION TO PETITION

**METES AND BOUNDS DESCRIPTION
9.493 ACRES OF LAND IN THE
C. GOODRICH SURVEY, ABSTRACT No. 305
WILLOW CREEK INDUSTRIAL PARK, HARRIS COUNTY, TEXAS**

BEING 9.493 acres of land situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and being a part of that certain tract of land described in the deed to Merenco Realty, Inc. recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is part of that certain 606.1394 acre tract of land described in the deed to Merenco Realty, Inc. (an undivided one-half interest) recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T., said 9.493 acre tract is described by metes and bounds as follows:

BEGINNING at a Mag nail in concrete found for the most easterly corner of that certain 75.1117 acre tract (described as Tract 1) in the deed to the County of Harris, recorded in Harris County Clerks File No. 20140471160, O.P.R.R.P.H.C.T., said rod lying on the westerly right-of-way line of State Highway 249 as described in the Judgement on the Special Commissioners' Award recorded in Harris County Clerks File No. 20070057608, O.P.R.R.P.H.C.T.;

THENCE, South 26 degrees 16 minutes 12 seconds East, with the westerly right-of-way line of said State Highway 249, 210.50 feet to set 5/8 inch Baseline Corp. plastic capped iron rod on the east line of said 606.1394 acre tract from which a found 5/8 inch iron rod bears North 31 degrees West, 2.67 feet;

THENCE, South 02 degrees 49 minutes 47 seconds East, with the east line of said 606.1394 acre tract, 751.43 feet to a set 5/8 inch Baseline Corp. plastic capped iron rod for the northeasterly corner of that certain 9.26 acre tract described in the deed to Humble Oil & Refining Co. recorded in Volume 1063, Page 557, Deed Records of Harris County, Texas;

THENCE, North 32 degrees 02 minutes 49 seconds West, with a chain link fence and the north line of said 9.26 acre tract, 204.26 feet to a chain link fence post for corner;

THENCE, South 87 degrees 17 minutes 31 seconds West, continuing with a chain link fence and the north line of said 9.26 acre tract, 442.47 feet to a chain link fence post for a southeast corner of that certain 7.7884 acre tract described in the deed to Barron Family Properties, LLC recorded in Harris County Clerks File No. 20140134468, O.P.R.R.P.H.C.T.;

THENCE, North 02 degrees 10 minutes 01 seconds West, with a chain link fence and the east line of said 7.7884 acre tract, 503.47 feet to a chain link fence post for the

northeast corner of said 7.7884 acre tract and a southerly corner of said 75.1117 acre tract;

THENCE, North 02 degrees 12 minutes 39 seconds West, with an easterly line of said 75.1117 acre tract, 265.61 feet to a found 5/8 inch Harris County plastic capped iron rod;

THENCE, North 87 degrees 38 minutes 17 seconds East, with a southerly line of said 75.1117 acre tract, 449.75 feet to the **POINT OF BEGINNING** and containing 9.493 acres of land.

The bearings hereon were derived from redundant RTK GPS observations and are based on the Texas Coordinate System, South Central Zone (4204) NAD 83 CORS Adjustment. The distances shown are surface datum. To convert to grid multiply by a combined project adjustment factor of 0.9999412773.

This description was prepared in conjunction with a survey made on the ground in April of 2015 and May of 2019 and with a survey drawing prepared by Baseline Corporation bearing the same date as this description.

June 19, 2015

By: BASELINE CORPORATION

Exhibit “C”
Description of Facilities
[TO BE ATTACHED]

Exhibit “D”
Point of Connection
[TO BE ATTACHED]

Exhibit "E"
Form of Conveyance
CONVEYANCE OF FACILITIES

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS Conveyance of Utility Facilities (this "Conveyance") is made and entered into by _____, a _____ ("____") and CITY OF TOMBALL, TEXAS, a home rule municipality and political subdivision of the State of Texas ("City")

WITNESSETH:

WHEREAS, _____, entered into that certain Annexation and Service Agreement with, among others, the City, by which _____ agreed to construct certain facilities in order to receive water and sewage treatment services from the City (the "Agreement"); and

WHEREAS, pursuant to the Agreement _____ entered into that certain construction contract with _____ ("Contractor") dated _____ ("Construction Contract") and constructed those certain water and sewer facilities pursuant such construction contract ("Facilities").

Now, therefore, for and in consideration of \$10.00 and other good and valuable consideration paid to _____, the receipt and adequacy of which is hereby acknowledged, the _____ and the City agree as follows:

1. _____ does hereby transfer, grant, sell, convey, assign and deliver to the City, its successors and assigns, the Facilities, together with any and all benefits, rights, title and interest in and to the Construction Contract.
2. _____, in addition to the other representations and warranties herein, specifically makes the following representations and warranties:
 - a. that _____ has full legal right and authority to make the sale, transfer, and assignment herein provided and to execute this Conveyance.
 - b. that _____ has good and indefeasible title to the constructed Facilities conveyed hereunder, is not a party to any written or oral contract which adversely affects this Conveyance, and is not subject to any bylaw, agreement, mortgage, lien, lease, instrument, order, judgment, decree, or other restriction of any kind or character which would prevent the execution of this Conveyance.
 - c. that _____ has neither engaged in nor been threatened with any legal action or proceeding, nor are they under any investigation, which would prevent the execution of this Conveyance.

- d. The person executing this Conveyance on behalf of _____ has full authority to do so, and no further official action need be taken by _____ to validate this Conveyance.

Unless otherwise expressly provided, the representations, warranties, covenants and other agreements contained herein shall be deemed to be material and continuing, shall not be merged and shall survive the closing of this transaction.

IN WITNESS WHEREOF, _____ and the City have caused their names to be hereunto subscribed.

EXECUTED AND EFFECTIVE as of the ____ day of _____, 2019.

[CONTRACT PURCHASER]

By: _____

Name: _____

Title: _____

THE STATE OF TEXAS §

§

COUNTY OF HARRIS §

 This instrument was acknowledged before me on this ____ day of _____, 2019,
by _____, _____ of
_____, a _____.

Notary Public, State of Texas

(SEAL)

AGREED TO AND ACCEPTED THIS ____ day of _____, 2019.

ATTEST:

CITY OF TOMBALL, TEXAS

By: _____
City Secretary

By: _____
City Manager

(SEAL)

THE STATE OF TEXAS §

§

COUNTY OF HARRIS §

This instrument was acknowledged before me on this ____ day of _____,
2019, by _____, City manager of the City of Tomball, Texas.

Notary Public, State of Texas

(SEAL)

Exhibit "F"
Form of Consent

CONSENT TO PROVIDE SERVICE

Merenco Realty, Inc., or its successors and assigns ("the "Landowner") is the owner of a tract of land described on Exhibit "A" attached hereto (the "Tract"). The Tract is within the boundaries of Harris-Montgomery Counties Management District (the "District"), as well as the certificated area of Aqua Texas, Inc. ("Aqua"). Neither the District nor Aqua have the present ability to provide water and/or sanitary sewer services (the "Services") to the Tract. Accordingly, the Landowner has sought the Services from the City of Tomball, Texas (the "City"). Subject to and upon the release of the Tract from Aqua's certificate of convenience and necessity, the District hereby consents to the City providing the Services to the Tract.

WITNESS THE EXECUTION HEREOF this ____ day of _____, 2019.

HARRIS-MONTGOMERY COUNTIES
MANAGEMENT DISTRICT

By: _____
President, Board of Directors

**EXHIBIT A TO CONSENT TO PROVIDE SERVICE
METES AND BOUNDS DESCRIPTION
9.493 ACRES OF LAND IN THE
C. GOODRICH SURVEY, ABSTRACT No. 305
WILLOW CREEK INDUSTRIAL PARK, HARRIS COUNTY, TEXAS**

BEING 9.493 acres of land situated in the C. Goodrich Survey, Abstract No. 305 in Harris County, Texas and being a part of that certain tract of land described in the deed to Merenco Realty, Inc. recorded in Harris County Clerks File No. 20130384778, Official Public Records of Real Property of Harris County, Texas, (O.P.R.R.P.H.C.T.), which is part of that certain 606.1394 acre tract of land described in the deed to Merenco Realty, Inc. (an undivided one-half interest) recorded in Harris County Clerks File No. T693301, O.P.R.R.P.H.C.T., said 9.493 acre tract is described by metes and bounds as follows:

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THENCE, South 26 degrees 16 minutes 12 seconds East, with the westerly right-of-way line of said State Highway 249, 210.50 feet to set 5/8 inch Baseline Corp. plastic capped iron rod on the east line of said 606.1394 acre tract from which a found 5/8 inch iron rod bears North 31 degrees West, 2.67 feet;

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THENCE, North 02 degrees 10 minutes 01 seconds West, with a chain link fence and the east line of said 7.7884 acre tract, 503.47 feet to a chain link fence post for the northeast corner of said 7.7884 acre tract and a southerly corner of said 75.1117 acre tract;

THENCE, North 02 degrees 12 minutes 39 seconds West, with an easterly line of said

75.1117 acre tract, 265.61 feet to a found 5/8 inch Harris County plastic capped iron rod;

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This description was prepared in conjunction with a survey made on the ground in April of 2015 and May of 2019 and with a survey drawing prepared by Baseline Corporation bearing the same date as this description.

June 19, 2015

By: BASELINE CORPORATION

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Approve Resolution No. 2019-36, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 54th Annual Tomball Holiday Parade, to be Held in Tomball on Saturday, November 23, 2019, and Requesting Street Closures and In-Kind Services

Background:

The Chamber of Commerce must request approval from TxDOT to close FM 2920 for the annual Holiday Parade; the request must include a Resolution from the City of Tomball supporting the parade.

This is the City's customary resolution supporting and endorsing the annual Chamber-sponsored Tomball Holiday Parade, scheduled to take place on Saturday, November 23, 2019.

In addition to closing FM 2920 from FM 2978 to Business 249 from 9:15 a.m. until 12:30 p.m. for the parade, the Chamber is requesting closure of the following streets on Saturday, November 23, from 7:00 a.m. until noon:

- North Elm between Main Street and Hufsmith Road
- North Walnut between Main and Epps Streets
- 100 and 200 Blocks of Commerce Street
- 100 and 200 Blocks of Houston Street
- 100 and 200 Blocks of Oxford Street
- South Elm between Main Street and Market Streets
- South Walnut between Main Street and Fannin Streets
- 100 and 200 Blocks of Market Street
- Parking lot at the corner of Main Street and South Walnut.

Residents of these streets will still have access to and from their homes.

The Chamber also requests the use of Tomball Police, Fire and Public Works personnel; the estimated cost for the use of City personnel/support services is \$6,000-\$6,500.

The annual Holiday Parade is extremely popular with the local community and brings visitors from the surrounding areas who often remain to shop, eat, and enjoy our city's amenities. We anticipate large crowds before, during, and following the event, meeting the City's Strategic Plan goal of building our economy.

Origination:

Greater Tomball Area Chamber of Commerce

Recommendation:

Approve Resolution No. 2019-36

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

City Secretary

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

ATTACHMENTS:

Resolution No. 2019-36
GTACC Request
Parade Map
GTACC Special Event Application
GTACC Certificate of Insurance

RESOLUTION NO. 2019-36

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TOMBALL, TEXAS, SUPPORTING THE 54TH
ANNUAL TOMBALL HOLIDAY PARADE, TO BE HELD
IN TOMBALL ON SATURDAY, NOVEMBER 16, 2019,
AND TO APPROVE REQUESTED STREET CLOSURES
AND IN-KIND SERVICES.**

* * * * *

WHEREAS the Greater Tomball Area Chamber of Commerce will undertake the **54th Annual Tomball Holiday Parade**, to be held in the City of Tomball at 10:00 a.m. on Saturday, November 16, 2019; and

WHEREAS the purpose of the **54th Annual Tomball Holiday Parade** is to celebrate our quality of life and to create an avenue for others outside to come to our fair City to enjoy fun, food and good cheer; and

WHEREAS it is a chance for Tomball area merchants and business people to gain a new customer base through monies spent by those attending the **54th Annual Tomball Holiday Parade**; and

WHEREAS activities celebrating the **54th Annual Tomball Holiday Parade** will include the annual parade, food, crafts, and hometown merchants selling from their businesses; and

WHEREAS the Greater Tomball Area Chamber of Commerce desires and requests the support and endorsement of the City of Tomball 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 Greater Tomball Area Chamber of Commerce in promoting and undertaking the **54th Annual Tomball Holiday Parade** and pledge to encourage this effort to celebrate our heritage and promote our future betterment.

PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE 16th DAY OF September 2019.

GRETCHEN FAGAN, Mayor

ATTEST:

DORIS SPEER, City Secretary

Greater
Tomball Area



Chamber of Commerce

May 10, 2019

City of Tomball
Mr. Rob Hauck
401 Market Street
Tomball, Texas 77375

RE: Tomball Holiday Parade

Dear Mr. Hauck,

We are anticipating a fabulous Tomball Holiday Parade at 10 a.m. on Saturday, November 23, 2019 with help from our city, police and fire departments, as well as from numerous volunteers. The popular attraction is a Tomball tradition and is celebrating 54 years. We are looking forward again to the expertise of the Tomball Police Department for crowd control and as visual deterrents from any negative activity.

To insure the safety of the many visitors and Parade participants who will be in Tomball on November 23, we are asking for street closures for the following streets on Saturday morning only from 7:00 a.m. until noon:

- North Elm between Main Street and Hufsmith Rd.
- North Walnut between Main Street and Epps
- 100 & 200 block of Commerce
- 100 & 200 block of Houston
- 100 & 200 block of Oxford
- South Elm between Main Street and Market Street
- South Walnut between Main Street and Fannin
- 100 & 200 block of Market Street
- Parking lot at corner of Main and South Walnut

From 9:15 a.m. until 12:30 p.m.

- FM 2920 from FM 2978 to Business 249

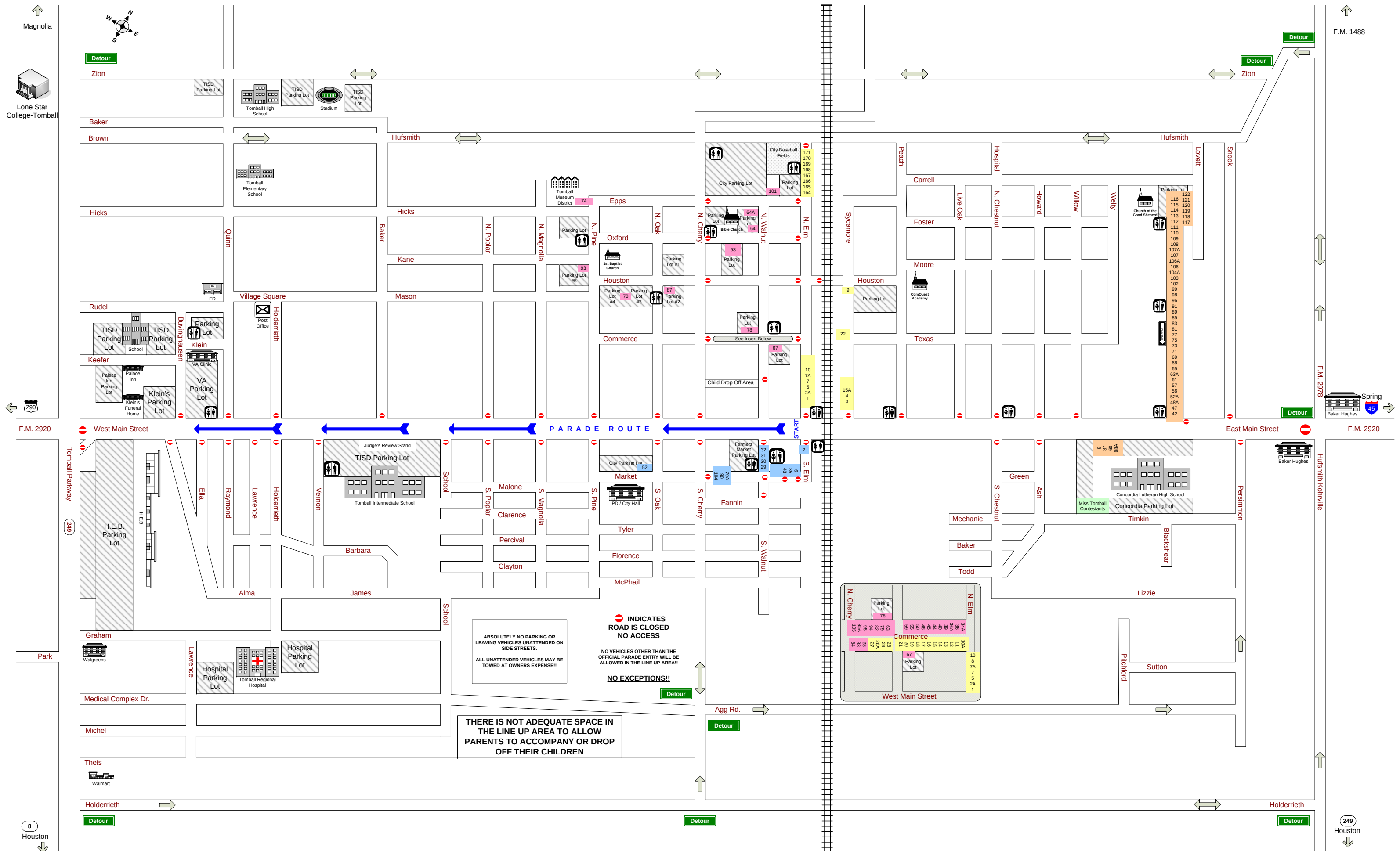
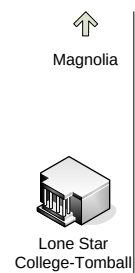
Enclosed is a map for your review. Residents of these streets will still have access to and from their homes.

We appreciate the City of Tomball, its special partnership with the chamber and the assistance always offered for our events. Should you have any questions or concerns, please contact Brandy Beyer or myself at 281-351-7222.

Sincerely,

Bruce Hillegeist
President

Encl: Map





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: 11/23/19 Is this event Co-City sponsored? Yes x No

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: Tomball Holiday Parade
2. Sponsoring entity: Greater Tomball Area Chamber of Commerce
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: Brandy Beyer Phone: 281.351.7222
6. Contact address: 29201 Quinn Road, Ste. B, Tomball, TX 77375
7. Contact email: bbeyer@tomballchamber.org
8. Event date: 11/23/19
9. Event times: Start 10am Finish noon Set-up 6am Breakdown noon
10. Is this event for charity? Yes x No
11. If yes, what charity? GTACC Tax ID 74-1495125
12. If yes, what percentage of net proceeds will be donated to the charity? 100%
13. On-site contact: Brandy Beyer Mobile Phone: 713.594.3449
14. Estimated number of attendees: 30,000
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: 6am
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 BB
20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured.
Initial BB
21. Name of insurance carrier: Higginbotham

22. Organization has secured date with the Public Works Dept. and has paid deposit.

Signature: 

FOR OFFICIAL USE - Fee required: Yes No Amount Due: \$



THE HARTFORD
BUSINESS SERVICE CENTER
3600 WISEMAN BLVD
SAN ANTONIO TX 78251

May 16, 2019

City of Tomball
401 MARKET ST
TOMBALL TX 77375-4645

Account Information:

Policy Holder Details :	GREATER TOMBALL AREA CHAMBE OF COMMERCE
--------------------------------	--



Contact Us

Business Service Center

Business Hours: Monday - Friday
(7AM - 7PM Central Standard Time)

Phone: (866) 467-8730

Fax: (888) 443-6112

Email: agency.services@thehartford.com

Website: <https://business.thehartford.com>

Enclosed please find a Certificate Of Insurance for the above referenced Policyholder. Please contact us if you have any questions or concerns.

Sincerely,

Your Hartford Service Team



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/16/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HIGGINBOTHAM INS AGENCY INC/PHS 61611737 The Hartford Business Service Center 3600 Wiseman Blvd San Antonio, TX 78265	CONTACT NAME: PHONE (866) 467-8730 FAX (888) 443-6112 (A/C, No, Ext): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE NAIC#
INSURED GREATER TOMBALL AREA CHAMBE OF COMMERCE 292201 QUINN STEB TOMBALL TX 77375	INSURER A : Hartford Lloyd's Ins Co 39608 INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/Y YY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY	X		61 SBA VM8139	12/20/2018	12/20/2019	EACH OCCURRENCE \$1,000,000
	CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000
	☒ General Liability						MED EXP (Any one person) \$10,000
							PERSONAL & ADV INJURY \$1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$2,000,000
	POLICY ☐ PRO-JECT ☒ LOC						PRODUCTS - COMP/OP AGG \$2,000,000
	OTHER:						
A	AUTOMOBILE LIABILITY	X		61 SBA VM8139	12/20/2018	12/20/2019	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000
	ANY AUTO						BODILY INJURY (Per person)
	ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ☒						BODILY INJURY (Per accident)
	HIRED AUTOS ☐						PROPERTY DAMAGE (Per accident)
	UMBRELLA LIAB EXCESS LIAB						EACH OCCURRENCE
							AGGREGATE
	DED ☐ RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N	N/A				PER STATUTE ☐ OTH-ER ☐
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE -EA EMPLOYEE
							E.L. DISEASE - POLICY LIMIT
A	EMPLOYMENT PRACTICES LIABILITY			61 SBA VM8139	12/20/2018	12/20/2019	\$5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Those usual to the Insured's Operations. Certificate holder is an additional insured per the Business Liability Coverage Form SS0008 attached to this policy

CERTIFICATE HOLDER

City of Tomball
401 MARKET ST
TOMBALL TX 77375-4645

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Susan L. Castaneda

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Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Approve Resolution No. 2019-38, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 12th Annual Homecoming Parade & Community Rally, to be Held at the Tomball Depot, Sponsored by the Tomball Independent School District and the Tomball High School Student Council on Wednesday, October 2, 2019

Background:

Tomball High School respectfully requests the opportunity to host its 12th Annual Homecoming Parade & Community Rally on Wednesday, October 2, 2019, 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 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.

This event meets the Strategic Plan goal of improving community life and building our economy.

Origination:

Denise Fiore

Recommendation:

Approval

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

Denise Fiore

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2019-38

Special Event Application
Prade Proposal
THS Parade Route
TISD Insurance

RESOLUTION NO. 2019-38

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS, SUPPORTING THE 12TH 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, ON
WEDNESDAY, OCTOBER 2, 2019**

* * * * *

WHEREAS the Tomball Independent School District and the Tomball High School Student Council will undertake the 12th Annual Homecoming Parade and Community Rally, to be held in the City of Tomball on Wednesday, October 2, 2019, 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 16TH DAY OF SEPTEMBER 2019.

GRETCHEN FAGAN, Mayor

ATTEST:

DORIS SPEER, City Secretary



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: 5/31/19 Is this event Co-City sponsored? Yes ☐ No ☒

Request for permission to use a public venue for the following type of event (please check one):

Festival ☐ Community Event ☒ Arts & Crafts Event ☐ Music Event ☐ Other (specify) ☐

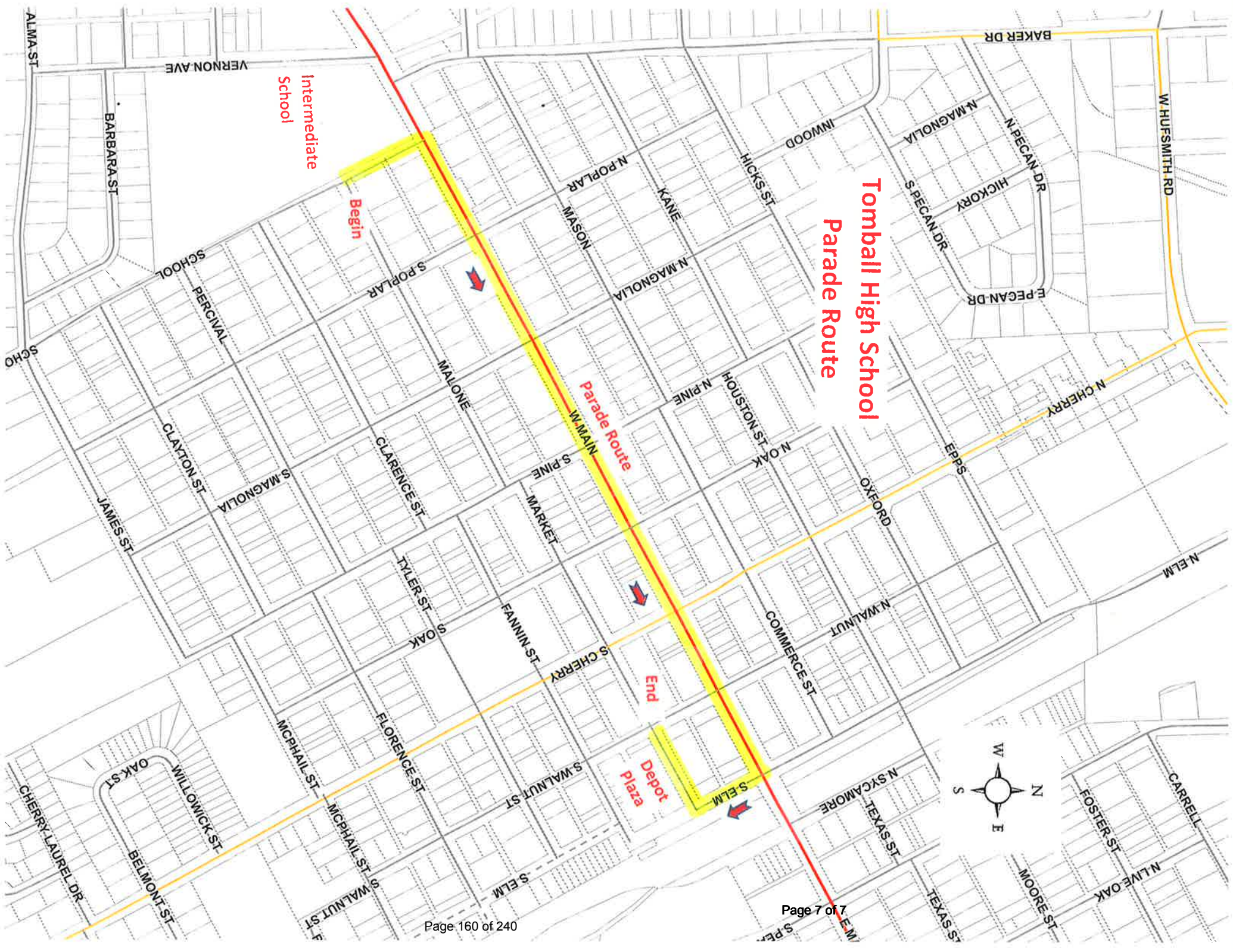
1. Event title: 12th Annual Homecoming Parade & Community Pep Rally
2. Sponsoring entity: Tomball High School Student Council
3. Is this organization based in Tomball: Yes ☒ No ☐
4. Is this organization *non-profit* ☒ or *for-profit* ☐ *Attach 501 (c) (3) tax exemption if applicable
5. Contact: Tammy 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, October 2, 2019
9. Event times: Start 6:00pm Finish 8:00pm Set-up 3:30 Breakdown 9:00 pm
10. Is this event for charity? Yes ☐ No ☒
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: 2,000
15. Detailed site map in attached: Yes ☒ No ☐
16. Is this event open to the public: Yes ☒ No ☐
17. Admission fee: \$ ☐ Free ☒
18. Time at which event staff will begin to arrive: 3:30
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

Signature: Tammy Baker (TB)

FOR OFFICIAL USE - Fee required: Yes ☐ No ☐ Amount Due: \$ ☐

Tomball High School's
12th Annual Homecoming Parade
& Community Rally Proposal

Tomball High School respectfully requests the opportunity to host its 12th Annual Homecoming Parade & Community Rally on Wednesday, October 2, 2019, 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.



Intermediate
School

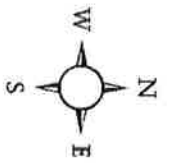
Begin

Parade Route
W MAIN

End

Depot
plaza

Tomball High School
Parade Route



Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Approve Resolution No. 2019-37, a Resolution of the City Council of the City of Tomball, Texas, for the Designation of Its Representative and Alternate for the Houston-Galveston Area Council 2020 General Assembly

Background:

The Houston-Galveston Area Council requests this appointment annually. Each member home rule city under 25,000 population as of the most recent Census is entitled to designate one representative and one alternate to the H-GAC General Assembly.

Beginning in 2010, Council has designated Councilman Townsend as the Representative and Councilman Stoll as the Alternate Representative to the H-GAC General Assembly.

In making the motion, the names of the Representative and Alternate Representative must be stated.

H-GAC has requested designation of the City's representatives no later than October 25, 2019.

Origination:

Chuck Wemple, Executive Director, Houston-Galveston Area Council

Recommendation:

Approve Resolution No. 2019-37, Designating Representative and Alternate Representative for H-GAC 2020 General Assembly

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

City Secretary

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

ATTACHMENTS:

Resolution No. 2019-37

H-GAC Request for Designation

RESOLUTION NO. 2019-37

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TOMBALL, TEXAS, FOR THE DESIGNATION OF ITS
REPRESENTATIVE AND ALTERNATE FOR THE
HOUSTON-GALVESTON AREA COUNCIL 2020
GENERAL ASSEMBLY**

* * * * *

BE IT RESOLVED, by the Mayor and City Council of Tomball, Texas, that _____,
Councilman, Position ____, of the City of Tomball, be, and is hereby designated as its
Representative to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the
year 2020.

FURTHER, that the Official Alternative authorized to serve as the voting representative should
the hereinabove named representative is unable to attend, become ineligible, or should he/she
resign, is _____, Councilman, Position ____, of the City of Tomball.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the
designation of the hereinabove named representative and alternate.

**PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY
COUNCIL HELD ON THE 16TH DAY OF SEPTEMBER 2019.**

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

Gretchen Fagan
Mayor

ATTEST:

Doris Speer
City Secretary



September 5, 2019

Hon. Gretchen Fagan
Mayor
City of Tomball
401 Market St
Tomball, TX 77375

REC'D SEP 9 2019

Dear Mayor Fagan:

I am writing regarding the appointment of your city's representative to H-GAC's 2020 General Assembly.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2020.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by fax to 713-993-2414 or email cynthia.jones@h-gac.com.

A dinner meeting of Home Rule city representatives is scheduled for the evening of Thursday, November 7. At that meeting, your 2019 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2020.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 25. If you have any questions during the designation process, please call Rick Guerrero at 713-993-4598.

Sincerely,

Chuck Wemple

CW/cj

Enclosure
cc: City Secretary

**DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2020 GENERAL ASSEMBLY**

BE IT RESOLVED, by the Mayor and City Council of _____, Texas,
that _____ be, and is hereby designated as its Representative
to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2020.

FURTHER, that the Official Alternate authorized to serve as the voting representative should
the hereinabove named representative become ineligible, or should he/she resign, is
_____.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the
designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this _____ day of _____, 2019.

APPROVED:

Mayor

ATTEST:

By: _____

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Approve Resolution No. 2019-31, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2019-2020

Background:

Resolution No. 2019-31, amending the Master Fee Schedule for 2019-20, is presented for Council consideration and approval.

The fees reflected in Exhibit "A", a redlined version of the current Master Fee Schedule, must be authorized by Council via Resolution prior to inclusion in the Master Fee Schedule for Fiscal Year 2019-2020. Deletions are in red font, additions are in blue font.

At this time, proposed changes in the following sections include:

- Building Permit Fees -
 - updated capital recovery fees, effective August 18, 2018, per Ordinance No. 2014-22, pages 17-18
- Community Development Fees -
 - removal of page 19, Building Inspections Which Must be Called In
 - addition of fees from Sec. 38-202, page 65
- Notary Fees -

Due to the numerous legislative changes made by the 2019 Texas Legislative Session, requiring additional time to calculate the changes in the state-mandated fee structure, City Staff will present amendments to the Municipal Court fees at a later date. We will also present amendments to the Capital Recovery/Impact Fees at a later date, following adoption of proposed amendments to the Impact Fees.

Upon approval of the fees presented tonight, a clean, final copy of the Master Fee Schedule will be posted on the City's website.

Origination:

City Staff

Recommendation:

Staff recommends approving the changes proposed to the 2019-2020 Master Fee Schedule.

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

Doris Speer, City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2019-31

Draft Master Fee Schedule for FY 2019-2020

RESOLUTION NO. 2019-31

**A RESOLUTION OF THE CITY OF TOMBALL, TEXAS,
ADOPTING A MASTER FEE SCHEDULE FOR FISCAL YEAR
2019-2020.**

* * * * *

WHEREAS, the Tomball City Council desires to enhance government transparency through the adoption of a Master Fee Schedule for the convenience of the public; and

WHEREAS, the Tomball City Council finds it advantageous to adopt a Master Fee Schedule for Fiscal Year 2019-2020, to provide easier access to information regarding City services and associated fees for Tomball residents and commercial interests; **NOW, THEREFORE**

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

Section 1. The City Council finds that the facts and matters set forth in the preamble of this Resolution are true and correct.

Section 2. A Master Fee Schedule for the City of Tomball, Texas for Fiscal Year 2019-2020 is hereby adopted, a copy of which is attached hereto as Exhibit "A" and incorporated herein.

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

PASSED, APPROVED, AND RESOLVED this 16th day of September 2019.

Gretchen Fagan
Mayor

ATTEST:

Doris Speer
City Secretary

CITY OF TOMBALL
MASTER FEE SCHEDULE
FY 2019-2020

Amended **9/16/2019**

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GENERAL PENALTY FOR VIOLATIONS OF CODE (CHAPTER 1)

- I. Violation of Ordinances shall be punished by a fine not exceeding \$500.00
- II. Violations of ordinances that govern fire, safety, zoning, public health and sanitation shall be punished by a fine not exceeding \$2,000.00
- III. Violations of traffic laws which are punishable as a Class C misdemeanor shall be punished by a fine not exceeding \$200.00

ACCOUNTS RECEIVABLE FEES

(Sec. 2-240, Code of Ordinances)

In accordance with V.T.C.A., Code of Criminal Procedure art. 103.0031, there shall be imposed an additional fee of 30 percent (30%) on all debts and accounts receivable, i.e.: fines, fees, restitution, other debts, and costs that are more than 60 days past due and have been referred to a private firm for collection.

ACCOUNTS RECEIVABLE FEES – BANK/DEBIT/CREDIT CARDS ACCEPTED

Bank/Debit/Credit Cards are accepted for payment of City fees in all departments. Cards accepted are Visa and MasterCard; however, if the City's Depository Bank provides additional cards through their system, the City may also accept those cards.

The City of Tomball absorbs the cost of processing.

ALARM PERMIT APPLICATION FEE

(Sec. 16-49, Code of Ordinances)

Residential properties	No Fee
Individual apartment units	\$50.00
Nonresidential areas of an apartment complex equipped with a burglary alarm, hold up, panic, duress alarm system, or fire alarm system	\$50.00
Commercial alarm sites equipped with a burglary alarm, hold up, panic alarm, or fire alarm system	\$50.00

FALSE ALARM NOTIFICATION (CHAPTER 16)

(Sec. 16-59, Code of Ordinances)

If an alarm system transmits more than three false burglar alarms or fire alarm notifications within a 12-month period, the permittee shall pay a service fee for the fourth and each subsequent false alarm notification.

Residential Alarms

First through Third False Alarm – No Fee
For each response after the third through the fifth--\$25.00
For each response after the fifth through the eighth--\$50.00
For each response after the eighth--\$100.00

Commercial Alarms

First through Third False Alarm – No Fee
For each response after the third through the fifth--\$50.00
For each response after the fifth through the eighth--\$75.00
For each response after the eighth--\$100.00

Panic Alarms

First and Second False Alarm – No Fee
For each response after the second false alarm – \$100.00 each

If an alarm system transmits more than two false panic alarm notifications within a 12-month period, the permittee shall pay the maximum service fee permitted by state law, but not more than \$100.00, for the third and each subsequent false panic alarm notification.

Operating an Alarm System without Permit or that Automatically Dials 911

(Sec. 16.77, Code of Ordinances)

Class C Misdemeanor – Punishable by a fine of not more than \$500.00, plus fee for each Police or Fire Department response to the activation of an unpermitted alarm system.

Revised 8-7-2017

AMBULANCE PERMIT FEES

<u>ANNUAL COMPANY PERMIT FEE:</u>	\$500.00 per year
<u>VEHICLE INSPECTION FEE:</u>	\$100.00 per vehicle
<u>VEHICLE RE-INSPECTION FEE:</u>	\$100.00 per vehicle

Chapter 16, Article III. (Ord. 2012-47)

BANNER DISPLAY FEES

Application to display a banner must be made at Public Works, 501 James Street at least one (1) month in advance.

Banners will be displayed in the 700 block of W. Main Street. Only one (1) banner will be displayed at a time. A banner may hang for a maximum of two (2) weeks.

APPLICATION FEE

The application fee is **\$75.00 per week**; payment is required when the application is presented.

Application must be made at least one (1) month in advance but not more than twelve (12) months advance. Applications are on a “first come-first served” basis. A TxDOT application for “Use of State of Texas Right-of-Way for Temporary Signs for Special Events” must be filled out and submitted along with City of Tomball reservation application and fees.

STORAGE FEE

Banner shall be picked up within one (1) week after expiration date. Owner will be assessed **\$2.00/day storage fee** if not picked up within the one (1) week period.

Rev. 11-26-2012

BINGO PRIZE FEE
(Sec. 42-59, Code of Ordinances)

~~One percent gross receipts tax on the conduct of bingo games within the city.~~

Repealed – Ordinance No. 2019-18, adopted 8/19/2019.

BUILDING PERMIT FEES

Ordinary fees for work commencing before permit issuance or after the work has been partially completed or concealed shall be double the fee set forth in the fee schedule adopted by the City.

(Chapter 10, Code of Ordinances)

TOTAL VALUATION

\$1,000.00 and less

\$1,001.00 to \$50,000.00

\$50,001.00 to \$100,000.00

\$100,001.00 to \$500,000.00

\$500,001.00 and up

FEE

No fee, unless inspection is required, in which case, a \$15.00 fee for each inspection shall be charged.

\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.

\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.

\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00.

\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

PLAN-CHECKING FEES

When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted, a plan-checking fee shall be paid equal to one-half of the building permit fee. Such plan-checking fee is in addition to the building permit fee.

***RESIDENTIAL DWELLING BUILDING PERMIT FEES**

\$0.35 per square foot of building area for new construction and/or remodels (\$100.00 minimum fee).

\$100.00 fee for roof repair/replacement and foundation repairs.

***RESIDENTIAL DWELLING PLAN-CHECKING FEES**

When a plan is required to be submitted, a plan-checking fee shall be paid equal to one-half of the residential dwelling building permit fee. Such plan-checking fee is in addition to the residential dwelling permit fee.

MOVING FEE

For the moving of any building or structure, the fee shall be \$110.00.

DEMOLITION FEE

For the demolition of any building or structures, the fee shall be:

0 - 100,000 cu. ft.

\$60.00

100,000 cu. ft. and over

\$0.50/1,000 cu. ft.

\$60.00 up to 100,000 cubic feet of demolition

\$0.50 per 1,000 cubic feet for volume greater than 100,000 cubic feet.

For example, a 120,000 cubic foot demolition would cost \$70.00

PENALTIES

Where work for which a permit is required by this Code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

A Certificate of Occupancy must be issued before moving in or a \$250.00 penalty, payable by the permit holder, and disconnection of all City utilities will apply.

The re-inspection fee shall be \$25.00.

****Approved 6/17/2019; HB 852***

BUILDING PERMIT (ELECTRICAL) FEES

PERMIT FEES:

For issuing each permit	\$ 20.00
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PLUS THE FOLLOWING WHEN PROVIDED:

SERVICES

Signs, Serv. < 100 amp with meter loop	\$ 15.00
Service < 125 amp with meter loop	\$ 15.00
Service < 200 amp with meter loop	\$ 20.00
Service > 400 amp with meter loop	\$ 27.00
Service < 400 amp with meter loop	\$ 30.00
Plus - \$5 per each 100 amp	\$ 5.00
Subpanels with 2 or more circuits	\$ 5.00
Panel with 8 or more circuits	\$ 5.00

OUTLETS – (Includes all light switches and receptacle openings)

Outlets/Fixtures	\$.50
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ELECTRICAL APPLIANCES – Domestic

Range Receptacle	\$ 3.00
Clothes Dryer	\$ 3.00
Cooking Tops	\$ 3.00
Ovens	\$ 3.00
Garbage Disposals	\$ 3.00
Dishwashers	\$ 3.00
Window air conditioner receptacle	\$ 2.00
Central A/C and Heat	\$ 6.00
Electric Heat < 1 kw	\$ 3.00
Over 1 kw and < 10 kw	\$ 7.00
Over 10 kw	\$ 7.00
Plus .25 per each kw	\$ 1.00

MOTORS – Permanently installed (Motor control equipment is included in motor fees)

Motors < ¾ h.p.	\$ 3.00
Over ¾ h.p. and < 10 h.p.	\$ 7.00
Over 10 h.p.	\$ 10.00
Plus .25 per each h.p.	\$ 1.00

TRANSFORMERS

Up to and including 1kva	\$ 2.00
Over 1 kva and including 10 kva	\$ 10.00
Over 10 kva	\$ 12.00
1 kva to 10 kva transformer is \$12.00	
Over 10 kva transformer is \$10.00 plus \$1.00 for each kva over 10 kva	

SLAB INSPECTIONS

Slab inspection	\$ 15.00
Each additional slab inspection	\$ 7.00

Electrical work to be covered by slab. One slab inspection is \$15.00, additional slab inspections are \$7.00 each. The previous costs were incorrect.

BUILDING PERMIT (ELECTRICAL) FEES

MISCELLANEOUS ITEMS

Motion picture machines	\$ 5.00
Commercial sound equipment	\$ 3.00
Electric ranges	\$ 5.00
Ballpark and parking lot light poles	\$ 25.00
Pole with guy wire	\$ 7.00
Electric Water Heaters	\$ 5.00
Not exceeding 1500 watts	\$ 3.00
Over 1500 Watts	\$ 5.00
Plus \$1.00 per 1000 watts	\$ 7.00
X-ray Machines	\$ 8.00
Incandescent electric signs and Incandescent gas or vacuum tube signs (shop inspection) per kva	\$ 7.00
Incandescent electric sign inspection and incandescent gas or vacuum tube sign is \$7.00 per kva.	
Sign installation inspections, per kva	\$ 8.00
Streamers and festoon lighting, per circuit	\$ 2.00
Permanently connected electrical appliances and equipment of any nature not otherwise specified shall be charges as follows:	
5 kw or less, each	\$ 4.00
Over 5 kw, each	\$ 5.00
Partial cover-up, each	\$ 5.00
Ditch cover-up <100 ft.	\$ 12.00
Ditch cover-up >100 ft., per 100 ft.	\$ 6.00
Electric welders, each	\$ 6.00

TEMPORARY INSTALLATIONS – (must apply for TCI)

Wood saws, floor surfacing machines, paint-spraying apparatus, etc.	\$ 15.00
Temporary lighting installations	\$ 17.00
Temporary saw pole – 90 days only	\$ 17.00
Temporary cut-ins made permanent	\$ 25.00
Temporary cut-ins MUST HAVE	\$ 25.00
Temporary installation; i.e., carnivals, amusement, show, display or similar used installations. For this purpose: 1 h.p. motor load – 1 kva	
10 kva or less	\$ 25.00
Over 10 kva, per kva	\$ 2.00

Temporary cut-ins are for new businesses or home so they can get power on
for final inspection.

Temporary installations are for temporary power.

FEE FOR ELECTRICAL RE-INSPECTION

The re-inspection fee shall be \$25.00

Revised 8-7-2017

BUILDING PERMIT (MECHANICAL) FEES

INITIAL FEE

For issuing each permit \$15.00

ADDITIONAL FEES

Fee for inspecting heating, ventilating, ductwork, air-conditioning and refrigeration systems shall be \$20.00 for the first \$1,000.00, or fraction thereof, of valuation of the installation plus \$6.00 for each additional \$1,000.00 or fraction thereof.

Fee for inspecting repairs, alterations and additions to an existing system shall be \$6.00 plus \$3.00 for each \$1,000.00 or fraction thereof.

Fee for inspecting boilers (based upon Btu input):

33,000 Btu (1 Bhp) to 165,000 (5 Bhp)	\$ 7.00
165,001 Btu (5 Bhp) to 330,000 (10 Bhp)	\$12.00
330,001 Btu (10 Bhp) to 1,165,000 (52 Bhp)	\$17.00
1,165,001 Btu (52 Bhp) to 3,300,000 (98 Bhp)	\$27.00
Over 3,300,000 Btu	\$37.00

FEE FOR REINSPECTION

In case it becomes necessary to make a re-inspection of any heating, ventilation, air conditioning or refrigeration system, or boiler installation, the installer of such equipment shall pay a re-inspection fee of \$25.00

TEMPORARY OPERATION INSPECTION FEE

When preliminary inspection is requested for purposes of permitting temporary operation of a heating, ventilating, refrigeration or air conditioning system, or portion thereof, a fee of \$45.00 shall be paid by the contractor requesting such preliminary inspection. If the system is not approved for temporary operation on the first preliminary inspection, the usual re-inspection fee shall be charged for each subsequent preliminary inspection for such purpose.

SELF-CONTAINED UNITS LESS THAN TWO TONS

In all buildings, except one and two family dwellings, where self-contained air conditioning units of less than two tons are to be installed, the fee charged shall be that for the total cost of all units combined (see Additional Fees, above, for rate).

Revised 8-7-2017

BUILDING PERMIT (PLUMBING) FEES

PLUMBING PERMIT FEES

PERMIT FEES:

For issuing each permit	\$15.00
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PLUS THE FOLLOWING WHEN PROVIDED:

For each Plumbing Fixture, Floor Drain or Trap (Including Water and Drainage Piping)	\$ 3.00
For each House Sewer	\$ 6.00
For each House Sewer having to be replaced or repaired	\$ 6.00
For each Water Heater and/or Vent	\$ 3.00
For installation, alteration or repair of water piping and/or water treating equipment	\$ 6.00
For repair or alteration of Drainage or Vent Piping	\$ 6.00
For Vacuum Breakers or backflow protective devices installed subsequent to the installation of the piping or equipment served:	
One to Five	\$ 3.00
Over Five, each	\$ 2.00

FEE FOR PLUMBING RE-INSPECTION

The re-inspection fee shall be \$25.00

IRRIGATION PERMIT FEES

Residential - \$ 50.00 fixed fee

Commercial - \$100.00 base fee plus \$10.00 per zone

PERMITS/MISCELLANEOUS

Driveway – Residential	\$ 25.00
Driveway – Residential with Culvert	\$265.00
Driveway – Commercial	\$ 25.00
Driveway – Commercial with Culvert	\$350.00
Construction	2% of Construction Cost
Roofing Permits	\$ 50.00
(Asphalt or metal, under 5 squares is exempt from permit requirement)	

Revised 9-16-2019

BUILDING PERMIT FEES

DOMESTIC AND COMMERCIAL WATER TAP FEES

Residential and Commercial Water Meter Connection Fees. The following connection fee shall be due and paid to the City before any water meter is provided, installed, inspected, and activated for use by the City. The fee for providing water service shall be based upon the meter required, and shall be as follows:

<u>Meter Size, In.</u>	<u>TOTAL COST**</u>
0.75	\$ 960.00
1.0	\$ 1,100.00
1.5	\$ 1,575.00
2.0	\$ 1,800.00
3.0	\$ 3,100.00
4.0	\$ 3,660.00
6.0	\$ 8,985.00 (Includes \$3,500 for vault)*

- Tap fees for meters larger than 2 inches will be completed by a contractor, subject to City's Procurement procedures.
- Vaults may be built to City of Tomball specifications or purchased from the City with meter subject to the City Procurement procedures and does not include installation.

**** FOR CONNECTIONS ON STATE RIGHTS-OF-WAY**

For meter sizes ~~0.625"~~ **0.75"** through 2", add \$190.00 to connection fee schedule.

~~For meter sizes 3" through 6", add \$315.00 to connection fee schedule.~~

~~If a bore is required, a \$35.00 per foot of right of way width boring fee will be required up to a 2" service lead. Service leads larger than 2" will be \$70.00 per foot of right of way width.~~

BORING FEE

If a bore is required for the installation of a tap, a fee will be assessed based on the tap size:

<u>Line Size</u>	<u>BORE FEE</u>
1" line	\$400.00
2" line	\$500.00

A bore in excess of 80 feet (80') or in the State Right-of-Way, services will be contracted and subject to the City's Procurement procedures.

RECONNECTION FEE

Water Service Reconnection Fee - \$25.00

BULK WATER SALES

Refer to Utility Fees – Bulk Sales

This charge includes the current fee for each 1,000 gallons used surcharge that the City collects on **behalf of NHCRWA and will be adjusted as the surcharge increases.**

Additionally, if a meter is desired, the deposit will be \$1,000.00.

BUILDING PERMIT FEES

DOMESTIC AND COMMERCIAL SEWER TAP FEES

Residential and Commercial Sanitary Sewerage Connection Fees. The following connection fee shall be due and paid to the City before any sewer connection is provided, installed, inspected, and activated into the City's wastewater collection system. The connection fee for such services shall be based upon the size of the sewer connection required, and shall be as follows:

<u>Connection Size</u>	<u>TOTAL COST**</u>
4"	\$555.00 \$ 625.00
6"	\$610.00 \$ 675.00
8" and above	\$625.00 \$ 1,150.00

* If manhole is required, add \$2,000.00

**** FOR CONNECTIONS ON STATE RIGHTS-OF-WAY**

For connections on state right-of-way, add \$250.00 to connection fee schedule.

~~If a bore is required, a \$70.00 per foot of right-of-way width boring fee will be required up to a 6" service lead. For 8" service lead, a \$75.00 per foot of right-of-way width boring fee will be charged.~~

BORING FEE

If a bore is required for the installation of a tap, a fee will be assessed based on the tap size:

<u>Line Size</u>	<u>BORE FEE</u>
Up to 6"	\$475.00
8" and above	\$825.00

A bore in excess of 80 feet (80') or in the State Right-of-Way, services will be contracted and subject to the City's Procurement procedures.

SEWER LINE MAINTENANCE AND CONSTRUCTION

(CHAPTER 46)

Sewer Service Reconnection fee (as requested by the department of public works) \$200.00

DOMESTIC AND COMMERCIAL GAS TAP FEES

Residential and Commercial Gas Meter Connection Fees. The following connection fee shall be due and paid to the City before any gas meter is provided, installed, inspected, and activated for use by the City. The fee for providing gas service shall be based upon the meter and regulator required (meter and regulator, four ounce [4 oz.*] only), and shall be as follows:

<u>BTUs</u>	<u>TOTAL COST **</u>	<u>METER SIZE</u>
0 to 345,000	\$ 695.00 \$1,025.00	250 – 275
345,001 to 450,000	\$ 830.00 \$1,250.00	415 – 450
451,001 to 1,760,000*	\$1,490.00 \$2,075.00	750 – 880
2,420,001 to 5,500,000*	\$3,770.00 \$4,600.00	3,000
5,500,001 to 11,000,000*	\$4,975.00 \$5,875.00	5,000

If pounds (lbs.) Are needed, must add an emcorr to total cost (total cost +\$1,175.00 = total price for pounds).

**** FOR CONNECTIONS ON STATE RIGHTS-OF-WAY**

For connections on state right-of-way, add \$250.00 to connection fee schedule for BTUs 0-450,000 BTUs. Requirements above 450,001 BTUs, add \$350.00 to connection fee schedule.

~~For a service lead under a state right-of-way, add \$35.00/foot of right-of-way width.~~

BUILDING PERMIT FEES

DOMESTIC AND COMMERCIAL SEWER TAP FEES

BORING FEE

If a bore is required for the installation of a tap a fee will be assessed based on the tap size:

Bore Length
Up to 80'

BORE FEE
\$375.00

A bore in excess of 80 feet (80') or in the State Right-of-Way, services will be contracted and subject to the City's Procurement procedures.

CAPITAL RECOVERY FEES

PER CITY OF TOMBALL ORDINANCE NO. 2014-22

Effective August 18, 2018 – August 17, 2019*

<u>LUE'S</u>	<u>WATER METER SIZE</u>	<u>WATER</u>	<u>SEWER</u>	<u>TOTAL</u>
1.0	3/4"	\$2,325.96	\$2,322.57	\$4,648.53
2.5	1"	\$5,814.90	\$5,806.43	\$11,621.33
5.0	1 1/2"	\$11,629.80	\$11,612.85	\$23,242.65
8.0	2"	\$18,607.68	\$18,580.56	\$37,188.24
10.0	2" TURBINE	\$23,259.60	\$23,225.70	\$46,485.30
16.0	3"	\$37,215.36	\$37,161.12	\$74,376.48
24.0	3" TURBINE	\$55,823.04	\$55,741.68	\$111,564.72
25.0	4"	\$58,149.00	\$58,064.25	\$116,213.25
42.0	4" TURBINE	\$97,690.32	\$97,547.94	\$195,238.26
50.0	6"	\$116,298.00	\$116,128.50	\$232,426.50
92.0	6" TURBINE	\$213,988.32	\$213,676.44	\$427,664.76
80.0	8"	\$186,076.80	\$185,805.60	\$371,882.40
160.0	8" TURBINE	\$372,153.60	\$371,611.20	\$743,764.80
115.0	10"	\$267,485.40	\$267,095.55	\$534,580.95
250.0	10" TURBINE	\$581,490.00	\$580,642.50	\$1,162,132.50
330.0	12" TURBINE	\$767,566.80	\$766,448.10	\$1,534,014.90

NOTE: ALL NEW DEVELOPMENT OR CHANGE IN USE WILL BE REQUIRED TO CALCULATE THE LIVING UNIT EQUIVALENT (LUE) AND PAY THE GREATER VALUE BETWEEN THE MINIMUM METER SIZE IMPACT FEE OR THE CALCULATED LUES.

* REFER TO SCHEDULE OF MAXIMUM CAPITAL RECOVERY FEES FOR INCREASE IN FEES BASED ON EFFECTIVE DATE.

SCHEDULE OF MAXIMUM CAPITAL RECOVERY FEES

	<u>Effective:</u>	<u>Effective:</u>	<u>Effective:</u>	<u>Effective:</u>	<u>Effective:</u>
Per LUE	Aug. 18, 2014	Aug 18, 2015	Aug. 18, 2016	Aug. 18, 2017	Aug. 18, 2018
Water	\$1,528.49	\$1,727.86	\$1,927.22	\$2,126.59	\$2,325.96
Wastewater	\$1,901.21	\$2,100.58	\$2,299.95	\$2,322.57	\$2,322.57

Drainage effective August 18, 2014:

M118 per acre	\$5,757.81
M121E per acre	\$7,886.69
M121W per acre	\$6,692.00
M125 per acre	\$ 436.88

BUILDING STANDARDS COMMISSION FEE TO APPEAL DECISION

(Sec. 10-473, Code of Ordinances)

Fee to Appeal Decision, accompanied by written request
to the City Secretary within 10 days of the date of the
Building Standards Commission Hearing

\$10.00*

*Appeal is by City Council and shall be by a trial de novo.

CHAUFFEUR’S DRIVER FEES

ANNUAL FEE:

City of Tomball Chauffeur’s License Fee:

None

10/2012

COMMUNITY CENTER FEES

Reservation Fee Guidelines

A. Meeting Room Fee Schedule (Based on availability)

	Non-profit Clubs/ Organizations*	Tomball Residents: Individuals, For-profit Businesses/ Non-profit Organizations which charge for service	Non Tomball Residents: Individuals, For-profit Businesses, Non-profit Organizations which charge for service
Monday thru 3:00 pm Friday (2 Hour Minimum)			
Room A	\$50.00/hr.	\$75.00/hr.	\$100.00/hr.
Room B	\$30.00/hr.	\$50.00/hr.	\$75.00/hr.
Room C	\$15.00/hr.	\$20.00/hr.	\$30.00/hr.
After 3:00 pm Friday (2 Hour Minimum)			
Room A	\$75.00/hr.	\$100.00/hr.	\$125.00/hr.
Room B	\$50.00/hr.	\$75.00/hr.	\$100.00/hr.
Room C	\$15.00/hr.	\$50.00/hr.	\$75.00/hr.

B. Kitchen Fee Schedule

1. The rental fee for Banquet Room A includes the use of the kitchen.
2. No other room is allowed the use of the kitchen with a rental.

Special Notes

A refundable deposit will be paid by each applicant prior to the confirmation of a reservation. Refund of this deposit is contingent upon satisfying any payment for damages to the facility by the Contracting Party.

Waiver of Fees

1. The following groups shall have their fees waived:
 - a. Tomball-based Non-profit youth organizations who provide proof of qualification
2. Tomball-based groups and organizations may request a waiver of fees from City staff. The guidelines for staff to follow when considering requests for waivers are as follows:
 - a. Applicant generates sales tax dollars for Tomball
 - b. Applicant supports City functions, events or programs
 - c. Applicant is a non-profit group or organization benefitting the City of Tomball in some manner.

Rev. 11-7-2012

COMMUNITY DEVELOPMENT FEES

PLANNING FEES

Rezoning	\$400 + \$10/acre
Conditional Use Permit	\$600
Planned Development (w/Concept or Site Plan)	\$1,000
Non-Residential Site Plan Review	\$250 <=2,000 SF of building area \$300 + \$10/acre >2,000 SF of building area
Single Family Site Plan/Building Elevation Review	\$50
Parking / Landscape Plan Review	\$100
Variance/Special Exception (Board of Adjustments)	\$100 Residential (<i>Except Multi-Family</i>) \$250 Non-Residential & Multi-Family
Zoning Ordinance/Text Amendment	\$500
Appeals	\$100
Zoning Verification Request	\$25
Copy of Zoning Ordinance (Spiral Bound Paper Copy)	\$15.85
Color Maps – 11 x 17	\$1.50
Comprehensive Plan Map Amendment	\$500
Rezoning and Comprehensive Plan Map Amendment	\$650 + \$10/acre

Rev. 9-17-2018

COMMUNITY DEVELOPMENT FEES

PLATTING FEES

Preliminary Plat:	\$200.00	Base Fee
	\$1.00	Per Lot
	\$5.00	Per Acre (Includes reserves within a subdivision that do not include single-family lots)
Final, Replat, & Minor Plats:	\$200.00	Base Fee
	\$0.50	Per Lot
	\$2.00	Per Acre (Includes reserves within a subdivision that do not include single-family lots)
Recording & Filing Fees:	\$150.00	For the first sheet
	\$50.00	For each additional sheet
Joinder Lot	\$100.00	For Each Joinder Lot. (Resolution 2011-20)

ENGINEERING FEES

Floodplain Permit Application	\$25
Construction Permit Application	2% of the Cost of Construction
Right-of-Way Abandonment	\$300 (Administrative Policy 65, March 11, 2011)
Fee In Lieu of the Construction of Sidewalks	\$30 per linear foot of street frontage (Ordinance 2017-20)

Revised 8-7-2017

CORRECTIONAL FACILITY PERMIT APPLICATION FEE

(Sec. 14-357, Code of Ordinances)

Original Application Fee	\$350.00
Renewal Application Fee	\$100.00
Transfer Application Fee upon Change of Owner/Operator Of Correctional Facility	\$100.00

(Code of Ordinances, Chapter 14, Section 14-357)

DONATION CONTAINER PERMIT FEES

Annual Donation Container Permit Fee	\$ 25.00
(Sec. 22-194)	
Permit is valid for 12 months from the date first issued.	

Impounded Donation Container Fee	\$200.00
Daily Storage Fee	\$ 25.00
(Sec. 22-195)	

Rev. 10/14/2013

FILMING APPLICATION FEES

(Sec. 6-86, Code of Ordinances)

Application Processing Fee - \$25.00*

Fee for Use of City Property and City Equipment: Rates, as established by City Manager, that are adequate to compensate the City for the use of that property or equipment if the standard rate schedule is inapplicable or inappropriate for the specific use proposed.

*Fee may be waived by City Manager for nonprofit organizations.

FIRE MARSHAL'S OFFICE FEES

Life Safety Plan Review

1 - 2,500 sq.ft.	\$25.00
2,501 - 5,000 sq.ft.	\$50.00
5,001 - 10,000 sq.ft.	\$75.00
10,000 - more sq.ft.	\$100.00

Fire Sprinkler Systems

Review Fee	\$200.00
Riser	\$10.00 ea.
Fire Department Connection	\$10.00 ea.
Per Each Sprinkler Head	\$1.00 ea.

Fire Alarm Systems

Review Fee	\$200.00
Signal / Notification Device	\$2.00 ea.

Paint Booth / Mixing Room

Review Fee	\$200.00
Nozzle	\$1.00 ea.

Cooking Suppression System

Review Fee	\$200.00
Nozzle	\$1.00 ea.

Fuel Storage Tank Removal / Installation

For 1 Tank per site	\$150.00
For 2 Tanks per site	\$200.00
For 3 or more Tanks per site	\$250.00

Installation Penalty - No Permit Fee

2 x the cost of total plan review fee	
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Special Services - *to be paid before 3:45pm*

Special Handling / Same Day Service - Plans	\$100.00
After Hours Inspection - up to 4 hours	\$275.00
Each additional hour - rounded up to the next hour	\$75.00

Acceptance Testing / Fire Final Inspections

Inspection	No Fee
1st Re-Inspection	\$25.00
2nd Re-Inspection	\$50.00
3rd Re-Inspection	\$75.00
4th Re-Inspection and Each After	\$100.00

FIRE MARSHAL'S OFFICE FEES

State Licensed Facility Inspection - Group I Occupancy

Inspection	\$50.00
1st Re-Inspection	\$25.00
2nd Re-Inspection	\$50.00
3rd Re-Inspection	\$75.00
4th Re-Inspection and Each After	\$100.00

Life Safety Inspection - Annual

Inspection	No Fee
1st Re-Inspection	No Fee
2nd Re-Inspection	\$25.00
3rd Re-Inspection	\$50.00
4th Re-Inspection and Each After	\$75.00

FIRE MARSHAL'S OFFICE FEES

Permit Description	Permit Reference Number	Renewable or One-Time Permit	Cost
Administrative Fee (Once per calendar year/per permitted facility)		R	\$5.00
Aerosol Products	105.6.1	R	\$100.00
Amusement Buildings	105.6.2	R	\$100.00
Aviation Facilities	105.6.3	R	\$150.00
Carnivals & Fairs	105.6.4	R	\$150.00
RESERVED	105.6.5		
Cellulose Nitrate Film	105.6.5	R	\$100.00
Combustible Dust Producing Operations	105.6.6	R	\$100.00
Combustible Fibers	105.6.7	R	\$125.00
Compressed Gases	105.6.8	R	\$100.00
Covered Mall Buildings	105.6.9	R	\$50.00
Cryogenic Fluids	105.6.10	R	\$100.00
Cutting & Welding	105.6.11	R	\$75.00
Dry Cleaning Plants	105.6.12	R	\$100.00
Exhibits & Trade Shows	105.6.13	R	\$75.00
Explosives, including Fireworks	105.6.14	R	\$150.00
RESERVED	105.6.15		
Flammable and Combustible Liquids	105.6.16	R	\$75.00
Floor Finishing, including Bowling Lanes	105.6.17	R	\$100.00
RESERVED	105.6.18		
Fumigation and Insecticide Fogging	105.6.19	R	\$50.00
Hazardous Materials	105.6.20	R	\$150.00
HPM Facilities	105.6.21	R	\$150.00
High Pile Storage	105.6.22	R	\$75.00
Hot work Operations	105.6.23	R	\$75.00
Industrial Ovens	105.6.24	R	\$100.00
Lumber Yards and Wood Working Plants	105.6.25	R	\$100.00
Liquid or Gas Fueled vehicles in Assembly Buildings	105.6.26	R	\$100.00
LP Gas	105.6.27	R	\$100.00
Magnesium Working	105.6.28	R	\$150.00
Miscellaneous Combustible Storage	105.6.29	R	\$100.00
Open burning (commercial-trench)	105.6.30	R	\$150.00
RESERVED	105.6.31		
Open Flames and Candles	105.6.32	R	\$50.00
Organic Coating	105.6.33	R	\$100.00
Places of Assembly	105.6.34		
50-100		R	\$75.00
101-299		R	\$100.00
300 or More Occupants		R	\$125.00
RESERVED	105.6.35		
Pyrotechnic Special Effects Material	105.6.36	R	\$150.00
RESERVED	105.6.37-438		
Repair Garage	105.6.39	R	\$100.00
Motor Vehicle Fuel Dispensing Facility	105.6.39	R	\$100.00
Rooftop Heliports	105.6.40	R	\$150.00
Spraying & Dipping	105.6.41	R	\$150.00
Tire Storage	105.6.42	R	\$100.00
Temporary Structures, Tents & Canopies	105.6.43	R	\$75.00
RESERVED	105.6.44-45		
Wood Products	105.6.46	R	\$100.00
Fire Flow Test	105.6.50	O-T	\$150.00

GARBAGE BAG FEES

The City of Tomball furnishes two (2) rolls of fifty (50) bags to each residence annually.

For additional purchases of garbage bags, the fee is \$12.00 per 50-bag roll.

Rev. 11-7-2012

KENNEL LICENSE FEES and IMPOUNDED ANIMAL FEES

(Code of Ordinances, Chapter 8)

ANNUAL KENNEL LICENSE FEE:

\$ 10.00

RECOVERY OF IMPOUNDED ANIMALS FEE - (Sec. 8-178, Code of Ordinances) The following fees shall be recovered prior to release of impounded animal:

\$25.00 impounding fee
\$5.00 per day board fee
Cost of vaccination*

Second: \$40.00 impounding fee
\$5.00 per day board fee
Cost of vaccination*

Third and Subsequent: \$75.00 impounding fee
\$5.00 per day board fee
Cost of vaccination*

The owner of impounded animal(s) shall have the right to redeem the animal(s) upon the payment of any and all fees which may be due and payable for the impoundment of such animal, including any fines imposed, within three days after notice of impoundment has been posted, published or delivered (Sec. 8-178, Code of Ordinances).

REDEEMING IMPOUNDED ANIMALS SOLD BY

COUNTY HEALTH OFFICE OR CITY HUMANE OFFICER: Within 30 days, the original owner may redeem such animal upon paying purchaser double the amount paid by him for the animal, plus an amount equal to \$3.00 for each calendar day or fraction thereof for the care and feeding of such dog/cat and all veterinary expenses incurred by the purchaser. After 30 days, the animal shall become the absolute property of the purchaser (Sec. 8-68, Code of Ordinances).

IMPOUNDMENT FEES FOR HORSES, COWS, CATTLE OR OTHER LIVESTOCK:

\$25.00 plus \$5.00 for feeding and care per day for each horse, cow or cattle
\$15.00 plus \$2.00 for feeding and care per day for each head of other livestock
(Sec. 8-178, Code of Ordinances)

*Unless owner presents proof that the animal has been vaccinated within three months immediately preceding the impoundment (Section 8-103):

Rev. 5-2-2017

LIQUOR LICENSE/PERMIT FEES

(Sec. 4-24, Code of Ordinances)

The Texas Alcoholic Beverage Code provides that cities may levy and collect a fee not to exceed one-half the State fee for each permit issued for premises located within a city or town. Only the Mixed Beverage Permit and a Mixed Beverage Late Hours Permit have a three-year waiting period before fees may be collected by the City of Tomball. The process of Liquor related fees begin with the signature of the City Secretary or her Assistant on all applications made to TABC. Before any license is issued, the applicant shall pay to the city such fees as are authorized by state law.

The Permits listed below, along with their yearly rates, go into effect at the time the business begins operation, or shortly thereafter.

Two-Year Fee Chart

License Type	Description of License		T.A.B.C. 2-Year Fee	Tomball 2-Year Fee
BF	Beer Retailer's Off Premise		\$120.00	\$60.00
BG	Wine & Beer Retailer's	Years 1 and 2	\$2,000.00	\$1,000.00
		Year 3 and Subsequent	\$1,500.00	\$750.00
BQ	Wine & Beer Retailer's Off Premise		\$120.00	\$60.00
P	Package Store		\$1,000.00	\$500.00
Q	Wine-Only Package Store		\$150.00	\$75.00
MB	Mixed Beverage	Years 1 and 2	\$6,000.00	\$0.00
	1 st Renewal	Years 3 and 4	\$4,500.00	\$1,125.00
	2 nd Renewal	Years 5 and 6	\$3,000.00	\$1,150.00
	3 rd Renewal	Subsequent Years	\$1,500.00	\$750.00
LB	Late Hours Mixed Beverage		\$300.00	\$150.00

Revised 11-7-2012

**MANUFACTURED HOME PARK
OR RECREATIONAL VEHICLE PARK
CONSTRUCTION OR ENLARGEMENT FEES**
(Sec. 26-24, Code of Ordinances)

APPLICATION FEE: \$100.00 plus \$10.00 per unit in excess of 25 units (spaces)

(COPY OF RECEIPT MUST BE ATTACHED TO APPLICATION)

**MANUFACTURED HOME PARK OR
RECREATIONAL VEHICLE
PARK OPERATIONS LICENSE FEES**
(Chapter 26, Code of Ordinances)

NOTE: Operations License expire December 31

OPERATIONS LICENSE FEE: *(Copy of Receipt must be attached to Application)*

(Fees are based on the number of spaces in the park)

BASE FEE	+	NUMBER OF SPACES	=	TOTAL FEE
\$100.00/year	plus	\$3.00 for each space within the park		

Example:

If Park has 20 spaces, the fee would be:	Base Fee	=	\$ 100.00
	20 Spaces x \$3.00	=	<u>\$ 60.00</u>
	Total Fee Due	=	\$ 160.00

MUNICIPAL COURT BUILDING SECURITY FUND (CHAPTER 28)

\$3.00 against all defendants convicted in a trial of a misdemeanor offense by the municipal court.

MUNICIPAL COURT TECHNOLOGY FUND (CHAPTER 28)

\$4.00 against all defendants convicted in a trial of a misdemeanor offense by the municipal court.

MUNICIPAL COURT JUVENILE CASE MANAGER FUND (CHAPTER 28)

\$5.00 against all defendants upon conviction for a fine-only misdemeanor offense by the municipal court.

The municipal court judge is authorized to waive the fee in case of financial hardship.

MUNICIPAL COURT FINES/FEES

The facts and circumstance of each case determines the amount of the fine the court assesses. The range of punishment of most traffic related state offenses or fine for most municipal court violations are as followed:

Class C violations are punishable by a maximum fine of \$500, except that zoning, fire safety, and health violations may have fines of up to \$2000 per offense.

Most traffic related state offenses have a maximum fine of \$200. There are many exceptions:

ex. Failure to Maintain Financial Responsibility (no insurance) -- \$175 to \$350 fine for first offense

ex. Failure to comply with warning sign in construction or maintenance zone (when workers are present)

Tex Transp Code § 472.022(d)-- \$2 to \$400 fine

ex. -- Failure to yield the right of way to another vehicle that a crash resulted from that failure to yield, and a person other than the operator suffered bodily injury as a result, the offense is punishable by a fine of \$500 to \$2,000. Texas Transportation Code § 542.4045. If a person other than the operator suffered serious bodily injury, the offense is punishable by a fine of \$1,000 to \$4,000.

Prior Convictions may also enhance the penalty and require a higher fine. Contact the court for more information on fines.

OFFENSE: SPEEDING

	FINE	COURT COSTS	TOTAL	WP	TOTAL
SPEEDING 1-15	\$80.90	\$104.10	\$185.00	\$25.00	\$210.00
16	\$83.90	\$104.10	\$188.00	\$25.00	\$213.00
17	\$86.90	\$104.10	\$191.00	\$25.00	\$216.00
18	\$89.90	\$104.10	\$194.00	\$25.00	\$219.00
19	\$92.90	\$104.10	\$197.00	\$25.00	\$222.00
20	\$95.90	\$104.10	\$200.00	\$25.00	\$225.00
21	\$98.90	\$104.10	\$203.00	\$25.00	\$228.00
22	\$101.90	\$104.10	\$206.00	\$25.00	\$231.00
23	\$104.90	\$104.10	\$209.00	\$25.00	\$234.00
24	\$107.90	\$104.10	\$212.00	\$25.00	\$237.00
25	\$110.90	\$104.10	\$215.00	\$25.00	\$240.00
26	\$113.90	\$104.10	\$218.00	\$25.00	\$243.00
27	\$116.90	\$104.10	\$221.00	\$25.00	\$246.00
28	\$119.90	\$104.10	\$224.00	\$25.00	\$249.00
29	\$122.90	\$104.10	\$227.00	\$25.00	\$252.00
30	\$125.90	\$104.10	\$230.00	\$25.00	\$255.00

NOTE: Defendants receiving a Disregard Warning Sign-Workers Present or possessing a CDL are NOT eligible for Driving Safety Course or Deferred.

**** ALL FINES DOUBLE IF VIOLATION IS IN A CONSTRUCTION ZONE WITH WORKERS PRESENT**

Revised 8-7-2017

MUNICIPAL COURT FINES/FEES

SPEEDING SCHOOL ZONES

\$7 fee eff 1/31/14			
Speeding School Zone table fine fee			
miles over			
1-15 MILES	\$	203.00	\$ \$210.00
16	\$	206.00	1 \$ \$213.00
17	\$	209.00	2 \$ \$216.00
18	\$	212.00	3 \$ \$219.00
19	\$	215.00	4 \$ \$222.00
20	\$	218.00	5 \$ \$225.00
21	\$	221.00	6 \$ \$228.00
22	\$	224.00	7 \$ \$231.00
23	\$	227.00	8 \$ \$234.00
24	\$	230.00	9 \$ \$237.00
25	\$	233.00	10 \$ \$240.00
26	\$	236.00	11 \$ \$243.00
27	\$	239.00	12 \$ \$246.00
28	\$	242.00	13 \$ \$249.00
29	\$	245.00	14 \$ \$252.00
30	\$	248.00	15 \$ \$255.00
31	\$	251.00	16 \$ \$258.00
32	\$	254.00	17 \$ \$261.00
33	\$	257.00	18 \$ \$264.00
34	\$	260.00	19 \$ \$267.00
35	\$	263.00	20 \$ \$270.00
36	\$	266.00	21 \$ \$273.00
37	\$	269.00	22 \$ \$276.00
38	\$	272.00	23 \$ \$279.00
39	\$	275.00	24 \$ \$282.00
40	\$	278.00	25 \$ \$285.00
41	\$	281.00	26 \$ \$288.00
42	\$	284.00	27 \$ \$291.00
43	\$	287.00	28 \$ \$294.00
44	\$	290.00	29 \$ \$297.00
45	\$	293.00	30 \$ \$300.00
46	\$	296.00	31 \$ \$303.00
47	\$	299.00	32 \$ \$306.00

**** ALL FINES DOUBLE IF VIOLATION IS IN A CONSTRUCTION ZONE WITH WORKERS PRESENT**

COLLECTION FEE FOR MUNICIPAL COURT

Notice:

Effective November 2, 2004, courts instituted a 30 percent collection fee on delinquent cases that are referred to a collection agency.

Charge of additional 30% Collection Fee on Delinquent Cases:

The State Legislature passed a bill authorizing the assessment of a 30% collection fee to any case in which a defendant had either failed to pay or failed to appear on or before their court date on all violations processed by the court; traffic, non-traffic and parking cases. All cases are referred to a delinquent collections agency when they have been delinquent for more than 60 days.

Revised 8-7-2017

MUNICIPAL COURT FINES/FEES

TIME PAYMENT FEE

Defendants who are set up on a payment plan will be assessed a one-time time payment fee \$25 on or after 31st day following a judgement per offense still open on the payment plan. This fee is a state fee and cannot be waived.

~~REDLIGHT ENFORCEMENT:~~

~~APPEAL FILING FEE * NON REFUNDABLE~~

~~FINE~~

~~\$50~~

~~FINE~~

~~\$75~~

~~ADMINISTRATION HEARING~~

~~\$25~~

~~● IF FOUND LIABLE YOU WILL BE RESPONSIBLE FOR \$75 FINE PLUS THE \$25.00
ADMIN HEARING FEE~~

Revised 8-7-2017

MUNICIPAL COURT FINES/FEEES

Tomball Municipal Court Fines - by Code Number

CODE	TITLE	AUTHORITY	PENALTY	FINE	C/C
3001	SPEEDING	TC 545.351	TC 542.401	SEE CHART	
3002	UNSAFE SPEED (TOO FAST FOR CONDITIONS)	TC 545.351	TC 542.401	SEE CHART	
3003	IMPEDING TRAFFIC	TC 545.363	TC 542.401	119.90	104.10
3005	FAIL TO YIELD TO VEHICLE LEAVING HIGHWAY	TC 545.154			
3005	FAIL TO YIELD RIGHT OF WAY	TC 545.151	TC 542.401	119.90	104.10
3006	RAN STOP SIGN	TC 545.151	TC 542.401	119.90	104.10
3007	RAN RED LIGHT	TC 544.007	TC 542.401	119.90	104.10
3008	DISREGARD FLASHING YELLOW SIGNAL	TC 544.008	TC 542.401	119.90	104.10
3009	CHANGED LANE WHEN UNSAFE	TC 545.060(a)(2)	TC 542.401	119.90	104.10
3011	TURNED LEFT FROM WRONG LANE	TC 545.101(b)-(d)	TC 542.401	119.90	104.10
3012	TURNED RIGHT FROM WRONG LANE	TC 545.101(a)	TC 542.401	119.90	104.10
3013	CUT CORNER LEFT TURN	TC 545.101(b)-(d)	TC 542.401	119.90	104.10
3014	IMPROPER TURN	TC 545.103	TC 542.401	119.90	104.10
3015	DROVE WRONG SIDE OF ROAD	TC 545.051(a),(c)	TC 542.401	119.90	104.10
3016	DROVE WRONGWAY ON ONE-WAY ROADWAY	TC 545.059 (b)	TC 542.401	119.90	104.10
3017	FOLLOWING TOO CLOSELY (CARVAN, TRUCK)	TC 545.062	TC 542.401	119.90	104.10
3018	PASSED - INSUFFICIENT CLEARANCE	TC 545.054	TC 542.401	119.90	104.10
3019	DISREGARD NO PASSING ZONE	TC 545.055 (a)	TC 542.401	119.90	104.10
3020	ILLEGAL PASS ON RIGHT	TC 545.057 (a)(b)	TC 542.401	119.90	104.10
3021	FAIL TO STOP OR REMAIN STOPPED FOR SCHOOL BUS	TC 545.066	TC 545.066(c)	500.00	104.00
**3021	1000-2000 FOR SUBSEQUENT OFF W/ 5 YEARS			MAX1250	
3022	FAIL TO PASS RIGHT SAFELY	TC 545.057 (a)(b)	TC 542.401	119.90	104.10
3024	UNSAFE START FROM PARKED, STOPPED OR STANDING POSITION	TC 545.402	TC 542.401	119.90	104.10
3025	FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY - 2ND OFFENSE	TC 601.191	TC 601.191(b)	500.00	71.00
3026	PARKING ON ROADWAY; STOP OR STAND ON A ROADWAY	TC 545.301	TC 542.401	119.90	104.10
3028	CROSSING PHYSICAL BARRIER	TC 545.063(b)	TC 542.401	119.90	104.10
3030	UNRESTRAINED CHILD UNDER FOUR	TC 545.412	TC 542.401	*NOT ACTIVE	
3031	FAILURE TO SECURE CHILD UNDER 8 IN SAFETY SEAT	TC 545.412	TC 545.412(b)	116.00	104.00
3032	NO SEAT BELT - DRIVER	TC 545.413(a)	TC 545.413(d)	40.00	104.00
3033	NO SEAT BELT - PASSENGER	TC 545.413(a)	TC 545.412(d)	40.00	104.00
3034	CHILD (8-16) NOT SECURED BY SAFETY BELT	TC 545.413(b)	TC 545.413(d)	116.00	104.00
3038	OPERATE VEHICLE WITH CHILD IN OPEN BED	TC 545.414	TC 545.414(b)	120.00	104.00
3035	POSS OF ALCOHOL IN MOTOR VEH			170.00	104.00
3039	SPEEDING 15MPH OVER THE SPEED LIMIT (COMMERCIAL LICENSE ONLY)	TC 545.351	TC 542.401	SEE CHART	
3045	FAIL TO GIVE INFO/RENDER AID LESS THAN \$200 DAMAGE	TC 550.022(a) TC 550.023	TC 550.022(c)	119.90	71.10
3049	FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY- 1ST OFFENSE	TC 601.191	TC 601.191(b)	215.00	71.00
3050	FAIL TO CONTROL SPEED	TC 545.351	TC 542.401	119.90	104.10
3051	SPEED UNDER MINIMUM	TC 545.363	TC 542.401	119.90	104.10
3052	FAIL TO YIELD AT STOP INTERSECTION(STOP SIGN)	TC 545.153(b)	TC 542.401	119.90	104.10
3053	FAIL TO YIELD AT YIELD SIGN	TC 545.153(b)	TC 542.401	119.90	104.10
3054	FAIL TO YIELD ROW AT OPEN INTERSECTION(SPECIFY TYPE)	TC 545.151	TC 542.401	119.90	104.10
3055	FAIL TO YIELD ROW--TURNING LEFT (AT INTERSECTION, ALLEY, PRIVATE ROAD, OR DRIVEWAY)	TC 545.152	TC 542.401	119.90	104.10
3056	FAIL TO YIELD ROW LEAVING PRIVATE DRIVE, ALLEY, BUILDING	TC 545.155	TC 542.401	119.90	104.10

MUNICIPAL COURT FINES/FEES

Tomball Municipal Court Fines - by Code Number

CODE	TITLE	AUTHORITY	PENALTY	FINE	C/C
3057	FAIL TO YIELD ROW TO EMERGENCY VEHICLE	TC 545.156	TC 542.401	119.90	104.10
3058	FAIL TO YIELD ROW ON GREEN ARROW SIGNAL	TC 544.007	TC 542.401	119.90	104.10
3059	DISREGARD OFFICIAL TRAFFIC CONTROL DEVICE	TC 544.004	TC 542.401	119.90	104.10
3060	FAIL TO STOP - DESIGNATED POINT (AT STOP SIGN)	TC 544.010	TC 542.401	119.90	104.10
3061	FAIL TO STOP - DESIGNATED POINT (AT YIELD SIGN)	TC 544.010	TC 542.401	119.90	104.10
3062	LACK OF CAUTION ON GREEN ARROW SIGNAL	TC 544.007	TC 542.401	119.90	104.10
3063	FAIL TO STOP AT PROPER PLACE (AT TRAFFIC LIGHT)	TC 544.007	TC 542.401	119.90	104.10
3064	FAIL TO STOP AT PROPER PLACE (NOT AT INTERSECTION)	TC 544.007	TC 542.401	119.90	104.10
3065	DISREGARD WARNING SIGN OR BARRICADES AT CONSTRUCTION ZONE* fine DOUBLE IF WORKERS PRESENT)	TC 472.022	TC 472.022(d)	119.90	104.10
3066	DROVE THROUGH SAFETY ZONE	TC 545.403	TC 542.401	119.90	104.10
3067	DISREGARD FLASHING RED SIGNAL(AT STOP SIGN, ETC.)	TC 544.008	TC 542.401	119.90	104.10
3068	FAIL TO STOP AT PROPER PLACE (FLASHING RED SIGNAL)	TC 544.008	TC 542.401	119.90	104.10
3069	DISREGARD LANE CONTROL SIGNAL	TC 544.009	TC 542.401	119.90	104.10
3070	FAIL TO DRIVE IN SINGLE LANE	TC 545.060	TC 542.401	119.90	104.10
3071	DISREGARD NO LANE CHANGE SIGN	TC 545.060	TC 542.401	119.90	104.10
3072	DISREGARD SIGNAL AT RR CROSSING	TC 545.251(d)	TC 542.401	119.90	104.10
3073	DISREGARD RR CROSSING GATE CR FLAGMAN	TC 545.251(d)	TC 542.401	119.90	104.10
3074	FAIL TO STOP AT MARKED RR CROSSING	TC 545.252(b)	TC 542.401	119.90	104.10
3075	OPER OF HEAVY EQUIP DISREGARDED SIGNAL OF APPROACHING TRAIN	TC 545.255(d)	TC 542.401	119.90	104.10
3076	TURNED ACROSS DIVIDING SECTION	TC 545.063(b)	TC 542.401	119.90	104.10
3077	TURNED RIGHT TOO WIDE	TC 545.101(a)	TC 542.401	119.90	104.10
3078	DISREGARD TURN MARKS AT INTERSECTION	TC 545.101	TC 542.401	119.90	104.10
3079	MADE U-TURN ON CURVE OR HILL	TC 545.102	TC 542.401	119.90	104.10
3080	TURNED WHEN UNSAFE	TC 545.103	TC 542.401	119.90	104.10
3081	CUT ACROSS DRIVEWAY	TC 545.423	TC 542.401	119.90	104.10
3082	FAIL TO YIELD ROW ON LEFT AT CBSTRUCTION	TC 545.051	TC 542.401	119.90	104.10
3084	FAIL TO SIGNAL LANE CHANGE	TC 545.104	TC 542.401	119.90	104.10
3085	FAIL TO GIVE ONE-HALF OF ROADWAY	TC 545.052	TC 542.401	119.90	104.10
3086	FAIL TO PASS ON THE RIGHT	TC 545.052	TC 542.401	119.90	104.10
3088	DROVE ON WRONG SIDE OF DIVIDED HIGHWAY	TC 545.063(a)	TC 542.401	119.90	104.10
3089	DROVE CENTER LANE (NOT PASSING, NOT TURNING LEFT)	TC 545.060(b)	TC 542.401	119.90	104.10
3090	DROVE WRONG WAY IN DESIGNATED LANE	TC 545.060 (c)	TC 542.401	119.90	104.10
3091	WRONG SIDE ROAD - NOT PASSING	TC 545.055(b)	TC 542.401	119.90	104.10
3092	CUT IN AFTER PASSING	TC 545.053(a)	TC 542.401	119.90	104.10
3096	FAIL TO SIGNAL TURN / LANE CHANGE	TC 545.104(a)	TC 542.401	119.90	104.10
3097	FAIL TO SIGNAL REQUIRED DISTANCE BEFORE TURNING 100FT	TC 545.104(b)	TC 542.401	119.90	104.10
3099	IMPROPER TURN OR STOP HAND SIGNAL	TC 545.106	TC 542.401	119.90	104.10
3101	DRIVING WHILE LICENSE INVALID OR SUSPENDED	TC 521.457	TC 521.457(e)	300.00	71.00
3103	NO DRIVER'S LICENSE	TC 521.021	TC 521.461(b)	90.00	71.00
3106	VIOLATE DL RESTRICTION	TC 521.221	TC 521.221(c) TC 521.461(b)	90.00	71.00
3107	PERMIT UNLAWFUL USE OF DL			90.00	71.00
3112	NO MOTORCYCLE ENDORSEMENT	TC 521.221	TC 521.221(c) TC 521.461(b)	90.00	71.00
3115	FAIL TO YIELD ROW TO PEDESTRIAN ON SIDEWALK	TC 552.006(c)	TC 542.401	119.90	104.10
3116	FAIL TO YIELD ROW TO PEDESTRIAN IN CROSSWALK*FINE CHANGES 0-500IF BODILY INJURY OR DEATH	TC 552.003(a)	TC 542.401	119.90	104.10
3120	CARRY PASSENGER WITHOUT A HELMET	TC 661.003	TC 661.003(i)	49.00	71.00

MUNICIPAL COURT FINES/FEES

Tomball Municipal Court Fines - by Code Number

CODE	TITLE	AUTHORITY	PENALTY	FINE	C/C
3121	DISREGARD POLICE OFFICER	TC 542.501	TC 542.401	119.90	104.10
3124	FAIL TO GIVE WAY WHEN OVERTAKEN	TC545.053(b)	TC 542.401	119.90	104.10
3125	INCREASE SPEED WHILE BEING OVERTAKEN	TC.545.053(b)	TC 542.401	119.90	104.10
3127	DROVE ONTO(OR FROM) CONTROLLED ACCESS HIGHWAY WHERE PROHIBITED	TC545.064	TC 542.401	119.90	104.10
3131	FAILED TO STOP FOR APPROACHING TRAIN	TC 545.251	TC 542.401	119.90	104.10
3138	FAIL TO STOP EMERGING FROM (ALLEY, DRIVEWAY, OR BUILDING)	TC 545.256	TC 542.401(c)	119.90	104.10
3149	WRONG MVR-ASSIGNED TO OTHER VEHICLE	TC 502.475	TC 502.471(c)	80.00	71.00
3155	FAIL TO DIM HEADLIGHTS MEETING	TC 547.333 (c)	TC 542.401	35.00	104.00
3156	FAIL TO DIM HEADLIGHTS- FOLLOWING	TC 547.333	TC 542.401	35.00	104.00
3158	UNAUTHORIZED USE OF SIREN BELL OR WHISTLE	TC 547.501	TC 542.401	119.90	104.10
3161	NO HEADLAMP (S) -NOT EQUIPPED	TC 547.321/ 547.004	TC 542.401	55.00	104.00
3162	DEFECTIVE HEAD LAMP(S)	TC 547.321	TC 542.401	55.00	104.00
3163	HEAD LAMP(S) GLARING, NOT ADJUSTED	TC 547.333	TC 542.401	55.00	104.00
3166	NO TAIL LAMP(S) - NOT EQUIPPED	TC 547.322	TC 542.401	55.00	104.00
3167	DEFECTIVE TAIL LAMP(S)	TC 547.322	TC 542.401	55.00	104.00
3168	TAIL LAMP(S) IMPROPERLY LOCATED	TC 547.322	TC 542.401	55.00	104.00
3169	NO STOP LAMP(S)	TC 547.323	TC 542.401	55.00	104.00
3169	NO STOP LAMP ON MOTORCYCLE (OR MOTOR-DRIVEN CYCLE)	TC 547.801	TC 542.401	55.00	104.00
3170	DEFECTIVE STOP LAMP(S)	TC 547.323	TC 542.401	55.00	104.00
3172	DEFECTIVE TURN SIGNAL LAMP(S)	TC 547.324	TC 542.401	55.00	104.00
3174	DEFECTIVE PARKING LAMP(S)	TC 547.383	TC 542.401	55.00	104.00
3175	IMPROPER USE OF BACK-UP LAMPS	TC 547.332	TC 542.401	55.00	104.00
3186	WHITE LIGHTS SHOWING TO REAR	TC547.303/547.004	TC 547.401	55.00	104.00
3194	COASTING	TC 545.406	TC 542.401	119.90	104.10
3198	DROVE WITHOUT LIGHTS (WHEN REQUIRED)	TC 547.302	TC 542.401	119.90	104.10
3202	VIOLATE OPERATING HOURS-MINOR	TC 545.424	TC 542.401	90.00	71.00
3204	PASSING AUTHORIZED EMERGENCY VEHICLE	TC 545.157	TC 542.401	119.90	104.10
3205	DISPLAY EXPIRED INSPECTION STICKER (no longer writeable offense * new) old fee can be collected	TC 548.602	TC 542.401	76.00	71.00
3207	OPERATE MOTORCYCLE WITHOUT APPROVED HEADGEAR	TC 661.003	TC 542.401	119.90	104.10
3210	TOO MANY SPOT LAMPS	TC 547.327	TC 542.401	50.00	71.00
3225	UNNECESSARY USE OF HORN	TC 547.501	TC 542.401	200.00	71.00
3227	MUFFLER VIOLATION	TC547.604	TC 542.401	60.00	104.00
3229	DEFECTIVE EXHAUST EMISSION SYSTEM	TC 547.605(c)	TC 542.401	60.00	104.00
3231	ILLEGAL WINDOW TINT	TC 547.613(a)	TC 542.401	55.00	104.10
3233	DEFECTIVE WINDSHIELD WIPER	TC 547.603	TC 542.401	55.00	104.10
3251	NO FRONT SEAT BELTS (WHEN REQUIRED)	TC 547.601	TC 542.401	40.00	104.00
3252	PARKED WITHIN AN INTERSECTION	TC 545.302	TC 542.401	15.00	49.00
3253	PARK ON A CROSSWALK	TC 545.302	TC 542.401	15.00	49.00
3254	PARKED ON A BRIDGE OR IN A TUNNEL	TC 545.302	TC 542.401	15.00	49.00
3255	PARKED ON GRADE - FAILED TO TURN WHEELS	TC 545.404	TC 542.401	15.00	49.00
3256	PARKED AND FAILED TO SET BRAKES	TC 545.404	TC 542.401	15.00	49.00
3257	PARKED WITHOUT STOPPING ENGINE	TC 545.404	TC 542.401	15.00	49.00
3259	EXPIRED OPERATOR'S LICENSE	TC 522.011	TC 542.401	90.00	104.00
3260	EXPIRED COMMERCIAL OPERATOR'S LICENSE	TC 522.051	TC 542.401	90.00	104.00
3261	EXPIRED CHAUFFEUR'S LICENSE (WHEN APPLICABLE)	TC 522.051	TC 542.401	90.00	104.00
3263	FAIL TO DISPLAY DRIVER'S LICENSE	TC 521.025	TC 542.401	90.00	104.00
3264	FAIL TO REPORT CHANGE OF ADDRESS/ NAME	TC 521.054	TC 542.401	90.00	104.00
3272	FAIL TO COMPLY WITH REQUIREMENTS ON STRIKING UNATTENDED VEHICLE	TC 550.024	TC 542.401	120.00	104.00

Revised 9-17-2018

MUNICIPAL COURT FINES/FEEES

Tomball Municipal Court Fines - by Code Number

CODE	TITLE	AUTHORITY	PENALTY	FINE	C/C
3273	FAIL TO COMPLY WITH REQUIREMENTS ON STRIKING FIXTURES ON HIGHWAY	TC 550.025	TC 542.401	120.00	104.00
3274	NO LICENSE PLATE LAMP	TC 547.322	TC 542.401	119.90	104.10
3283	ILLEGAL LOAD EXTENSION	TC 621.206		119.90	104.10
3284	PARKED DOUBLE	TC 545.302		119.90	104.10
3287	FAILED TO YIELD ROW - TURNING RIGHT ON RED SIGNAL	TC 544.007		119.90	104.10
3288	FAILED TO YIELD ROW - CHANGING LANES	TC 545.061		119.90	104.10
3301	NO COMMERCIAL DRIVER LICENSEE (CDL)	TC 522.011		90.00	71.00
3302	FAIL TO REPORT CHANGE OF ADDRESS OR NAME - CDL	TC 522.032		90.00	71.00
3303	FAIL TO GET TX CDL AFTER 30 DAY'S	TC522.015		90.00	71.00
3305	ENDORSEMENT VIOLATION - CDL	TC 522.042		150.00	71.00
3306	RESTRICTION VIOLATION - CDL	TC 522.043		150.00	71.00
3309	OPEN CONTAINER DRIVER	PC49.031	PC 49.031(d)	235.00	71.00
3314	INTERFERE WITH FUNERAL PROCESSION	PC 42.05		235.00	71.00
3315	DROVE ON SIDEWALK	TC 545.422		119.90	104.10
3316	ILLEGAL BACKING	TC 545.415		119.90	104.10
3320	OBSTRUCTING TRAFFIC	TC 545.363		119.90	104.10
3321	DRIVER OPENED DOOR IN MOVING TRAFFIC	TC 545.418		119.90	104.10
3322	OPERATE VEHICLE WHERE PROHIBITED	TC 545.064		119.90	104.10
3323	OPEN CONTAINER(PASSANGER)	PC 49.031	PC 490.031(d)	235.00	71.00
3333	VIOLATE PROMISE TO APPEAR	TC 543.009		125.00	71.00
3333	VIOLATE PROMISE TO APPEAR W/ WARRANT FEE AND OMNI FEE	TC 543.009		125.00	151.00
3333	VIOLATE PROMISE TO APPEAR W/ WARRANT FEE AND NO OMNI FEE	TC 543.009		125.00	121.00
3334	UNAUTHORIZED GLASS COATING MATERIAL	TC 547.101		119.90	104.10
3337	FAILURE TO APPEAR/ BAIL JUMPING	PC 38.10		119.90	104.10
3338	FAIL TO IDENTIFY	PC 38.02		119.90	104.10
3341	DROVE AROUND BARRICADE	TC 472.022		119.90	104.10
3342	DISOBEY WARNING SIGN	TC 472.022		119.90	104.10
3347	DRIVING WHILE LICENSE DISQUALIFIED -CMV	TC 522.071		119.90	104.10
3354	DISPLAY TRAFFIC SIGN OR SIGNAL WITH ADVERTISING	TC 544.006		119.90	104.10
3355	EMPLOY UNLICENSED COMMERCIAL DRIVER	TC 521.459		119.90	104.10
3356	FAIL TO REMOVE INJURIOUS MATERIAL FROM HIGHWAY	TC 600.001		119.90	104.10
3364	PARENT OR GUARDIAN PERMITTED UNLICENSED MINOR TO DRIVE	TC 521.458		119.90	104.10
3365	NON-GUARDIAN PERMITTED UNLICENSED OPERATOR TO DRIVE	TC 521.458		119.90	104.10
3366	NON-DRIVER OPENED DOOR IN LANE OF TRAFFIC	TC 545.418		119.90	104.10
3367	RENT MOTOR VEHICLE TO UNLICENSED PERSON	TC 521.460		119.90	104.10
3368	RIDING IN HOUSE TRAILER	TC 545.419		119.90	104.10
3369	TRAIN OBSTRUCTING CROSSING	TC 545.302		119.90	104.10
3370	WRECKER DRIVER FAILED TO REMOVE GLASS FROM HIGHWAY	TC 600.001		119.90	104.10
3376	DEPOSITED GLASS OR OTHER DEBRIS ON HIGHWAY	TC 600.001		119.90	104.10
3377	FLASHING LIGHT OR SIGN WITHIN 1000 FEET OF INTERSECTION	TC 544.006		119.90	104.10
3378	OBSURED OR INTERFERED WITH TRAFFIC CONTROL DEVICE	TC 544.006		119.90	104.10
3551	PARK STAND OR STOP BETWEEN SAFETY ZONE AND CURB	TC 545.302		15.00	49.00
3552	PARK/STAND IN FRONT OF PUBLIC/PRIVATE DRIVE	TC 545.302		15.00	49.00
3553	PARKING IN PROHIBITED AREA	TC 545.302		15.00	49.00

Revised 9-17-2018

MUNICIPAL COURT FINES/FEEES

Tomball Municipal Court Fines - by Code Number

CODE	TITLE	AUTHORITY	PENALTY	FINE	C/C
3554	STANDING IN PROHIBITED AREA	TC 545.302		15.00	49.00
3555	STOPPING IN PROHIBITED AREA	TC 545.302		15.00	49.00
3556	PARKING STOPPING OR STANDING ON A SIDEWALK	TC 545.302		15.00	49.00
3557	PARKING STOPPING OR STANDING ON A RAILROAD TRACK	TC 545.302		15.00	49.00
3561	PARKED FACING TRAFFIC	TC 545.303		15.00	49.00
3564	PARKED WITH WHEELS OVER 18 INCHES FROM CURB OR EDGE OF ROADWAY	TC 545.303		15.00	49.00
3565	PARKED WITHIN 50 FEET OF RAILROAD CROSSING	TC 545.302		15.00	49.00
3566	PARKED WITHOUT LOCKING IGNITION AND/OR REMOVING KEY	TC 545.404		15.00	49.00
3569	PARKING OR STANDING WITHIN 15 FEET OF A FIRE HYDRANT	TC 545.302		15.00	49.00
3570	PARKED OR STAND OR STOP WITHIN 20 FT OF CROSSWALK AT INTERSECTION	TC 545.302		15.00	49.00
3571	PARK OR STAND OR STOP WITHIN 20 FEET OF DRIVEWAY TO FIRE STATION	TC 545.302		15.00	49.00
3572	PARKED OR STAN WITHIN 30 FT OF TRAFFIC CONTROL DEVICE	TC 545.302		15.00	49.00
3582	DISREGARD PEDESTRIAN CONTROL SIGNAL	TC 552.002		119.90	104.10
3589	CROSSED FIRE HOSE WITH OUT PERMISSION	TC 545.205		200.00	71.00
3590	DROVE INTO BLOCK WHERE FIRE ENGINE STOPPED	TC 545.407		119.90	104.10
3591	FOLLOWED AMBULANCE	TC 545.407		200.00	71.00
3594	PARKED IN FIRE LANE	TC 545.407		200.00	71.00
3622	IMPROPER SECURED TAILGATE	TC 725.021		55.00	104.00
3656	DISPLAYED EXP LICENSE PLATE	TC 502.407		90.00	71.00
	ALL DISORDERLY CONDUCT VIOLATIONS			235.00	71.00
	ALL ASSAULT (THREAT, CONTACT ETC)			250.00	71.00
	ALL THEFT			300.00	71.00
	POSSESSION OF DRUG PARAHENALIA			200.00	71.00
	CONSUMPTION OF ALCHOL IN MOTOR VEHICLE			235.00	71.00
	PUBLIC INTOXICATION			235.00	71.00
	SALE OF TOBACCO VIOLATIONS			200.00	71.00
	SMOKING TOBACCO IN PROHIEITED AREA			235.00	71.00
	TRESPASS SCHOOL GROUND			200.00	71.00
	*** ALL CITY CODE VIOLATION FINE WILL BE DETERMINED BY WHAT EVER IS THE MAX FINE FOR THAT SECTION IN THE CODE OF ORDINANCE				
	PLEASE REFER TO THE CITY ORDINACNE AND CALL THE COURT.				
	*** ANY NOT LISITED WILL NEED TO BE CALL COURT IF IT'S A STATE LAW , TRAFFIC LAW VIOLATION , PENAL CODE COURT WILL FOLLOW THE STATE LAW REQUIREMENTS FOR FINE /COURT COST AND WILL BE ADDED TO NEXT YEAR MASTER FEE SCHEDULE				

MUNICIPAL COURT FINES/FEES

Tomball Municipal Court Fines - by Code Number

CODE	TITLE	AUTHORITY	PENALTY	FINE	C/C

Code Offenses FIRE MARSHALL FILED IN TOMBALL MUNICIPAL COURT
109.3 Violation penalties. Any person, firm, corporation, or other entity who violates a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than two thousand dollars (\$2,000.00) .

**** ANY VIOLATON OF IFC NOT LISTED HERE WILL BE REFERRED TO COURT**

FINES AND PENALTY WILL BE SUBJECT TO CHANGE DEPENDING ON THE SEVERITY OF THER OFFENSE.

777	ACCESS TO ELECTRICAL PANELS	\$250
757	CITY ORDINANCE TIRE STORAGE AND MOSQUITO CONTROL	\$250
	FAILURE TO OBTAIN ANNUAL FIRE PERMIT	\$250
	CITY ORDINANCE - VIOLATION OF ADOPTED CITY FIRE CODE	\$250
	CITY ORDINANCE - OPERATION OF AN AMBULANCE WITHOUT PERMIT	\$250
	FAILURE TO RENEW ANNUAL FIRE PERMIT	\$250
871	ELECTRICAL HAZARDS	\$250
3590	DROVE INTO BLOCK WHERE FIRE ENGINE STOPPED	\$250
523	ILLEGALLY PARKED-PROHIBITED BY SIGNS	\$250
742	CITY ORDINANCE ALARM SYSTEM INSTALLATION W/O PERMIT	\$500
755	CITY ORDINANCE FIRE CODE LOCKED EXISTS	\$500
11	CITY ORDINANCE-BURNING W/O PERMIT	\$500
12	CITY ORDINANCE-BURNING, DELIBERATE OR NEGLIGENT	\$500
16	CITY ORDINANCE-INSTALL FIRE EXTINGUISHER SYSTEM W/O PERMIT	\$500
3589	CROSSED FIRE HOSE W/O PERMISSION	\$500
771	COMBUSTIBLE WASTE DUMPSTER PERMIT-IFC	\$500
778	EXIT SIGN MUST BE LIGHTED	\$500
872	EXIT SIGNS FIRE CODE	\$500
770	OCCUPANCY PROHIB BEFORE APPROVAL-IFC	\$500
3551	PARK/STAND/STOP BETWEEN SAEFTY ZONE AND CURB	\$500
	PARKED IN FIRE LANE	\$500

MUNICIPAL COURT FINES/FEEES

Tomball Municipal Court Fines - by Code Number						
CODE	TITLE	AUTHORITY	PENALTY	FINE	C/C	
3554F						
3569	PARKING/STANDING WITHIN 15 FEET OF A FIRE HYDRANT					\$500
765	CITY ORDINANCE FIREWORKS					\$1,000
773	C/C MAINT FIRE ALARM SYSTEM					\$1,000
772	C/C MAINT SPRINKLER ALARM SYSTEM					\$1,000
718	PAINT SPRAY BOOTH-IFC					\$1,000
769	STORAGE/USE HAZARDOUS MATERIAL-FIRECODE					\$1,000

PARKING ENFORCEMENT VIOLATION HANDICAP

1 st Violation plea of guilty W/I 14 days	<u>\$250.00</u>
After 14 days plea of Guilty 1 st offense	<u>\$500.00</u>

Revised 9-17-2018

(NSF) INSUFFICIENT CHECK CHARGE FEES

(Sec. 2-239, Code of Ordinances)

When a check has been returned to the City account insufficient funds (NSF), the City/Utility Clerk will notify the issuer of the check that cash payment plus a \$30.00 insufficient check charge is due and payable immediately.

If customer does not redeem the NSF check and pay the insufficient check charge, the City/Utility Clerk may arrange for services to be canceled immediately.

NOTARY PUBLIC FEES

Texas Gov't Code Ann. §406.024 sets out the maximum fees a Notary Public may charge for notary public services.

Sec. 406.024. FEES CHARGED BY NOTARY PUBLIC. (a) A notary public or its employer may charge the following fees:

- (1) for protesting a bill or note for nonacceptance or nonpayment, register and seal, a fee of \$4;
 - (2) for each notice of protest, a fee of \$1;
 - (3) for protesting in all other cases, a fee of \$4;
 - (4) for certificate and seal to a protest, a fee of \$4;
 - (5) **for taking the acknowledgment or proof of a deed or other instrument in writing, for registration, including certificate and seal, a fee of \$6 for the first signature and \$1 for each additional signature;**
 - (6) **for administering an oath or affirmation with certificate and seal, a fee of \$6;**
 - (7) for a certificate under seal (certifying a photocopy) not otherwise provided for, a fee of \$6;
 - (8) for a copy of a record or paper (uncertified copy) in the notary public's office, a fee of 50 cents for each page;
 - (9) for taking the deposition of a witness, 50 cents for each 100 words;
 - (10) for swearing a witness to a deposition, certificate, seal, and other business connected with taking the deposition, a fee of \$6; and
 - (11) for a notarial act not provided for, a fee of \$6.
- (b) **A notary public may charge a fee only for an acknowledgment or official act under Subsection (a). The fee charged may not exceed the fee authorized by Subsection (a).**

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 4, Sec. 2.18(a), eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 259, Sec. 1, eff. Sept. 1, 1995.

OUTDOOR SOUND AMPLIFICATION EQUIPMENT (CHAPTER 18)

(Sec. 18-194, Code of Ordinances)

Permit Fee for Amplification of Music or Human Speech

\$10.00

PARK RESERVATION FEES

(Railroad Depot Gazebo **and** Plaza, Juergens Park,
Jerry Matheson Park, Theis Attaway Nature **Center**)

Railroad Depot Plaza & Gazebo @ 201 S. Elm

Reservations are for the Gazebo only. Renters must provide their own tables and chairs.

☐*RESIDENT ☐1/2 DAY \$50.00 (8am-2pm) or (4pm-10pm) ☐ALL DAY \$100.00(8am-10pm)

☐NON-RESIDENT ☐1/2 DAY \$100.00 (8am-2pm) or (4pm-10pm) ☐ALL DAY \$125.00(8am-10pm)

Juergens Park@ 1331 Ulrich

Keys to the interior of the park are available, but are to be used for temporary access to set up or clean up. No vehicles should remain on the park site interior.

☐*RESIDENT ☐1/2 DAY \$50.00 (8am-2pm) or (4pm-10pm) ☐ALL DAY \$100.00(8am-10pm)

☐NON-RESIDENT ☐1/2 DAY \$100.00 (8am-2pm) or (4pm-10pm) ☐ALL DAY \$125.00(8am-10pm)

Jerry Matheson Park @ 1240 Ulrich

☐*RESIDENT ☐1/2 DAY \$50.00 (8am-2pm) or (4pm-10pm) ☐ALL DAY \$100.00(8am-10pm)

☐NON-RESIDENT ☐1/2 DAY \$100.00 (8am-2pm) or (4pm-10pm) ☐ALL DAY \$125.00(8am-10pm)

Theis Attaway Nature Park @ 13509 Theis Lane

Catch and release fishing. NO cast nets.

☐*RESIDENT ☐1/2 DAY \$50.00 (8am-2pm) or (4pm-10pm) ☐ALL DAY \$100.00(8am-10pm)

☐NON-RESIDENT ☐1/2 DAY \$100.00 (8am-2pm) or (4pm-10pm) ☐ALL DAY \$125.00 (8am-10pm)

A deposit is not required for the rental of any park facility. A debit/credit card must be provided with the rental application that will be charged in the event of any damage to the rented facility.

Rev 9-3-2019

POLICE DEPARTMENT FEES

<u>DESCRIPTION</u>	<u>FEE</u>
Offense Report (Public Page)	\$2.00 Each
Local Arrest Record Checks/Letters	\$2.00 Each
Accident Report	\$6.00 Each
Fingerprint Cards - All Other Purposes	\$5.00 per Card

IMPOUNDED VEHICLES (Chapter 44, Code of Ordinances)

Impounding fee - not in excess \$10.00

RED LIGHT CAMERAS APPEAL FEE (Chapter 44, Code of Ordinances)

~~Late Payment of Civil Penalty or Contest Penalty \$25.00~~

~~Filing Fee for Appeal of Civil Penalty \$50.00~~

Rev. 9-3-2019

PUBLIC INFORMATION CHARGES FOR PROVIDING COPIES

TEXAS ADMINISTRATIVE CODE, TITLE 1, CHAPTER 70

Chapter 70. Cost of Copies of Public Information

- (1) Standard paper copy (per page) - reproduced by means of an office machine copier or a computer printer. Each side that has recorded information is considered a page. \$0.10
- (2) Nonstandard copy (each). The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:
- | | |
|--|----------------------|
| (A) Diskette | \$1.00 |
| (B) Magnetic tape | Actual Cost |
| (C) Data cartridge | Actual Cost |
| (D) Tape cartridge | Actual Cost |
| (E) Rewritable CD (CD-RW) | \$1.00 |
| (F) Non-rewritable CD (CD-R) | \$1.00 |
| (G) Digital video disc (DVD) | \$3.00 |
| (H) JAZ/Flash/Thumb drive or similar | Actual Cost |
| (I) Other electronic media | Actual Cost |
| (J) VHS video cassette | \$2.50 |
| (K) Audio cassette | \$1.00 |
| (L) Oversize paper copy (<i>e.g.</i> : 11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper) | \$0.50 |
| (M) Specialty paper (<i>e.g.</i> : Mylar, blueprint/blueline, map, photographic) | Actual Cost |
| (N) Microfiche/microfilm – existing copies | Cost of Reproduction |
- (3) Labor charge for programming. If a particular request requires the services of a programmer in order to execute an existing program or to create a new program so that requested information may be accessed and copied, the governmental body may charge for the programmer's time. \$28.00/Hour
- (4) Labor charge for locating, compiling, manipulating data, and reproducing public information. \$15.00/Hour
- (5) Overhead charge shall be computed at 20% of the charge made to cover any labor costs associated with a particular request. 20% of labor charge
- (6) Remote document retrieval charge (3) Labor charge by city personnel
- (7) Computer resource charge, dependent on Type of System:
Type of System—Rate: mainframe—\$10 per CPU minute;
Midsize—\$1.50 per CPU minute; Client/Server—\$2.20 per clock hour;
PC or LAN—\$1.00 per clock hour
- (8) Miscellaneous supplies Actual Cost
- (9) Postal/shipping charges Actual Cost
- (10) Body Camera Footage Minimum \$10; \$1 per minute of footage if redaction is required, per AG Policy effective November 24, 2016

Revised 8-7-2017

SEXUALLY ORIENTED BUSINESS FEES

(Sec. 6-26, Code of Ordinances)

Annual Fee for Sexually Oriented Business License - \$750.00

Annual Fee for Employee of Sexually Oriented Business - \$50.00

TAXICAB FEES (Chapter 48)

Annual Fee for Each Taxicab	—	\$ 0.00
Annual Fee for Each Taxicab Driver Permit (Chauffeur's License)	—	\$ 0.00

Revised 8-7-2017

TENNIS COURT FEES
MATHESON PARK AT 1240 ULRICH

**The general public may reserve Jerry Matheson Park tennis courts.
Reserving tennis courts will guarantee availability and priority use of tennis courts.
Individuals may not utilize city facilities for profit making endeavors.**

RENTAL FEES:

Tomball Resident – Per Court:	\$ 5.00/2 Hours
Non-Resident – Per Court:	\$ 10.00/2 Hours
Tomball Resident League Fees:	\$150.00/league-per season (4 mos.)
Non-Resident League Fees:	\$170.00/league- per season (4 mos.)

Spring Season: February through May
Fall Season: September through December

Reservations may be made by contacting Public Works. The tennis courts must be cleaned up by reserving party immediately after function is over. There will be a charge if the City has to clean the tennis courts.

Rev. 11-28-12

TOW TRUCK ROTATION DRIVER FEES

ANNUAL FEE:

City of Tomball Driver's License Fee:	\$15.00/year
Renewal Fee:	\$10.00/year
Replacement Drivers License Fee:	\$ 5.00/each

(Code of Ordinances, Chapter 48)

TOW TRUCK ROTATION COMPANY FEES

INITIAL APPLICATION FEE -- \$100.00

ADDITIONAL APPLICATION FEE - \$75.00

ANNUAL FEE – All Towing Company vehicles are charged a yearly fee of \$100.00 per vehicle to operate within the City of Tomball. All Towing Company licenses expire on September 30th of each year.

SUPPLEMENTAL FEE – All Supplemental Towing Company vehicles that are added during the year are charged \$75.00 until the annual renewal date of September 30th.

DUPLICATE LICENSE FOR TOWING COMPANY VEHICLE - \$25.00

FEES FOR TOWING:

(Fees listed below are for non-consent tows for towing a vehicle from one location within the city to another within the city or the city's ETJ.)

Light-Duty Tow Trucks	
Incident Management	\$120.00
Drop Fee	\$ 55.00

Additional Service Fees to be Charged \$ 75.00

In the event that a tow service provider must perform services that are clearly beyond the norm in order to affect a tow, the tow service provider may request that an on-scene supervisor authorize an additional fee not to exceed \$75.00 to compensate for the additional time and services rendered. To be valid, supervisory authorization must be notated on the Tow Slip of record.

COVERAGE FOR NON-CONSENT/INCIDENT MANAGEMENT WRECKERS ON THE CITY OF TOMBALL WRECKER ROTATION LIST:

Liability Coverage	-	\$500,000
On-Hook Cargo	-	\$ 50,000

TOW TRUCK ROTATION COMPANY FEES

VEHICLE STORAGE FEES:

Daily storage fee. A VSF operator may not charge less than \$5.00 or more than \$20.00 for each day or part of a day for storage of a vehicle that is 25 feet or less in length. A VSF operator shall charge a fee of \$35.00 for each day or part of a day for storage of a vehicle that exceeds 25 feet in length.

- (1) A daily storage fee may be charged for any part of the day, except that a daily storage fee may not be charged for more than one day if the vehicle remains at the VSF less than 12 hours. In this paragraph a day is considered to begin and end at midnight.
- (2) A VSF that has accepted into storage a vehicle registered in this state shall not charge for more than five days of storage fees until a notice, as prescribed in §85.703 of these rules, is mailed or published.
- (3) A VSF operator that has accepted into storage a vehicle not registered in Texas shall not charge for more than five days before the date the request for owner information is sent to the appropriate governmental entity. Such requests shall be correctly addressed, with sufficient postage, and sent by certified mail, or electronic certified mail, return receipt requested, to the governmental entity with which the vehicle is registered requesting information relating to the identity of the last known registered owner and any lien holder of record.
- (4) A VSF operator shall charge a daily storage fee after notice, as prescribed in §85.703, is mailed or published for each day or portion of a day the vehicle is in storage until the vehicle is removed and all accrued charges are paid.

NOTIFICATION FEE

- (1) A VSF may not charge a vehicle owner more than \$50 for notification. **Notification must be sent certified mail, must be sent by the fifth day the vehicle is on the lot, and cannot be sent until the vehicle is on the lot for at least 24 hours.** If a notification must be published, and the actual cost of publication exceeds 50% of the notification fee, the VSF operator may recover the additional amount of the cost of publication. The publication fee is in addition to the notification fee.
- (2) If a vehicle is removed by the vehicle owner within 24 hours after the date the VSF receives the vehicle, notification is not required by these rules.
- (3) If a vehicle is removed by the vehicle owner before notification is sent or within 24 hours from the time the VSF receives the vehicle, the VSF operator may not charge a notification fee to the vehicle owner.

UTILITY FEES

City Administrative Service Charge: All utility customers ~~are charged~~ will **be accessed** a monthly service charge fee of \$1.00 per account.

Waste Corporation of Texas Administrative Fee: All direct bill customer of WCA will be accessed a monthly service charge of \$5.50.

UTILITY DEPOSIT COMPUTATION

Residential Accounts - Average 12 months of previous billing and multiply by 2 (Round result).
If result is under \$100, minimum deposit will be \$100.00.

Commercial Accounts - Average 12 months of previous billing and multiply by 2 (Round result).
If result is under \$125, minimum deposit will be \$125.00.

WATER RATES

The monthly rates and charges for potable water provided by the City shall be as follows:

- a. **Small Residential.** A base rate of \$10.90, plus a consumption charge of \$2.85 for each 1,000 gallons used. "Small Residential" shall mean residential customers using 10,000 gallons or less during the billing month.
- b. **Medium Residential.** A base rate of \$12.54, plus a consumption charge of \$3.56 for each 1,000 gallons used. "Medium Residential" shall mean residential customers using 10,001 gallons or more up to 15,000 gallons during the billing month.
- c. **Large Residential.** A base rate of \$14.42, plus a consumption charge of \$4.45 for each 1,000 gallons used. "Large Residential" shall mean residential customers using 15,001 gallons or more during the billing month.
- d. **Small Commercial.** A base rate of \$18.45, plus a consumption charge of \$3.45 for each 1,000 gallons used. "Small Commercial" shall mean commercial customers using up to 5,000 gallons during the billing month.
- e. **Medium Commercial.** A base rate of \$29.70, plus a consumption charge of \$4.32 for each 1,000 gallons used. "Medium Commercial" shall mean commercial customers using 5,001 gallons or more up to 51,000 gallons during a billing month.
- f. **Large Commercial.** A base rate of \$51.99, plus a consumption charge of \$5.40 for each 1,000 gallons used. "Large Commercial" shall mean commercial customers using 51,001 gallons or more during a billing month.

Bulk Sales. A base rate of \$87.05, plus a consumption charge of \$4.83 for each 1,000 gallons used. Additionally, if a meter is desired, the deposit will be \$1,000.00.

The City collects additional surcharges, based on rates established by the **North Harris County Regional Water Authority**, for each 1,000 gallons used on behalf of NHCRWA, which will be adjusted as the surcharge increases.

Revised 8-7-2017

WATER METER TESTING FEE

In the event a customer request a meter to be tested and the meter is found to be in working order, the account will be accessed a meter testing fee based on the meter size.

In addition to the meter testing fee, the customer will be also be accessed a Bench Test Fee of \$35.00.

Meter Size (Inches)	Testing Fee
0.75	\$75.00
1.0	\$75.00
1.5	\$125.00
2.0	\$125.00
3.0+	\$150.00

SANITARY SEWER RATES (WITH POTABLE WATER SERVICE)

The monthly rates and charges for sanitary sewer services provided by the City for customers who receive potable water services from the City shall be as follows:

- a. **Residential - Winter Rates (November-February)**: A base rate of \$8.51, plus a charge of \$2.98 for each 1,000 gallons of potable water used.
- b. **Residential - Summer Rates (March-October)**: Rates for summer months are calculated at the same rate as winter rates and may be based upon the previous winter months' average monthly water consumption. The rate charged shall be the lesser of actual water consumption or the previous winter month's average consumption.
- c. **Small Commercial**. A base rate of \$13.69, plus a consumption charge of \$3.78 for each 1,000 gallons of potable water used. "Small Commercial" shall mean commercial customers using up to 5,000 gallons of potable water during the billing month.
- d. **Medium Commercial**. A base rate of \$20.76, plus a consumption charge of \$4.72 for each 1,000 gallons of potable water used. "Medium Commercial" shall mean commercial customers using 5,001 gallons or more up to 51,000 gallons in the billing month.
- e. **Large Commercial**. A base rate \$43.06, plus a charge of \$5.90 for each 1,000 gallons of potable water used. "Large Commercial" shall mean commercial customers using 51,001 gallons or more of potable water during a billing month.

SANITARY SEWER RATES (WITHOUT POTABLE WATER SERVICE)

The monthly rates and charges for sanitary sewer services provided by the City for customers who do not receive potable water services from the City shall be as follows:

- a. **Residential**. A base rate of \$35.01, plus a charge of \$2.29 for each drain in excess of ten (10) drains within such residence.
- b. **Commercial**. A base rate of \$58.26, plus a charge of \$2.32 for each drain in excess of fifteen (15) drains within such commercial unit.

GARBAGE AND TRASH COLLECTION/DISPOSAL SERVICE RATES

The monthly rates and charges for garbage and trash collection and disposal services provided by the City, excluding applicable sales tax, shall be as follows:

a. Residential, \$15.70

b. Commercial

(1) Hand Loaded. For once a week pickup, \$24.87 for the first container, \$17.70 for each additional container. For twice a week pickup, \$25.52 for the first container, \$29.62 for each additional container. Each collection of excess garbage and refuse (i.e. garbage and refuse in volume which exceeds the capacity of the approved container(s) for which the customer's regular billing is determined) shall be assessed a \$5.00 excess collection fee and can only be collected on Monday and Thursday collection days.

(2) Roll-Off Container:

_____ All roll-off customers are required to pay a \$1,000.00 deposit per account.

	Size Container, Cubic Yards		
	20	30	40
Delivery Fee	\$ 115.46	\$ 115.46	\$ 115.46
Monthly Rental	141.36	141.36	141.36
Daily Rental	4.71	4.71	4.71
Haul and Disposal Rate	266.00	307.77	348.87

(3) Compactor/Equipment:

_____ Monthly Rental _____ (As quoted)
 _____ Haul Rate _____ \$250.00
 _____ Disposal Fee/Ton _____ 25.00

(4) Monthly Rate for Dumpsters:

Size	Extra Pickup Rate	Services Per Week					
		1	2	3	4	5	6
3 Yd 1 st Container	\$30.00	\$79.04	\$126.20	\$189.96	\$238.07	\$290.50	\$356.48
Each add'l container		71.00	105.00	159.00	198.00	247.00	235.47
4 Yd 1 st Container	\$35.00	85.84	136.61	204.26	256.30	318.73	383.80
Each add'l container		76.77	122.28	173.00	216.00	270.00	323.00
6 Yd 1 st Container	\$40.00	110.58	174.35	262.69	329.16	411.12	491.80
Each add'l container		98.86	148.00	236.77	278.00	336.00	416.00
8 Yd 1 st Container	\$50.00	134.00	214.67	320.04	402.00	491.80	589.88

Each add'l container	121.00	193.84	288.83	339.00	442.10	510.00
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(5) Locking Dumpsters	Gravity Lock System	\$55.00
	Front Panel Padlock System	\$40.00

(6) Exchange Charge	\$45.00
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~~*New Rates effective 10/20/14; Council approved Contract with WCA~~

GARBAGE AND TRASH COLLECTION/DISPOSAL SERVICE RATES

The monthly rates and charges for garbage and trash collection and disposal services provided by the City, excluding applicable sales tax, shall be as follows:

1. Residential Service:

- a. **Bag Service: \$15.70**
- b. **Poly Cart Service (Refuse Only): \$18.70**
- c. **Poly Cart Service (Recycling Only) \$18.70**
- d. **Poly Cart Service (Refuse & Recycling): \$21.70**

2. Special Collection (Large Bulk):

- a. **Service Fee: \$40.00**
- b. **Disposal Cost (per yard): \$20.00**

3. Small Commercial with Poly Cart:

Service	Rate per Month
1 Collection per Week	\$30.00
Additional Cart – once per week collection	\$25.00
2 Collections per week	\$35.00
Additional cart – twice per week collection	\$30.00
Weekly Recycling Collection	\$10.00
Cart replacement (MSW and/or Recycling)	\$85.00

4. Monthly Rate for Dumpsters:

Size	Frequency	Rate per Month
2 Yard	1	\$75.00
3 Yard	1	\$90.00
3 Yard	2	\$140.00
3 Yard	3	\$215.00
3 Yard	4	\$270.00
3 Yard	5	\$335.00
3 Yard	6	\$400.00
3 Yard Additional Container	1	\$85.00
3 Yard Additional Container	2	\$130.00
3 Yard Additional Container	3	\$200.00
3 Yard Additional Container	4	\$250.00
3 Yard Additional Container	5	\$310.00
3 Yard Additional Container	6	\$370.00
4 Yard	1	\$100.00
4 Yard	2	\$155.00
4 Yard	3	\$230.00
4 Yard	4	\$290.00
4 Yard	5	\$360.00
4 Yard	6	\$430.00
4 Yard Additional Container	1	\$90.00
4 Yard Additional Container	2	\$145.00
4 Yard Additional Container	3	\$215.00
4 Yard Additional Container	4	\$270.00
4 Yard Additional Container	5	\$330.00

4 Yard Additional Container	6	\$400.00
6 Yard	1	\$125.00
6 Yard	2	\$200.00
6 Yard	3	\$300.00
6 Yard	4	\$370.00
6 Yard	5	\$460.00
6 Yard	6	\$550.00
6 Yard Additional Container	1	\$115.00
6 Yard Additional Container	2	\$180.00
6 Yard Additional Container	3	\$275.00
6 Yard Additional Container	4	\$340.00
6 Yard Additional Container	5	\$425.00
6 Yard Additional Container	6	\$510.00
8 Yard	1	\$150.00
8 Yard	2	\$245.00
8 Yard	3	\$355.00
8 Yard	4	\$450.00
8 Yard	5	\$550.00
8 Yard	6	\$650.00
8 Yard Additional Container	1	\$135.00
8 Yard Additional Container	2	\$225.00
8 Yard Additional Container	3	\$320.00
8 Yard Additional Container	4	\$375.00
8 Yard Additional Container	5	\$490.00
8 Yard Additional Container	6	\$565.00

a. Additional Dumpster Fees

Description	Fee	Occurrence
Additional Collection	\$100.00	Per Collection
Exchange Charge	\$60.00	Per Exchange
Casters	\$90.00	One-time fee
Locks	\$90.00	One-time fee

5. Roll-Off Containers (Temporary or Permanent):

Size	Delivery Fee	Daily Rent	Hauling Rate	Trip Charge
20 Yard	\$130.00	\$6.50	\$185.00	\$145.00
30 Yard	\$130.00	\$6.50	\$200.00	\$145.00
40 Yard	\$130.00	\$6.50	\$210.00	\$145.00

6. Self-Contained & Stationary Compactor (standard pricing for all sizes)

Hauling Rate	Disposal Rate/Ton	Trip Charge
\$275.00	\$40.00	\$145.00

7. Damage Waiver Fees

Damage waiver fees can be added to commercial accounts at the customer's request to cover damaged or stolen containers. In the event a container is stolen, if the customer provides a police report the replacement cost may be waived.

Size	Fee/Day	Replacement Cost (with Damage Waiver)	Replacement Cost (with no Damage Waiver)	Delivery Fee
2 Yard	\$0.35	\$201.50	\$403.00	\$65.00
3 Yard	\$0.35	\$248.50	\$497.00	\$65.00
4 Yard	\$0.35	\$283.50	\$567.00	\$65.00
6 Yard	\$0.45	\$386.50	\$773.00	\$65.00
8 Yard	\$0.45	\$447.00	\$894.00	\$65.00
20 Yard	\$2.70	\$2,349.50	\$4,699.00	\$65.00
30 Yard	\$2.70	\$2,510.00	\$5,020.00	\$65.00
40 Yard	\$2.70	\$2,744.50	\$5,489.00	\$65.00

NATURAL GAS RATES

The monthly rates and charges for natural gas provided by the City shall be as follows:

- a. All Customers. A base rate of \$11.75, plus \$11.75 for each thousand cubic feet (MCF) after the first thousand cubic feet (MCF).

GAS METER TESTING FEE

In the event a customer requests a meter to be tested and the meter is found to be in working order, the account will be assessed a meter testing fee based on the meter size or type.

Meter Type	Testing Fee
Domestic – American	\$45.00
400 Series	\$60.00
Industrial Diaphragm (800 – 1,000)	\$125.00
Industrial Diaphragm (1,000 – 10,000)	\$250.00
Rotary	\$300.00

CONNECTION AND DISCONNECTION FEES

The charges for connections and disconnections of utility services provided by the City, including those provided at customer request or convenience, or as a result of delinquent accounts, shall be as follows:

- a. During Normal Scheduled Service Periods (7:00 a.m.-4:45 p.m. weekdays), a Service Call-Out Fee of \$50.00, as a result of a delinquent account, or at a customer's request, excluding new service.
- b. During Unscheduled Service Periods (after hours and weekends), a Service Call-Out Fee of \$100.00, at a customer's request, including new service.

EXCESS FLOW VALVE

The charge associated with the installation of an excess flow valve to an existing natural gas service line shall be a fee of \$500.00.

DAMAGES TO UTILITY FUNCTIONS/TAMPERING FEES

The charge for damage to utility facilities from (i) customer's tampering with valves, or (ii) customer's damaging meter in any manner, shall be \$200.00.

DELINQUENT ACCOUNT FEES

Delinquent Accounts.

- a. All utility bills, both residential and commercial, shall be due and payable on the close of the last business day of the month. If the month ends on a Saturday, Sunday, or holiday, the bill is due on the prior business day (the last workday of the City at closing time on that day).

- b. Residential customers who are age 65 and over or considered disabled by Social Security may be exempt from penalty fees for late payment upon application accompanied by verifying documentation to the Utilities Supervisor. This exemption may not exceed the final date of benefits designated by the Social Security Administration
- c. Within two (2) work days following the “Due Date” a “Cut-off Notice” shall be mailed to customer giving notice that following the expiration of seven (7) days following such notice service will be discontinued unless the customer requests a hearing before the Utilities Supervisor regarding such proposed disconnection prior to the expiration of such seven (7) day period.
- c. Upon the showing of good cause and arrangement for prompt payment by a customer, the Utilities Supervisor shall be authorized to withdraw a disconnection order. Any such action by the Utilities Supervisor shall be evidence in writing, outlining the basis for the decision and, if applicable, the required payment schedule for the customer. The Utilities Supervisor shall cause a copy of such order to be delivered to the appropriate billing personnel of the City.

VENDOR/PEDDLER PERMIT FEES

FEE SCHEDULE (per individual/non-refundable):

Per Day	- \$ 10.00
Per Week	- \$ 25.00
Per Month	- \$ 50.00
Per 3 Months	- \$100.00
Per 6 Months	- \$150.00
Special Event	- \$ 25.00 Per Day
Interstate Permit	- No Fee, Registration Only

Bond Requirement - \$1,000.00 Minimum Surety Bond, naming the City of Tomball as the certificate holder (Ch. 32, Sec. 32-46)

Special Event Permit - \$25.00/Day as Rental for the Use of Public Property

VITAL STATISTICS RECORDS (BIRTH AND DEATH) FEES

BIRTH CERTIFICATES

Charge is **\$23.00** for each original and each copy (3 copies would be \$69.00).

DEATH CERTIFICATES

Charge is **\$21.00** for the first original and **\$4.00** for each original thereafter (3 copies would be \$29.00).

FEE FOR CERTIFIED MAIL SERVICE

Certified Mail Service is required for delivery of birth and death certificates requested by mail. The actual cost of the certified mail service will be passed through to the requestor as part of providing the service.

FEE FOR SEARCHING RECORD

The fee for an unsuccessful search for a birth or death record is **\$13.00**.

BIRTH CERTIFICATE FOR ELECTION IDENTIFICATION CERTIFICATE

The fees paid to the state will be charged; no charge will be made on behalf of the city - \$3.63 (**or current State fees, if applicable/as revised by the State**)

Revised 8-7-2017

**WELL AND SEISMIC ACTIVITIES PERMITS
(CHAPTER 18)**

Original Application Fee (Section 18-54)	\$10,000.00
Expediting Application Fee (Section 18-55)	\$15,000.00
Renewal Application – Well, Training Well/Training Well Site, or Seismic Activities (Section 18-57)	\$ 500.00 (1 year extension)
Bond Requirement (Section 18-58)	\$1,000,000.00

**PIPELINE PERMITS
(CHAPTER 18)**

Bond	\$500,000.00
Filing Fee (Section 18-104)	\$ 1,000.00

**NONCONFORMING WELLS
(Sec. 18-28, Code of Ordinances)**

Filing Fee for each Well Registration	-	\$100.00
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WIRED TELECOMMUNICATIONS SERVICES - PROVIDER LICENSE FEES
(CHAPTER 38)
(Sec. 38-203, Code of Ordinances)

Monthly Charge per Access Line (Subscriber/Customer) - \$2.10

(Sec. 38-202 – Compensation)

- (a) Construction permit fee. The applicant shall pay to the city a permit fee in accordance with the values provided in the table below.
- (b) Rights-of-way fee. The permit holder shall pay to the city a rights-of-way fee that is calculated as of month-end for access lines and as of year-end for all other facilities by applying the appropriate fee to each facility type owned, placed, or maintained by the permit holder. The rights-of-way fee for access lines shall be as proscribed by the state public utilities commission. Rights-of-way fees for all facilities other than access lines shall be prorated for the first year in which a construction permit fee is paid, and shall be paid at the time of the permit application.

Equipment Type	Construction Permit Fee	Rights-of-way Fee
Transport Facilities	\$500.00 for first 5 nodes, \$250.00 for each additional node	\$28.00 per month per node ^{1, 4}
Network Nodes	\$500.00 for first 5 nodes, \$250.00 for each additional node	\$250.00 per year per node ^{2, 3}
Node Support Poles	\$1000.00 per pole	\$250.00 per year per pole ²

¹ Unless equal or greater amount is paid under Chapter 283 of the V.T.C.A., Local Government Code ch. 283 or V.T.C.A., Utility Code ch. 66.

² As adjusted by an amount equal to one-half the annual change, if any, in the consumer price index. The city shall provide written notice to each network provider of the new rate; and the rate shall apply to the first payment due to the city on or after the 60th day following the written notice.

³ Collocated network nodes on city service poles shall also pay an annual collocation fee at a rate not greater than \$20.00 per year per service pole.

⁴ A network provider may not install its own transport facilities unless the provider: (1) has a permit to use the public right-of-way; and (2) pays to the city a monthly public right-of-way rate for transport facilities in an amount equal to \$28.00 multiplied by the number of the network provider's network nodes located in the public right-of-way for which the installed transport facilities provide backhaul unless or until the time the network provider's payment of fees to the city exceeds its monthly aggregate per-node compensation to the city. A network provider that wants to connect a network node to the network using the public right-of-way may:

- (1) Install its own transport facilities as provided in this section; or
- (2) Obtain transport service from a person that is paying municipal fees to occupy the public right-of-way that are the equivalent of not less than \$28.00 per node per month. A public right-of-way rate required by this section is in addition to any other public right-of-way rate required by the city.

- (c) *Annexation and disannexation.* Within 30 days following the date of the passage of any action effecting the annexation of any property to or the disannexation of any property from the city's corporate boundaries, the city agrees to furnish user written notice of the action and an accurate map of the city's corporate boundaries showing, if available, street names and number details. For the purpose of compensating the city under this chapter, a permit holder shall start including or excluding facilities within the affected area in the permit holder's count of facilities within 30 days of annexation or disannexation.
- (d) *Telecommunications service providers uncollectibles.* City and telecommunication service provider understand and agree that telecommunication service provider has a statutory right to pass through to its customers on a pro rata basis any compensation paid to the city for access to the rights-of-way. Any other provision of this chapter notwithstanding, telecommunication service provider shall not be obligated to pay the city for any access lines for which revenues remain uncollectible.
- (e) *Facilities provided to other telecommunications service providers.* To the extent allowed by applicable state and federal law, any telecommunications service providers that purchase unbundled network elements or other facilities for the purpose of rebundling those facilities to create telecommunications service for sale to persons within the city shall pay to the city a rights-of-way fee that is calculated as of month-end by applying the appropriate line fee, as specified in subsection (1) above, to each access line created by rebundling services or facilities.
- (f) *Fee application to leased facilities.* Pursuant to V.T.C.A., Utilities Code § 54.206.

Revised 9-17-2018

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

Topic:

Approve Fixed Pricing for Natural Gas Acquisitions for the City's North Gate Natural Gas Purchases from EDF Trading for a Fixed Price of \$3.22/MMBtu from September 2019 thru August 2020

Background:

The City of Tomball owns and operates two natural gas supply receiving gates where the City's daily natural gas supplies are received, metered, odorized, and distributed to the City's residential and commercial customers via the City's natural gas distribution system. The two receiving gates are referred to as the North and South Gates:

The City's North Gate is an interstate pipeline owned by Tennessee Pipeline and is located on the east of Ulrich Road, just north of Zion Road. The gas supplied to the City at this gate is purchased and transported to the City by EDF Trading North America (EDF).

Under the existing natural gas acquisition agreement with EDF, the City has had the option to lock-in a "fixed" daily price/MMBtu or the City may purchase its daily gas supply for the North Gate at the daily "Spot Gas" pricing per MMBtu, which would be a varying purchase price per day and rates are currently increasing.

The City's "fixed" price with EDF for 2018-2019 was \$4.09/ MMBtu and EDF is proposing a "fixed" price of \$3.22/ MMBtu for 2019-2020, while "Spot Gas" rates are varying up to \$4.50/ MMBtu.

Based on the potential fluctuation of the current natural gas market, staff recommends that the City purchase its natural gas supply for the North Gate at the proposed maximum fixed rate of \$3.22/MMBtu for a one-year term.

Origination:

Public Works Department

Recommendation:

Staff recommends approving the negotiations of purchase of its natural gas supply for the North Gate at a proposed fixed price of \$3.22/MMBtu, for the period beginning September 2019 and ending August 2020.

Funding:

Yes

Account Number:600-615-6129

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

Beth Jones, PE, Public Works Department

ACTION TAKEN

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

Agenda Item

Data Sheet

Meeting Date: September 16, 2019

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 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager

Background:**Origination:**

City Council, City Manager, City Attorney

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 16, 2019

Topic:

Consideration and Possible Action regarding Amendments to and Extension of the Employment Contract for Robert Hauck, City Manager

Background:

Origination:

City Council

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

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