NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

MONDAY, MAY 20, 2019

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, May 20, 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 reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Pastor Greg Jenkins – Tomball Assembly of God

3.0 Pledges to U.S. and Texas Flags

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

5.0 Presentations:

- Proclamation – May 19-25, 2019 is **"National Public Works Week – Tomball, Texas" - "It Starts Here"**

- Proclamation – May 19-25, 2019 is **“National Hurricane Preparedness Week – Tomball, Texas”**

6.0 Reports and Announcements

- ***Tomball City Pool – 2019 Swim Season -*** Jerry Matheson Park Pool will be open Memorial Weekend, May 25-27, then will reopen on June 4 and will operate with normal hours through August 18. The pool will be open on Saturday and Sunday only on the weekends of August 24-25 and August 31-September 1. The pool will be closed every Monday during swim season 2019, except Memorial Day (May 27), July 4th, and Labor Day (September 2). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- June 8, 2019 – **2nd Saturday at the Depot**
- ***TOMBALL KID'S CLUB – Activities: June 18, 20, 25, and 27 and July 2, 9, 11, 16, 18, 23 and 25*** from 10:30 a.m. to 12:30 p.m., at the **Tomball Community Center*. Backpack Buddy Pickup: June 21, 28 and July 12, 19, 26*** from 10:30 a.m. to 12:30 p.m. at **Lone Star College-Tomball Community Library**
- Reports by City staff and members of Council about items of community interest on which no action will be taken:

7.0 Approve the Minutes of the May 6, 2019 Regular Tomball City Council Meeting and the May 13, 2019 Special Tomball City Council Meeting

8.0 Old Business:

8.1 Adopt, on Second Reading, Ordinance No. 2019-10, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 1.5 acres of land, legally described as Tract 12E-2 & 12F-2 Abstract 378 W Hurd Survey, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; said property being generally located on the south side of Michel Road, west of School Street; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed $2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

9.0 New Business:

9.1 Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending September 30, 2018

9.2 Consideration to approve **Zoning Case P19-053:** Request by Harpreet Mangat to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.6 acres of land legally described as Tracts 6, 7, 8 and 10 and Lot 9, Block 1 Hirschfield Farms Section 1 U/R, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of SH 249 and Alice Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P19-053**
- Adopt, on First Reading, Ordinance No. 2019-11, 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 3.6 Acres of Land, Legally Described as Tracts 6, 7, 8 and 10 and Lot 9, Block 1 Hirschfield Farms Section 1 U/R, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; said Property being generally located at the Northeast corner of SH 249 and Alice Road; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

9.3 Approve Resolution No. 2019-13, a Resolution of the City of Tomball, Texas, Adopting the City's Water Conservation and Drought Contingency Plan (2019)

9.4 Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2019-14, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed to Install Public Utilities along Hufsmith Road, Specifically a Tract of Land Containing 0.1099 Acres Believed to be Owned by Barbara Hieden Seber, in the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

9.5 Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2019-15, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed to Install Public Utilities along Hufsmith Road, Specifically a Tract of Land Containing 0.0555 Acres Believed to be Owned by Frank Rhane Krzenski and Deanna Krzenski, in the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

9.6 Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2019-16, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed to Install Public Utilities along Hufsmith Road, Specifically a Tract of Land Containing 0.1107 Acres Believed to be Owned by James A. Johnson and Dorothy Johnson, in the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

9.7 Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2019-17, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed to Install Public Utilities along Hufsmith Road, Specifically a Tract of Land Containing 0.1268 Acres Believed to be Owned by Brenda Ann Reiland and Alan Matthew Suhonen, in the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

9.8 Approve Resolution No. 2019-18, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 47th Annual Tomball Night and Parade, to be Held in Tomball on Friday, August 2, 2019

10.0 Adjournment

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 16th day of May 2019 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Doris Speer

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Doris Speer
City Secretary, TRMC

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

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: May 20, 2019

Topic:

- Led by Pastor Greg Jenkins – Tomball Assembly of God

Background:

Origination:

Recommendation:

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

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: May 20, 2019

Topic:

- Proclamation – May 19-25, 2019 is **“National Public Works Week – Tomball, Texas” - "It Starts Here"**
- Proclamation – May 19-25, 2019 is **“National Hurricane Preparedness Week – Tomball, Texas”**

Background:

Origination:
Various

Recommendation:
N/A

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

ACTION TAKEN

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

ATTACHMENTS:

“National Public Works Week – Tomball, Texas” - "It Starts Here"
"National Hurricane Preparedness Week - Tomball, Texas"

Office of the Mayor

Tomball, Texas

Proclamation

WHEREAS, Tomball's public works professionals, with the support of interested and informed citizens, focus on the infrastructure, facilities, and services so vital to the efficient operation of our public works systems and to the health, safety, and comfort of our community; and

WHEREAS, the high quality of life in Tomball greatly depends on the effectiveness and sustainability of Tomball's facilities and services, as well as their planning, design and construction, and is critically dependent upon the efforts and skill of Public Works officials; and

WHEREAS, public works services in Tomball are an integral part of our citizens' everyday lives, and the efficiency of the qualified and dedicated personnel who staff Tomball's Public Works Department is significantly influenced by our citizens' interest in and appreciation of the importance of our public works personnel and public works programs; and

WHEREAS, this year's theme, ***"It Starts Here"***, speaks to the impact that public works programs and personnel have on modern civilization and society's quality of life, from providing clean water to disposing of solid waste, building roads and bridges, planning for and implementing mass transit, clearing roadways, or devising emergency management strategies to meet natural or manmade disasters; and

WHEREAS, 2019 marks the 59th annual National Public Works Week, sponsored by the American Public Works Association, and the Tomball City Council wishes to recognize the dedication, talents and contributions made by Tomball Public Works employees;

NOW THEREFORE, I, Gretchen Fagan, Mayor of the City of Tomball, Texas on behalf of the Tomball City Council, do hereby proclaim May 19 through May 25, 2019 as:

"NATIONAL PUBLIC WORKS WEEK – TOMBALL, TEXAS"
"IT STARTS HERE"

and I call upon all citizens and civic organizations to become aware of the issues involved in providing public works services and to recognize the contributions that public works personnel make every day to our health, safety, comfort, and quality of life.

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

Attest:

Date: May 20, 2019

Office of the Mayor

Tomball, Texas

Proclamation

WHEREAS, Texas' hurricane season officially begins June 1 and ends November 30, and history teaches that a lack of hurricane awareness and preparation are common threads in all major hurricane disasters, but knowing our vulnerabilities and the actions we should take can diminish the effects of a hurricane disaster; and

WHEREAS, the 624-mile Texas Gulf coastline and parts of Texas hundreds of miles inland—our area in particular—are vulnerable to the devastation of hurricanes or tropical storms through heavy rainfall, inland flooding, high winds, tornadoes, and storm surges; and

WHEREAS, both public and private entities should develop emergency response and recovery plans in accordance with local jurisdictions and local emergency management offices, and

WHEREAS, the *National Oceanic and Atmospheric Administration* and the *Texas Division of Emergency Management* have designated a week in May as ***National Hurricane Preparedness Week***; and

WHEREAS, the NOAA, the National Weather Service, the Texas Division of Emergency Management, and the leaders of the City of Tomball strongly advise all residents and visitors to this area to be aware of the potential dangers of these storms; and

WHEREAS, the best defense is preparedness and education regarding the dangers of high winds, storm surge, flooding and tornadoes that may occur for hundreds of miles in conjunction with a hurricane or tropical storm;

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, on behalf of the City Council, do hereby proclaim the week of **May 19 through May 25, 2019** as:

"NATIONAL HURRICANE PREPAREDNESS WEEK—TOMBALL, TEXAS"

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

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

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Attest: ______________________

Date: May 20, 2019

Regular City Council
Agenda Item
Data Sheet

Meeting Date: May 20, 2019

Topic:

- ***Tomball City Pool – 2019 Swim Season -*** Jerry Matheson Park Pool will be open Memorial Weekend, May 25-27, then will reopen on June 4 and will operate with normal hours through August 18. The pool will be open on Saturday and Sunday only on the weekends of August 24-25 and August 31-September 1. The pool will be closed every Monday during swim season 2019, except Memorial Day (May 27), July 4th, and Labor Day (September 2). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- June 8, 2019 – **2nd Saturday at the Depot**
- ***TOMBALL KID'S CLUB – Activities: June 18, 20, 25, and 27 and July 2, 9, 11, 16, 18, 23 and 25*** from 10:30 a.m. to 12:30 p.m., at the **Tomball Community Center.** ***Backpack Buddy Pickup: June 21, 28 and July 12, 19, 26*** from 10:30 a.m. to 12:30 p.m. at **Lone Star College-Tomball Community Library**
- Reports by City staff and members of Council about items of community interest on which no action will be taken:

Background:

Origination:
Various

Recommendation:
N/A

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

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: May 20, 2019

Topic:

Approve the Minutes of the May 6, 2019 Regular Tomball City Council Meeting and the May 13, 2019 Special Tomball City Council Meeting

Background:

Origination:

City Secretary

Recommendation:

Approve Minutes

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Draft Minutes of the May 6, 2019 Regular City Council Meeting
Draft Minutes of the May 13, 2019 Special City Council Meeting

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

MONDAY, MAY 6, 2019
6:00 P.M.

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

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Townsend

Members absent:
Councilman Klein Quinn - 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
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Community Development – Craig Meyers
Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
Community Center Manager – Rosalie Dillon
Fire Marshal – Joe Sykora
Police Officer-Investigations – David White
Chief, Northwest Community Health – Brian Bayani
Utilities Billing Supervisor – Lauren Sykora

2.0 The invocation was led by Pastor Danny Carpenter – Grace Christian Family Center

3.0 The pledges to U. S. and Texas Flags were led by Joe Sykora.

4.0 The following public comments were received:

E. F. Detwiler 620 Texas, 77375	-	Expressed his concerns about speeding at Willow Street and FM 2920.

5.0 Reports and Announcements:

- May 11, 2019 – **2nd Saturday** at the Depot
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
    - Mayor expressed the City's appreciation to Rosalie Dillon for the successful National Day of Prayer event at the Depot.

6.0 Presentations:

Mayor Fagan presented the following proclamations:

- Proclamation – May 5-11, 2019 is **"Municipal Clerks Week"**
- Proclamation – May 12-18, 2019 is **"Tomball Firefighter Appreciation Week"**
- Proclamation – May 12-18, 2019 is **Northwest Community Health, and National Emergency Medical Services Week - "EMS Strong: Stronger Together" - Tomball, Texas**

Mayor Fagan invited the public to attend the Police Officers Memorial Day Ceremony on May 15, 2019 for the following proclamations:

- Proclamation – May 15, 2019 is **"Peace Officers Memorial Day"**
- Proclamation – May 12-18, 2019 is **"Tomball Police Week"**

7.0 Motion was made by Councilman Ford, second by Councilman Stoll, to approve the Minutes of the April 15, 2019 Regular Tomball City Council Meeting.

Motion carried unanimously.

8.0 New Business:

8.1 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 9 – Tomball Heights Subdivision)

Mayor Fagan opened the Public Hearing at 6:15 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:15 p.m.

8.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Resolution No. 2019-11, a Resolution Making Findings in Connection with the Proposed Public Improvement District Number Nine Related to the Advisability of the Improvements, the Nature of the Improvements, the Estimated Cost of the Improvements, the Boundaries of the Proposed District, the Method of Assessment and the Apportionment of Cost between the District and the City as a Whole; and Making Other Findings Related to the District (TPID 9 – Tomball Heights Subdivision).

Motion carried unanimously.

8.3 Motion was made by Councilman Townsend, second by Councilman Ford, to approve Resolution No. 2019-12, a Resolution Authorizing the Establishment of the Public Improvement District Number Nine in the City of Tomball, Texas; Authorizing Publication of This Resolution, Providing for the Preparation of a Service and Assessment Plan; and Making Other Provisions Related to the Subject.

Motion carried unanimously.

8.4 Consideration to Approve **Zoning Case P19-039**: Request by Pamela Casia to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.5 acres of land legally described as Tract 12E-2 & 12F-2 Abstract 378 W Hurd Survey, within the City of Tomball, Harris County, Texas, generally located on the south side of Michel Road, west of School Street, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P19-039**

  Mayor Fagan opened the Public Hearing at 6:21 p.m.

  Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:21 p.m.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2019-10 by caption only on First Reading.

  Motion carried unanimously.

  Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2019-10, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 1.5 Acres of Land, Legally Described as Tract 12E-2 & 12F-2 Abstract 378 W Hurd Survey, within the City of Tomball, Harris County, Texas, from the Agricultural District to the

Commercial District; Said Property being generally located on the South Side of Michel Road, West of School Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

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

Motion carried unanimously.

8.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to authorize the City Manager to Enter Negotiations with WCA Waste Corporation for Solid Waste Services.

Motion carried unanimously.

8.6 Motion was made by Councilman Townsend, second by Councilman Ford, to approve Change Orders 3 & 4 for E&P Project Number 2017-10002 Critical Needs Improvements for the North and South Wastewater Treatment Plants to the Contract dated October 20, 2017, between the City of Tomball and JTR Constructors, Inc.

Motion carried unanimously.

8.7 Executive Session: The City Council recessed at 6:32 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with City Attorney regarding Settlement Offer in Cause No. 2018-00921; City of Tomball v. KCC International, LLC d/b/a LaQuinta Inn & Suites and CPIF Tomball, LLC., in the 234th District Court in and for Harris County, Texas

Upon reconvening into regular session at 6:43 p.m., the following action was taken:

8.8 Motion was made by Councilman Townsend, second by Councilman Ford to approve the Settlement Offer in Cause No. 2018-00921; City of Tomball v. KCC International, LLC d/b/a LaQuinta Inn & Suites and CPIF Tomball, LLC., in the 234th District Court in and for Harris County, Texas, in the Amount of

$80,000.00, and to authorize the City Manager to execute the appropriate and necessary documents.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 20th day of May 2019.

Doris Speer, TRMC, MMC	Gretchen Fagan
City Secretary	Mayor

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

MONDAY, MAY 13, 2019
5:00 P.M.

1.0 Call to Order
La llamada para Ordenar
Gọi để đặt hàng
致電訂購

Meeting was called to order by Mayor Fagan at 5:00 p.m. Other members present:

Councilman Ford
Councilman Degges
Councilman Stoll
Councilman Townsend

Members absent:

Councilman Klein Quinn– Excused

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
Assistant City Secretary – Tracy Garcia
Community Center Manager – Rosalie Dillon
County Commissioner, Precinct 4 – R. Jack Cagle

2.0 Canvass of Election

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

Present Resolution No. 2019-07, a Resolution of the City of Tomball, Texas, Canceling the Regular City Officer's Election Scheduled to be Held on the 4th Day of May, 2019, in Accordance with Section 2.053(A) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election
La presente Resolución Nro. 2019-07, una resolución de la Ciudad de Tomball, Texas, que cancela la Elección Regular de Funcionarios de la Ciudad programada para el día 4 de mayo de 2019, en conformidad con la Sección 2.053 (A) del Código Electoral de Texas; que instruye la notificación de dicha cancelación de elección y proporciona detalles relativos a la cancelación de dicha elección
Trình bày Nghị Quyết Số 2019-07, một Nghị Quyết của Thành Phố Tomball, Texas, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Lệ Dự Kiến được Tổ Chức ngày 4 tháng Năm, 2019, theo Quy Định của Mục 2.053(A), Bộ Luật Bầu Cử Texas; Chỉ Thị Thông Báo về Lệnh Hủy Bỏ Cuộc Bầu Cử Nói Trên; và Cung Cấp các Thông Tin Chi Tiết Liên Quan đến Việc Hủy Bỏ Cuộc Bầu Cử Nói Trên.
呈交Texas州Tomball市的第2019-07號決議，依照Texas州選舉法第2.053(A)節取消定於2019年5月4日舉行的正規市官員選舉；指示發布關於取消上述選舉的通告；以及提供有關取消上述選舉的詳細資訊

No action necessary; Resolution No. 2019-07 was adopted on March 4, 2019.
No se requiere ninguna acción; la Resolución Nro. 2019-07 fue adoptada el 4 de marzo de 2019.
Không có hành động nào cần thực hiện; Nghị Quyết số 2019-07 được thông qua vào ngày 4 tháng Ba, 2019.
無需採取行動；第2019-07號決議於2019年3月4日通過。

2.2 Administer Oath of Office to Elected Officials
Administrar el juramento al cargo de los funcionarios electos
Làm lễ Tuyên Thệ Nhậm Chức cho các Viên Chức Được Bầu Chọn
管管理選舉官員宣誓就職

The Oath of Office was administered by Commissioner R. Jack Cagle, Precinct 4, Harris County to Gretchen Fagan, re-elected Mayor and Chad Degges, re-elected Councilman, Position 3.
El Comisionado R. Jack Cagle, Precinto 4, Condado de Harris tomó el juramento al cargo de Gretchen Fagan como la nueva Alcaldesa elegida y de Chad Degges como nuevo Concejal, Posición 3, elegido.
Làm lễ Tuyên Thệ Nhậm Chức cho các Viên Chức Được Bầu Chọn – Ủy Viên R. Jack Cagle, Phân Khu 4, Quận Harris
管理選舉官員宣誓就職 – 委員R. Jack Cagle, 選區4, Harris郡

2.3 Consideration to Elect Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter
Considerar elegir un Alcalde Interino, de acuerdo con la Sección 6.08 de la Carta Orgánica de Gobierno Local de al Ciudad de Tomball
Xem xét Bầu Chọn Thị Trưởng Tạm Thời, chiếu theo Mục 6.08 của Hiến Chương Điều Lệ Địa Phương Thành Phố Tomball
考慮選出暫替市長，根據Tomball市自治憲章6.08節

Motion was made by Councilman Stoll, second by Councilman Degges, to Elect Councilman Townsend as Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter.
El Concejal Stoll presentó la moción, secundada por el Concejal Degges, de elegir al Concejal Townsend como Alcalde Pro Tempore, de conformidad con la Sección 6.08 de la Carta Orgánica de Gobierno Autónomo de la Ciudad de Tomball.
Dân Biểu Thành Phố Stoll đưa ra kiến nghị, Dân Biểu Thành Phố Degges nhất trí, Bầu Dân Biểu Thành Phố Townsend là Thị Trưởng Lâm Thời, theo Quy Định của Mục 6.08, Hiến Chương Quy Chế Nội Bộ của Thành Phố Tomball.
以下動議由市議員Stoll提出，獲市議員Degges支持：依照Tomball市地方自治憲章第6.08節選出市議員Townsend擔任臨時市長。

Motion carried unanimously.
Moción aceptada por unanimidad.
Kiến nghị được nhất trí thông qua.
動議無異議地通過。

Councilman Townsend was elected Mayor Pro-Tem.
El Concejal Townsend fue elegido Alcalde Pro Tempore.
Dân Biểu Thành Phố Townsend được bầu làm Thị Trưởng Lâm Thời.
市議員Townsend當選臨時市長。

3.0 Adjournment
Aplazamiento
Hoãn lại
休會

Motion was made by Councilman Townsend, second by Councilman Degges, to adjourn.
Motion carried unanimously.
Meeting adjourned.

La moción fue hecha por el Concejal Townsend, segundo por el concejal de Degges, levantar.
Moción aceptada por unanimidad.
Sesión clausurada.

Chuyển động, được tạo ra bởi ông hội đồng Townsend, bởi ông hội đồng Degges thứ hai, để adjourn.
Kiến nghị được nhất trí thông qua.
Cuộc họp tòa kết thúc tại đây

運動是由第二屆的委員，委員克萊 Townsend 斯托爾公司休會。
動議無異議地通過。
會議休會

PASSED AND APPROVED this the 20th day of May 2019.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council Agenda Item Data Sheet

Meeting Date: May 20, 2019

Topic:

Adopt, on Second Reading, Ordinance No. 2019-10, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 1.5 acres of land, legally described as Tract 12E-2 & 12F-2 Abstract 378 W Hurd Survey, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; said property being generally located on the south side of Michel Road, west of School Street; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed $2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Background:

On Monday, April 8, 2019, after conducting a Public Hearing, the Planning & Zoning Commission recommended unanimous approval of the rezoning request.

Origination:

Cardiology Ventures

Recommendation:

Adopt Ordinance No. 2019-10, on Second Reading.

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

Doris Speer, City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2019-10
Staff Report
Notice of Public Hearing
Property Owner Notification

ORDINANCE NO. 2019-10

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 1.5 ACRES OF LAND, LEGALLY DESCRIBED AS TRACT 12E-2 & 12F-2 ABSTRACT 378 W HURD SURVEY, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE AGRICULTURAL DISTRICT TO THE COMMERCIAL DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTH SIDE OF MICHEL ROAD, WEST OF SCHOOL STREET; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * * * * * * *

Whereas, Pamela Casia has requested that approximately 1.5 acres of land, legally described as Tract 12E-2 & 12F-2 Abstract 378 W Hurd Survey, generally located on the south side of Michel Road, west of School Street, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

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

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

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

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

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

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

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

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

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

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

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

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 6TH DAY OF MAY 2019.

COUNCILMAN FORD	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN QUINN	ABSENT

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 20TH DAY OF MAY 2019.

COUNCILMAN FORD	________
COUNCILMAN STOLL	________
COUNCILMAN DEGGES	________
COUNCILMAN TOWNSEND	________
COUNCILMAN QUINN	________

____
Gretchen Fagan, Mayor

ATTEST:

____
Doris Speer, City Secretary

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: April 8, 2019
City Council Public Hearing Date: May 6, 2019

Rezoning Case:	P19-039
Property Owner(s):	Waqar Khan – Cardiology Ventures
Applicant(s):	Pamela Casia
Legal Description:	1.5 acres of Tract 12E, 12F, A-378 W Hurd Survey
Location:	South side of Michel Road, west of School Street (Exhibit "A")
Area:	1.5 acres (total site is 10.15 acres)
Comp Plan Designation:	Business/Industrial (Exhibit "B")
Present Zoning and Use:	Agricultural District (Exhibit "C") / Undeveloped (Exhibit "D")
Request:	Rezone 1.5 acres from the Agricultural District to the Commercial District

Adjacent Zoning & Land Uses:

North: General Retail and Agricultural Districts / Undeveloped, vacant in-home care facility

South: Light Industrial District / Light industrial businesses

West: Commercial District / Medical office building

East: Agricultural District / Undeveloped

BACKGROUND

City Staff met with the applicant in December 2018 to discuss the development of an Alzheimer's Care facility at the subject site.

ANALYSIS

The entire property is approximately 10.15 acres and is zoned Agricultural District. The proposed rezoning is for 1.5 acres. Properties in the immediate area are zoned General Retail and Agricultural to the north, Agricultural to the east, Light Industrial to the south, and Commercial to the west.

The uses in the area include mostly undeveloped property, light industrial facilities to the south on Commercial Park Road, a medical office building to west and two structures that appear to be single-family residences, but may have been operated as in-home care facilities.

The Comprehensive Plan Future Land Use Map designates the property as Business/Industrial which is intended for "businesses where industrial and intensive employment activities occur".

The purpose of the Commercial Zoning District is to "provide a location for commercial and service-related establishments". The Commercial Zoning District is an appropriate zoning district for the Business/Industrial area.

ZONING CONSIDERATIONS

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

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

The uses permitted in the Commercial District appear to be appropriate for the area. Michel Road is primarily non-residential and will likely continue to develop as such. This area is generally medical-related uses with some light industrial and multi-family developments nearby.

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

Adequate utilities are available to serve this property and the existing streets adjacent to the property can accommodate traffic generated by a Commercial District development. The property is intersected by the future Commercial Park Road, which is proposed on the Major Thoroughfare Plan to be extended to Medical Complex Drive. When the property is platted, there will be a right-of-way dedication for the section of the road that bisects the property.

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

There is vacant land in the City zoned Commercial District. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

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

There has been steady development in the Commercial District in the City; however, there has not been development in the immediate area of the subject site.

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

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

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

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

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

The Future Land Use Map designates the property as Business/Industrial. The Commercial Zoning District is an appropriate district for the Business/Industrial area. The Comprehensive Plan also states an objective of the City is to “maximize economic benefits from Tomball’s medical campus”. Although the City does not have an official medical campus, this property is primarily surrounded by medical-related uses on Michel Road, Johnson Road, Medical Complex Drive and School Street. The request appears to be consistent with the Comprehensive Plan.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on March 22, 2019. The Notice of Public Hearing was published in the paper on March 27, 2019. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P19-039 for the following reasons:

1. The request meets the goals of City’s Comprehensive Plan;
2. The request is in conformance with the Future Land Use Map;
3. The request is generally appropriate with the surrounding land uses in the area;
4. The request is generally appropriate with the surrounding zoning districts.

EXHIBITS

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

Exhibit "A"
Aerial Photo

Exhibit "B"
Comprehensive Plan

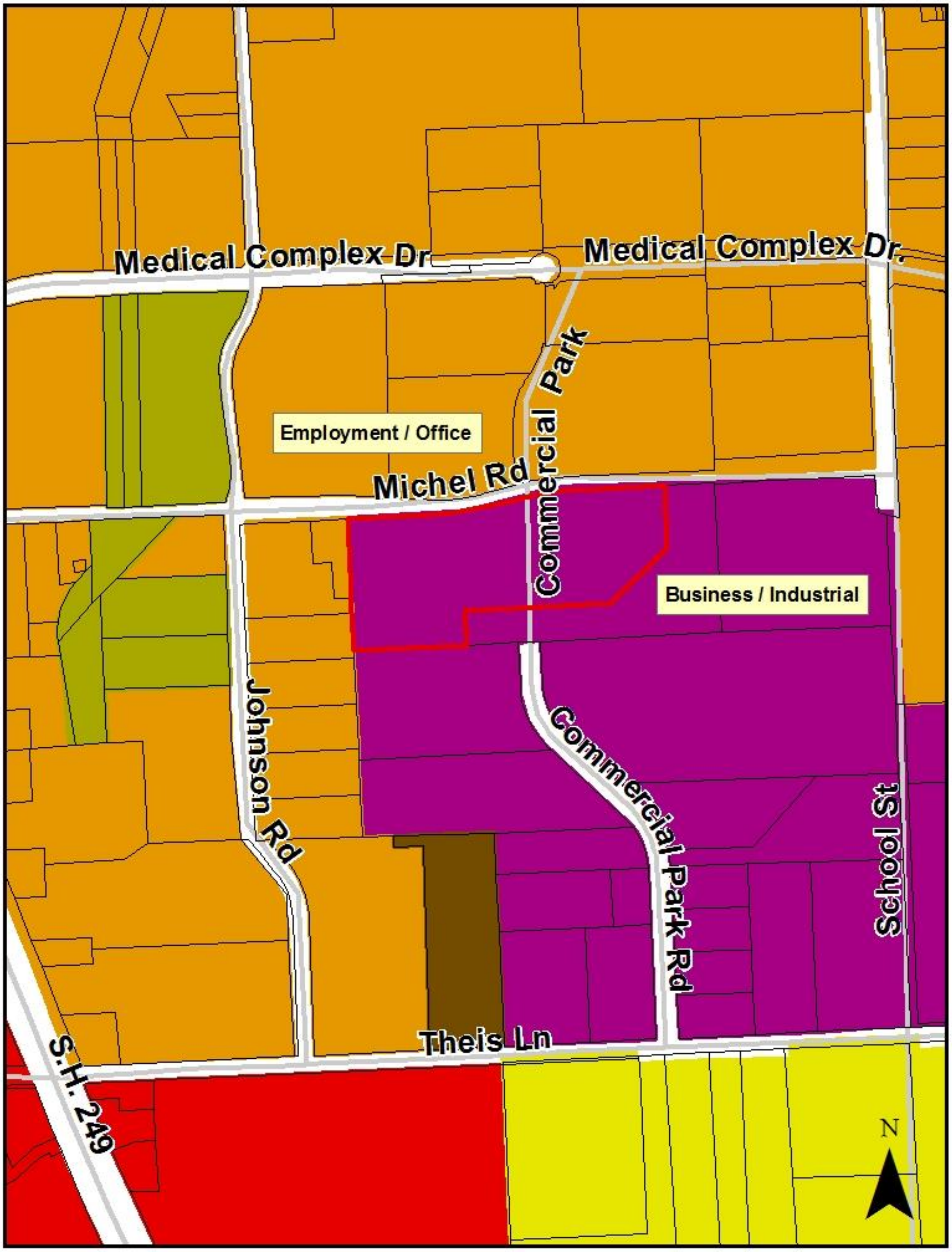


Exhibit "C"
Zoning Map

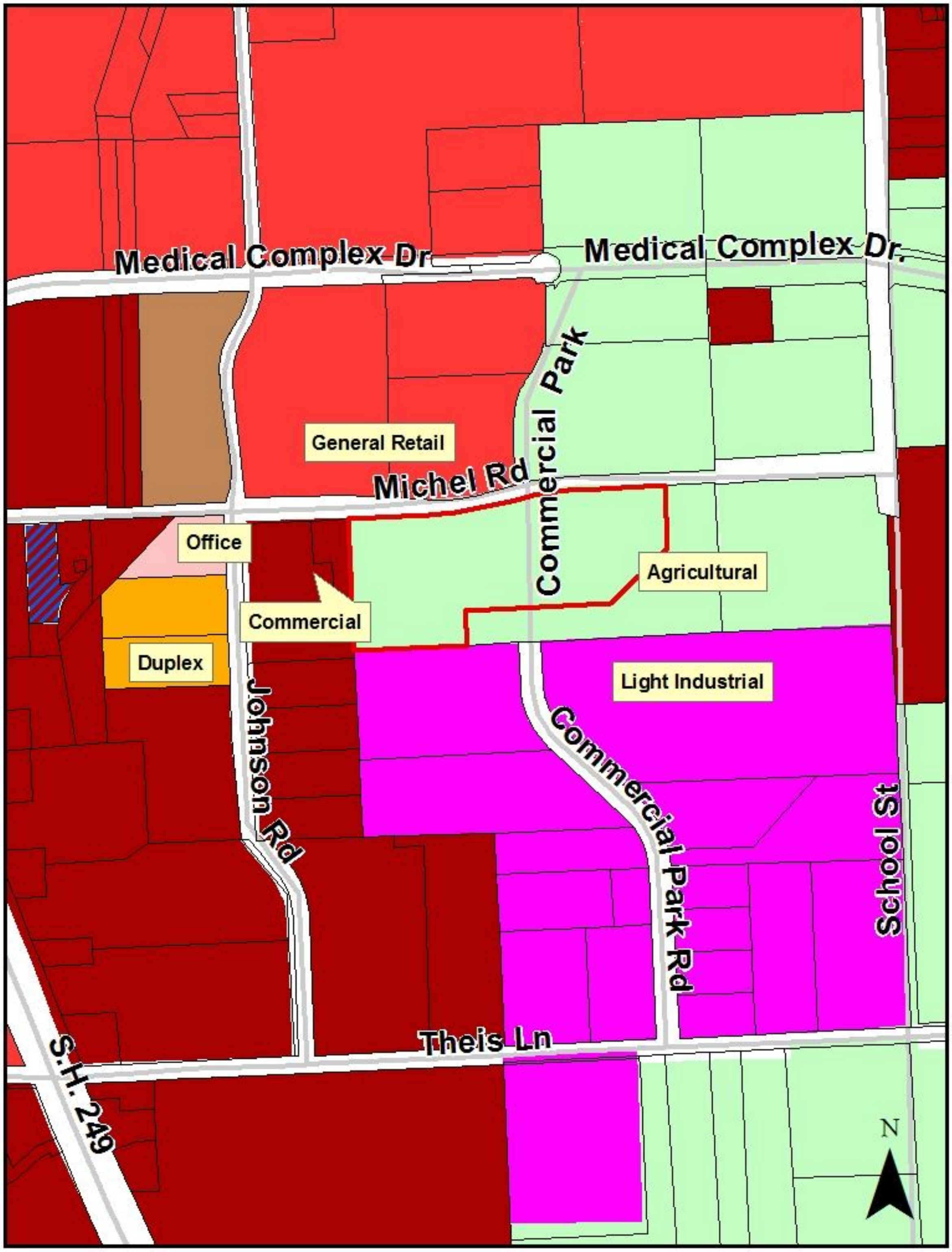


Exhibit "D"
Site Photos

Exhibit "E"
Application

19-039

Revised 5/19/15

APPLICATION FOR REZONING

Community Development Department
Planning Division

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

Applicant
Name: Pamela Casia Title: owner/manager
Mailing Address: 19118 Caribou Ridge Dr City: Tomball State: Tx
Zip: 77375
Phone: (832) 434 0739 Fax: (___) ______ Email: info@lovingtouchresidence.com

Owner
Name: WAQAR KHAN (Cardiology Ventures) Title: President
Mailing Address: 400 Holderrieth #04 City: Tomball State: tx
Zip: 77375
Phone: (281) 704-4844 Fax: (___) ______ Email: DRWKHAN@AOL.COM

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

Description of Proposed Project: Alzheimer's /memory Care Facility

Physical Location of Property: corner michel and school Street
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: Tract 12E, 12F A-378 W Hurd Survey, Harris County Texas
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: Agricultural

Current Use of Property: Agriculture - / vacant lot

Proposed Zoning District: Commercial

Proposed Use of Property: Commercial

File # M923171

HCAD Identification Number: ______ Acreage: 10.1524

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

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

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

X Pamela J. Casen 2/1/2019

Signature of Applicant Date

X W Olh 2/1/19

Signature of Owner Date

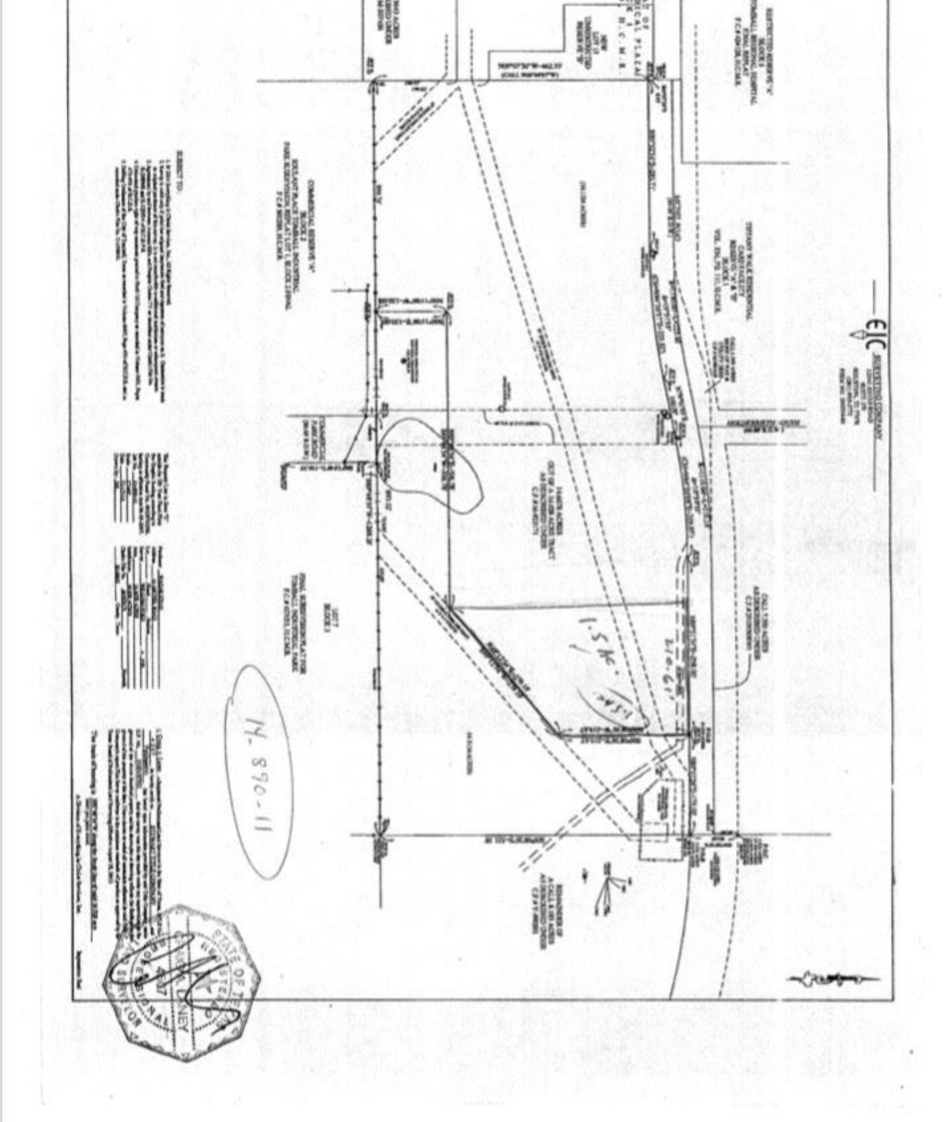
CITY OF TOMBALL
281-351-5484

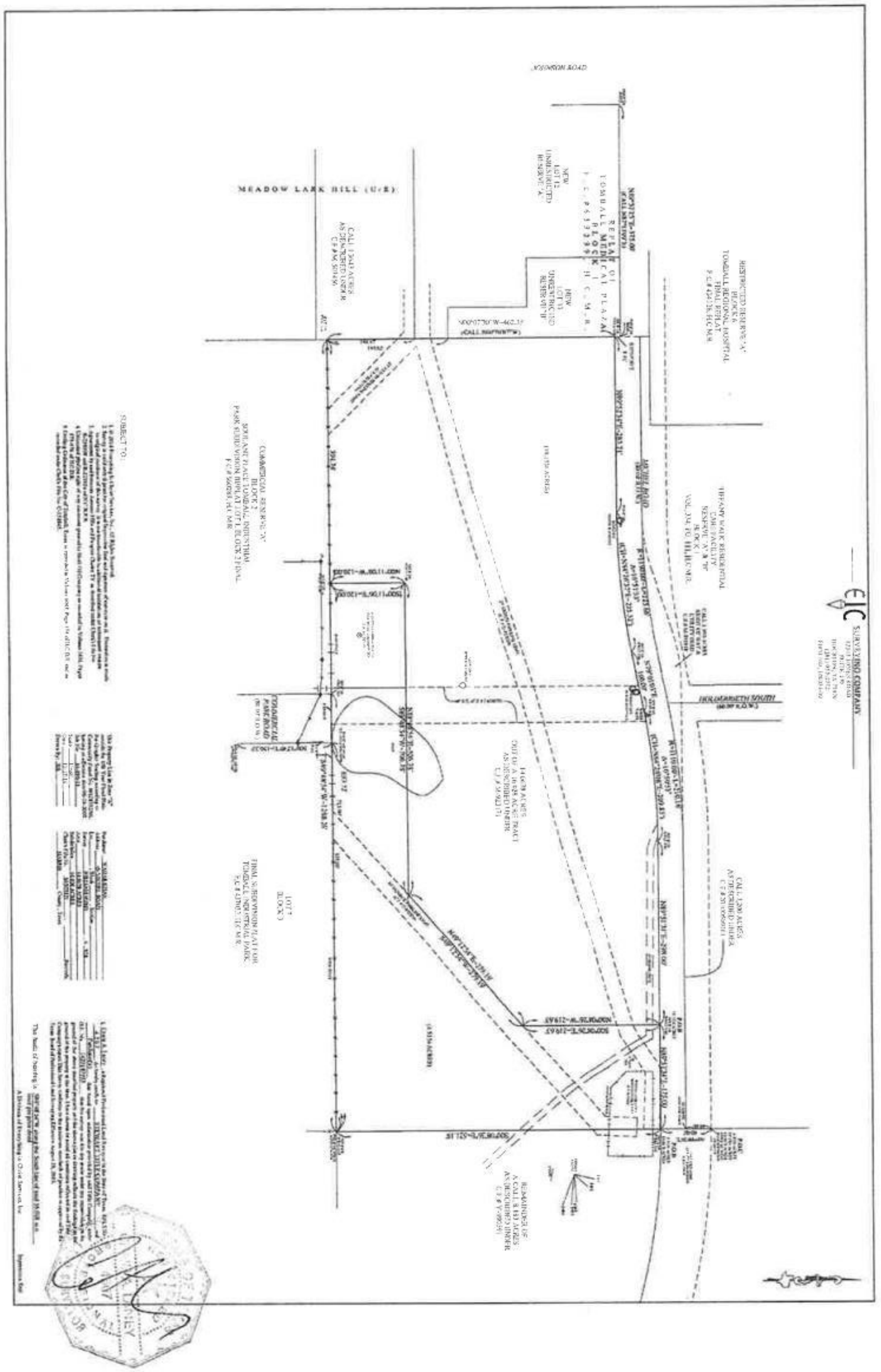
REC#: 01063194 2/05/2019 11:49 AM
OPER: SK TERM: 005
REF#: W 1017

TRAN: 130.0000 PLANNING AND ZONING
CORNER MICHEL//SCHOOL
LOVING TOUCH RESIDENCE LLC
100-5441
REZONING APPLICATIO 415.00CR

TENDERED: 415.00 CHECK
APPLIED: 415.00-

CHANGE: 0.00


MEADOW LARK HILL (U/R)


MEADOW LARK HILL (U/R)

LOVING TOUCH RESIDENCE, LLC
19118 Caribou Ridge Dr., Tomball, Tx 77375

February 1, 2019

Community Development Department
Planning Division, City of Tomball
501 James St, Tomball
Texas 77375

To whom this may concern,

We, the owners of Loving Touch Residence, LLC, do hereby request for the Rezoning of the subject Property herein applied for with the following reasons specified below:

The current classification of the property is Agricultural Land and the parcel of the land intended to buy pending due diligence studies will be used for commercial purposes. This land is also surrounded by commercial properties and is neighboring to the Medical Complex Facilities. Upon approval of the Rezoning and Commercial use, we plan to buy 1.5 acres, parcel of the land and build a 16-Bed Dementia/Memory Care/Alzheimer's Care Assisted Living Facility.

The growing senior population is rising and the challenge is on for every families who are not able to care for their older parents.
According to U.S. Census Bureau, Texas Workforce Commission, by 2030, 20% of Americans will be 65 or older.

The 65-and-older population in Tomball and Magnolia grew 50.3% from 2010 to 2016. This information justifies the demand for more health care services and Personal Care Home.

Dementia specifically Alzheimer's Disease affects 5.5 million Americans age 65 and older - 380,000 of those individuals are Texans. Texans ranked fourth in the number of Alzheimer's Disease cases and second in the number of deaths.

Seniors with this condition post danger to themselves when left alone in their home. More families now are looking for the comfort of small Personal Care Homes for their older Parents due to more personalized and individualized attention and care given to their loved ones.

Our 16-bed facility will be a great help to these families who need help, home and care for their loved ones during the most challenging process of their health condition.

Thank you for helping us care and touch the lives of these Seniors and their families in the Tomball and neighboring Communities.

Sincerely yours,

Pamela F. Casia
Owner/Manager

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
APRIL 8, 2019
&
CITY COUNCIL
MAY 6, 2019

Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, April 8, 2019, at 6:00 P.M.,** and by the City Council of the City of Tomball on **Monday, May 6, 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:

Zoning Case P19-026: Request by Greg Charney to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2.06 acres of land legally described as Lot 1 Block 3 Chestnut Business Park, within the City of Tomball, Harris County, Texas, generally located on the south side of Timkin Road, between Ash Street and Chestnut Business Park Drive, from the Single-Family 6 District to the General Retail District.

Zoning Case P19-039: Request by Pamela Casia to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.5 acres of land legally described as Tract 12E-2 & 12F-2 Abstract 378 W Hurd Survey, within the City of Tomball, Harris County, Texas, generally located on the south side of Michel Road, west of School Street, from the Agricultural District to the Commercial District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the 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 **4th** day of **April 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.

Notice of Public Hearing

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

CASE NUMBER: P19-039

APPLICANT/OWNER: Pamela Casia

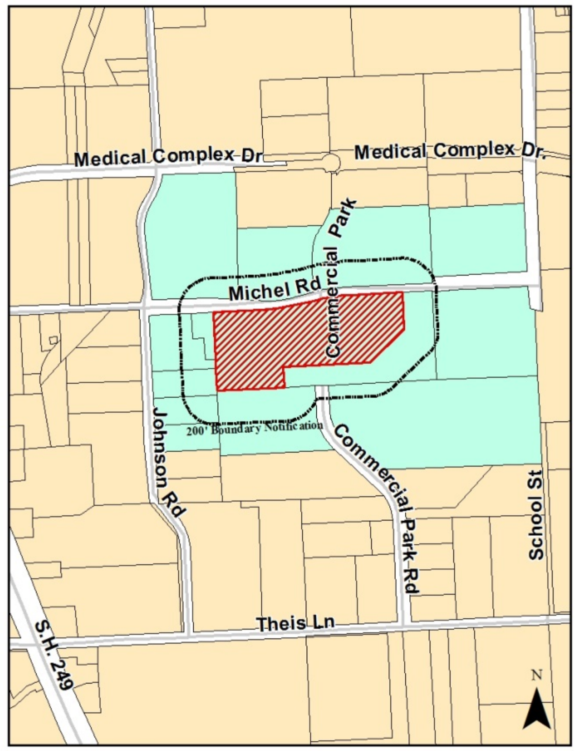
LOCATION: Generally located on the south side of Michel Road, west of School Street

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.5 acres of land legally described as Tract 12E-2 & 12F-2 Abstract 378 W Hurd Survey, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District.

CONTACT: Amelia Lindley, Planner
PHONE: (281) 290-1410
E-MAIL: alindley@tomballtx.gov

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

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



Planning & Zoning Commission Public Hearing:
Monday, April 8, 2019, 6:00 PM

City Council Public Hearing:
***Monday, May 6, 2019, 6:00 PM**

The Public Hearings will be held in the City Council Chambers, City Hall
401 Market Street, Tomball, Texas

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.

Regular City Council Agenda Item Data Sheet

Meeting Date: May 20, 2019

Topic:
Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending September 30, 2018

Background:
The firm of BKD, LLP has completed the audit of our financial statements for the fiscal year ending September 30, 2018.

Greg Sissel, CPA, will be at the meeting to present the summary of the CAFR.

Origination:
Finance

Recommendation:
N/A - Receipt only of the Report by the Council

Party(ies) responsible for placing this item on agenda:
Glenn Windsor, CPA Finance Director

ACTION TAKEN

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

ATTACHMENTS:

FY 9/30/2018 CAFR



CITY OF TOMBALL

COMPREHENSIVE ANNUAL FINANCIAL REPORT

Fiscal Year Ended September 30, 2018

City of Tomball, Texas

Comprehensive Annual Financial Report

Year Ended September 30, 2018

City Manager

Robert S. Hauck

Prepared by

Glenn Windsor, CPA, CGFO
Finance Director

City of Tomball, Texas
September 30, 2018

Contents

Contents (Continued)

City of Tomball, Texas
September 30, 2018

Contents (Continued)

STATISTICAL SECTION (UNAUDITED) (Continued)

Debt Capacity

Demographic and Economic Information

Operating Information

Introductory Section (Unaudited)

City of Tomball

Gretchen Fagan
Mayor

Robert S. Hauck
City Manager

May 13, 2019

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

It is with great pleasure that we present to you a copy of the Comprehensive Annual Financial Report (CAFR) of the City of Tomball, Texas (the City) for the fiscal year ended September 30, 2018. The responsibility for both the accuracy of the presented information and the completeness and fairness of the presentation of the data, including all disclosures, rests with the City. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the results of operations of the various funds of the City, as well as the fund balances. All disclosures necessary to enable the reader to gain an understanding of the City's financial activities have been included.

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

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

Profile of the Government

The City, incorporated on July 18, 1933, is located northwest of Houston, Texas, in a rapidly growing area of Harris County. The City currently occupies a land area of 12.34 square miles and serves an estimated population of 11,643. The City of Tomball is empowered to levy a property tax on both real and personal properties located within its boundaries. It also is empowered by state statute to extend its corporate limits by annexation, which occurs when deemed appropriate by the governing council.

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

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

The annual budget serves as the foundation for the City's financial planning and control. All departments of the City are required to submit requests for appropriation to the Finance Director. These requests serve as a starting point for developing a proposed budget. The Finance Director provides the information to the City Manager, who then presents this proposed budget to the Council for review. The Council is required to hold public hearings on the proposed budget and to adopt a final budget no later than September 30, the close of the City's fiscal year. The appropriated budget is prepared by fund, function and department. Department heads may make requests to the City Manager for transfers of appropriations within a department. Transfers of appropriations between departments, however, require the approval of the City Council. Budget-to-actual comparisons are provided in this report for each individual governmental fund for which an appropriated annual budget has been adopted. For the general fund, this comparison is presented on Page 63 as part of required supplementary information. For governmental funds, other than the general fund, with appropriated annual budgets, this comparison is presented in the non-major governmental fund subsection of this report, which starts on Page 66.

Factors Affecting Financial Condition

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

Local Economy

The City is located approximately 32 miles northwest of Houston and is primarily surrounded by various taxing districts, making it one of the only incorporated areas in this portion of Harris County. As a result, the City has evolved into the area's principal commercial center. Assessed values for fiscal 2018 reflect an increase of 5.1 percent to $1.83 billion. This property value increase is the result of continued commercial development within the City including both residential and commercial. New single-family residential development continues with the addition of several Public Improvement Districts.

Sales tax revenues increased 15.17 percent during fiscal year 2018. The City had anticipated this revenue source remaining level when the budget was adopted. At this writing, for fiscal year 2019, sales taxes are down by 1.49 percent for the first five months. However, new residential and commercial development continues to increase throughout the City and the surrounding area.

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

Long-term Financial Planning

The City issued $20,240,000 Certificates of Obligation in 2016 for the construction of Medical Complex Drive, Section 4B and the extension of Persimmon Street. The design and construction of these projects was in progress at year-end. Construction continued on the M121 drainage channel which is being funded from the 2012 issuance of Certificates of Obligations totaling $14,500,000.

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

Major Initiatives

The largest revenue source in the General Fund is sales tax. The City has experienced significant commercial and retail growth over the last several years. However, because of the recession experienced in 2008-2009, the City continued a conservative approach in budgeting sales tax revenues. For fiscal year 2018, sales tax revenues were projected at $10,850,000. Because of significant increases in this major revenue source during 2018, the projection of $12,500,000 was made for fiscal year 2019.

The City made application to the Harris Galveston Area Council in 2015 for a grant to fund major improvements along FM 2920 (Main Street) from the downtown area to State Highway 249. At that time, the City Council approved local funding in the amount of $3,000,000 to assist in expediting the project. The fiscal year 2019 budget includes funding in the amount of $250,000 to begin surveying, engineering design and the possible purchase of rights-of-way.

The Capital Project Fund includes major funding for park improvements, streets, sidewalks and infrastructure for fiscal year 2019.

Financial Information

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

Budgeting Controls

The City maintains budgetary controls to ensure compliance with legal provisions embodied in the annual appropriated budget approved by the City Council. Activities of the General Fund, Debt Service Fund, Special Revenue Funds, Utility Fund and Internal Service Funds are included in the annual operating budget. The TEDC, a component unit of the City, is budgeted separately. A capital improvement plan is approved each year by the City Council and funded through a separate capital projects fund. The level of budgetary control (*i.e.*, the level at which expenditures cannot legally exceed the appropriated amount) is established at the Department level within an individual fund. The City maintains an encumbrance accounting system as a means of accomplishing budgetary controls and a technique of budgetary "lock out" which will prevent a transaction from exceeding legally appropriated budgetary amounts. As demonstrated by the statements and schedules included in the financial section of this report, the City continues to meet its responsibility for sound financial management.

Debt Administration

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

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

Independent Audit

The City Charter requires an independent audit of the accounts of the City by an independent auditor. The firm of BKD, LLP, Certified Public Accountants, has issued unmodified (clean) opinions on the City of Tomball's financial statements for the year ended September 30, 2018. The independent auditor's report is located at the front of the financial section of this report.

Awards

The Government Finance Officers' Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City for its Comprehensive Annual Financial Report for the fiscal year ended September 30, 2017. This was the 28th consecutive year that the City has received this award. In order to be awarded the Certificate of Achievement, the City published an easily readable and efficiently organized Comprehensive Annual Financial Report. This report satisfies both generally accepted accounting principles and applicable legal requirements. The Certificate of Achievement is held for a period of one year only. Our current Comprehensive Annual Financial Report continues to meet the Certificate of Achievement requirements, and will be submitted to GFOA to determine its eligibility for another certificate.

The City also received the Distinguished Budget Presentation Award for the fiscal year beginning October 1, 2017. This is the tenth consecutive year that the City has received this award from the GFOA. The award is made to those cities whose budget presentations meet very stringent presentation guidelines. The budget document must be of the very highest quality that reflects both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's recommended practices on budgeting.

Last year, the City was also awarded the Leadership Award as part of the "Texas Transparency" program from the Texas Comptroller of Public Accounts. Three years ago, the State Comptroller's office revised the program to what is now called the "Five Star Rating Designation" for transparency. Under the new guidelines, the City recently received the 2nd Star of the Five Star format in FY 17. This program involves publishing financial information such as CAFRs, budgets, and check registers to demonstrate transparency to both the citizens and other members of the public. The City is currently working to achieve the next two "Stars" for Contracts and Economic Development.

Acknowledgements

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

Respectfully submitted,

Glenn Windsor, CPA, CFE, CGFO
Finance Director

City of Tomball, Texas

Principal Officials

As of September 30, 2018

City Officials	Elected Position	Term Expires
Gretchen Fagan	Mayor	2022
John F. Ford	Councilman Position 1	2020
Mark Stoll	Councilman Position 2	2021
Chad Degges	Councilman Position 3	2022
Derek Townsend, Sr.	Councilman Position 4	2021
Lori Klein Quinn	Councilman Position 5	2020

Department Heads	Appointive Position
Robert S. Hauck	City Manager
David Esquivel	Assistant City Manager
Doris Speer	City Secretary
Billy Tidwell	Chief of Police
Beth Jones	Director of Public Works
Randall Parr	Fire Chief
Craig Meyers	Community Development Director
Glenn Windsor	Finance Director
Lisa Coe	Human Resources
Doug Tippey	Information Technology
Mike Baxter	Marketing Director

Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Tomball

Texas

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2017

Christopher P. Morrill

Executive Director/CEO

City of Tomball, Texas
Staff Organizational Chart
As of September 30, 2018

- **Tomball Citizens**
  - **Mayor and City Council**
    - Tomball Economic Development Corporation
    - Planning Commission
    - Municipal Judge
    - City Attorney
    - Other Boards & Commissions
    - **City Manager**
      - City Secretary
        - Reception/Vital Statistics
      - Director of Human Resources
        - Personnel
        - Payroll
        - Risk Management
      - Fire Chief
        - Fire Prevention
        - Fire Department
        - Emergency Management
      - Police Chief
        - Investigations
        - Patrol
        - Special Services
      - Municipal Court
      - Assistant City Manager
        - Director of Community Development
          - Engineering
          - Planning
          - Construction Inspection
            - Building Inspections
            - Permits
            - Code Compliance
        - Director of Public Works
          - General Services
            - Facilities
            - Streets
            - Parks
            - Garage
            - Sanitation
          - Utility Services
            - Water
            - Sewer
            - Gas
        - Director of Information Systems
          - Information Technology
          - Geograpical Information Systems
        - Director of Marketing
          - Community Center
        - Director of Finance
          - Accounting
          - Budgeting
          - Purchasing
          - Utility Billing

Financial Section

BKD
CPAs & Advisors

2700 Post Oak Boulevard, Suite 1500 | Houston, TX 77056-5829
713.499.4600 | Fax 713.499.4699 | bkd.com

Independent Auditor's Report

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

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund and the aggregate remaining fund information of the City of Tomball, Texas (the City), as of and for the year ended September 30, 2018, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditor's Responsibility

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

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

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

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Tomball, Texas, as of September 30, 2018, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1 to the financial statements, in 2018 the City adopted Governmental Accounting Standards Board (GASB) Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*. Our opinions are not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the general fund budgetary comparison schedule, and pension and other postemployment benefit information as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

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

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

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

BKD, LLP

Houston, Texas
May 13, 2019

City of Tomball, Texas

Management's Discussion and Analysis

Year Ended September 30, 2018

As Management of the City of Tomball, Texas (the City), we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2018. This information is not intended to be a complete statement of the City's financial condition. We recommend and encourage readers to consider the information presented here in conjunction with the additional information presented in the accompanying transmittal letter (Pages i-vii of this report), and the statistical section (Pages 80-101 of this report), as well as the annual budget found on the City's website at http://www.ci.tomball.tx.us/.

Financial Highlights

- The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by $101,349,333 (net position). Included in this amount is the City's net investment in capital assets of $73,771,157. The net position restricted for specific purposes totals $4,303,114. The remaining $23,275,062 is unrestricted net position which may be used to meet the City's ongoing obligations to citizens and creditors in accordance with the City's fiscal policies. The City's net position increased by $5,281,030 during the current fiscal year, before adjustment for adoption of GASB 75.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of $54,541,109 a decrease of $1,371,836 from the prior year. The majority of the decrease consists of expenditures on capital projects made with bond proceeds issued in previous years. Approximately 73 percent of this amount ($39,639,759) is restricted by specific legal requirements such as bond instruments and related debt covenants and 27 percent of this amount ($14,649,687) is available for spending at the government's discretion (unassigned fund balance).
- The City's debt decreased by $2,608,463 primarily due to existing debt retirements partially offset by the issuance of Public Property Finance Contract Obligations.
- In 2018 the City adopted Governmental Accounting Standards Board (GASB) Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*. Prior year information contained herein has not been restated for the adoption of GASB 75.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise four components: 1) government-wide financial statements, 2) fund financial statements, 3) notes to the financial statements and 4) required supplementary information which includes this management's discussion and analysis, information related to the City's pension plan and retiree health plans and budgetary comparison information. This report also contains other supplementary information as listed in the table of contents in addition to the basic financial statements themselves.

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

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

The statement of activities presents information showing how the City's net position changed during the fiscal year. All changes in net position are reported when the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (*e.g.*, uncollected taxes and earned but not used compensated absences). Both the statement of net position and the statement of activities are prepared utilizing the accrual basis of accounting as opposed to the modified accrual basis used in the governmental fund statements.

The government-wide financial statements include not only the City of Tomball itself (known as the primary government), but also a legally separate economic development corporation for which the City is financially accountable. Financial information for this component unit is reported separately from the financial information presented for the primary government itself.

The government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from functions that are intended to recover all or a significant portion of their costs through user fees (business-type activities). The governmental activities include most of the City's basic services, (general government, public safety, public works and community development). Property taxes, sales taxes and franchise fees primarily finance these activities. The business-type activities include the City's water, sewer and gas system. Charges for services cover all or most of the costs for these services. Component unit activities include activities of The Tomball Economic Development Corporation.

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

Governmental Funds – Governmental funds are used to account for similar functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental funds focus on current sources and uses of spendable resources. The governmental fund statements provide a detailed short-term view of the City's general government operations and help you to determine whether resources are available in the near future to finance City programs. Comparing the information presented for governmental funds with the information presented for governmental activities in the government-wide financial statements will help the reader to better understand the long-term impact of the government's near-term financing decisions.

The governmental funds balance sheet and statement of revenues, expenditures and changes in fund balances include a reconciliation to provide such comparison.

The City maintains 11 governmental funds. Information is presented separately in the governmental funds balance sheet and the governmental fund statement of revenues, expenditures and changes in fund balances for the general fund, the debt service fund and the capital projects fund; these funds are considered to be major funds. The other eight funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining statements found in this report.

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

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

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

Other Information – In addition to the basic financial statements and accompanying notes, the basic financial statements contain required supplementary information including this discussion and analysis and information concerning the City's progress in funding its obligations to provide pension and retiree health benefits to its employees.

The combining statements referred to earlier in connection with nonmajor governmental funds and internal service funds are presented immediately following the required supplementary information on pensions and other post-employment benefits (OPEB) and the general fund budget to actual schedule. Combining and individual fund statements and schedules can be found on Pages 65-76 of this report.

Government-wide Financial Analysis

As noted earlier, net position over time, may serve as a useful indicator of a government's financial position. In the case of the City, assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by $101,349,333 at the close of the most recent fiscal year.

Net Position

	Governmental Activities		Business-type Activities		Total	
	2018	2017	2018	2017	2018	2017
Current and other assets	$ 61,814,289	$ 60,698,922	$ 12,744,995	$ 11,456,010	$ 74,559,284	$ 72,154,932
Capital assets	50,159,249	49,744,458	37,167,047	35,930,672	87,326,296	85,675,130
Total assets	111,973,538	110,443,380	49,912,042	47,386,682	161,885,580	157,830,062
Deferred outflows of resources	1,547,464	2,273,686	322,804	439,551	1,870,268	2,713,237
Noncurrent liabilities	48,867,775	50,682,482	3,304,299	3,721,873	52,172,074	54,404,355
Other liabilities	7,143,005	5,854,385	2,059,813	2,080,991	9,202,818	7,935,376
Total liabilities	56,010,780	56,536,867	5,364,112	5,802,864	61,374,892	62,339,731
Deferred inflows of resources	874,003	102,610	157,620	18,391	1,031,623	121,001
Net position:						
Net investment in capital assets	38,896,658	40,779,628	34,874,499	33,038,353	73,771,157	73,817,981
Restricted	4,303,114	3,912,411	-	-	4,303,114	3,912,411
Unrestricted	13,436,447	11,385,550	9,838,615	8,966,625	23,275,062	20,352,175
Total net position	$ 56,636,219	$ 56,077,589	$ 44,713,114	$ 42,004,978	$ 101,349,333	$ 98,082,567

The largest portion of the City's net position (73 percent) reflects its investments in capital assets (*e.g.*, land, buildings, equipment, improvements, construction in progress and infrastructure), less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; therefore, these assets are not available for future spending. It should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the City's net position (4 percent) represents resources that are subject to external restrictions on how they may be used. The remaining balance of $23,275,062 is unrestricted and may be used to meet the government's ongoing obligations to its citizens and creditors.

At the end of the current fiscal year, the City is able to report positive balances in all reported categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities. The same situation held true for the prior fiscal year.

Combined governmental and business-type activities increased the City's net position by $5,281,030 in 2018, before adjustment for adoption of GASB 75. The following table provides a summary of the City's operations for the year ended September 30, 2018. Governmental activities increased the City of Tomball's net position by $2,174,226, before adjustment for adoption of GASB 75. This is the result of increases in sales tax revenues and investment income. These increases are offset by an increase in public works expenses primarily due to a change in management priorities and budget constraints, where the City determined that certain construction projects as previously recorded as construction in progress will not be completed in the foreseeable future. As a result, the City removed these assets from construction in progress in 2018 resulting in $2,185,345 reported in government type activities as public works expense. Business-type activities increased the City's net position by $3,106,804 before adjustment for adoption of GASB 75. This increase was related primarily to additional customers serviced by the system which directly resulted in more system revenues.

Changes in Net Position

	Governmental Activities		Business-type Activities		Total	
	2018	2017	2018	2017	2018	2017
Revenues						
Program revenues:						
Charges for services	$ 4,003,902	$ 4,116,304	$ 12,228,559	$ 10,922,004	$ 16,232,461	$ 15,038,308
Operating grants and contributions	1,012,028	1,420,653	558,148	558,148	1,570,176	1,978,801
General revenues:						
Property taxes	6,519,413	6,007,290	-	-	6,519,413	6,007,290
Sales tax	12,427,660	10,791,147	-	-	12,427,660	10,791,147
Franchise taxes	1,270,927	1,307,171	-	-	1,270,927	1,307,171
Other taxes	711,245	554,839	-	-	711,245	554,839
Investment income	920,613	473,077	154,619	82,792	1,075,232	555,869
Other	376,266	145,114	4,417	11,511	380,683	156,625
Total revenues	27,242,054	24,815,595	12,945,743	11,574,455	40,187,797	36,390,050
Expenses						
General government	5,107,870	5,916,485	2,876,373	1,362,874	7,984,243	7,279,359
Public safety	10,000,655	9,650,665	-	-	10,000,655	9,650,665
Public works	8,912,367	6,952,664	-	-	8,912,367	6,952,664
Community development	431,157	386,153	-	-	431,157	386,153
Water	-	-	3,356,893	3,937,152	3,356,893	3,937,152
Sewer	-	-	1,239,276	2,228,636	1,239,276	2,228,636
Gas	-	-	1,529,924	1,507,955	1,529,924	1,507,955
Interest on long-term debt	1,452,252	1,252,064	-	-	1,452,252	1,252,064
Total expenses	25,904,301	24,158,031	9,002,466	9,036,617	34,906,767	33,194,648

Changes in Net Position (Continued)						
	Governmental Activities		Business-type Activities		Total	
	2018	2017	2018	2017	2018	2017
Increase in Net Position Before Transfers	$ 1,337,753	$ 657,564	$ 3,943,277	$ 2,537,838	$ 5,281,030	$ 3,195,402
Transfers	836,473	5,037,656	(836,473)	(5,037,656)	-	-
Change in Net Position	2,174,226	5,695,220	3,106,804	(2,499,818)	5,281,030	3,195,402
Net Position, Beginning, As Previously Reported	56,077,589	50,382,369	42,004,978	44,504,796	98,082,567	94,887,165
Adjustment for adoption of GASB 75	(1,615,596)	-	(398,668)	-	(2,014,264)	-
Net Position, Beginning, As Restated	54,461,993	50,382,369	41,606,310	44,504,796	96,068,303	94,887,165
Net Position, Ending	$ 56,636,219	$ 56,077,589	$ 44,713,114	$ 42,004,978	$ 101,349,333	$ 98,082,567

Financial Analysis of the Government's Funds

Governmental Funds – The focus of the City's governmental funds is to provide information on near-term inflows, outflows and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the City itself, or a group or individual that has been delegated authority to assign resources for use for particular purposes by the City's Council.

At the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of $54,541,109. Approximately 27 percent of this amount ($14,649,687) is unassigned fund balance and $229,419 is assigned. Additionally, $39,662,003 is non-spendable or restricted as follows:

Non-spendable (.04%):	
Prepaid items	$ 22,244
Restricted (73%):	
Debt service	$ 4,759,479
Construction	33,780,368
Enabling legislation	1,099,912

The general fund is the chief operating fund of the City. At the end of the current fiscal year, unassigned fund balance of the general fund was $14,649,687, while total fund balance was $14,750,551. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total general fund expenditures. Both unassigned and total fund balance represent approximately 74 percent of total general fund expenditures. In the general fund, fund balance increased by $1,689,555. This increase is primarily due to an increase in sales tax revenues and property tax revenues. The charter requires a "reserve" balance of 25 percent of annual expenditures and the general fund currently exceeds that level. Expenditures in all departments were less than final budget.

The debt service fund balance, a major fund, increased by $197,239 primarily from an increase in property tax revenues.

The capital projects fund, a major fund, had a $3,093,057 decrease in fund balance during the current fiscal year due to palnned expenditures on capital projects resulting in an ending fund balance of $33,780,368 as of September 30, 2018.

Proprietary Fund – The City proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail.

Unrestricted net position of the enterprise fund is $9,639,977 and unrestricted net position of the internal service fund is $3,275,697 at September 30, 2018. The net position of the enterprise fund increased $3,062,652, before adjustment for adoption of GASB 75, primarily due to increases in water and gas revenues. Net position of the internal service fund increased $307,496. This was due primarily due to increases in the charges for health benefit services.

General Fund Budgetary Highlights – The City budgeted a net increase in fund balance of the general fund of $444,632 for the year ended September 30, 2018. The actual increase in the general fund ending fund balance for the year ended September 30, 2018, was $1,689,555, a favorable variance of $1,244,923 due an increase in sales tax revenues and all departments having less expenditures than final appropriations.

Capital Assets

The City of Tomball's investment in capital assets (net of accumulated depreciation) for its governmental and business-type activities as of September 30, 2018, is $87,326,296. The investment in capital assets includes land, buildings and improvements, equipment, infrastructure and construction in progress.

Capital Assets

	Governmental Activities		Business-type activities		Total	
	2018	2017	2018	2017	2018	2017
Land	$ 7,255,744	$ 7,255,744	$ 1,897,333	$ 1,868,695	$ 9,153,077	$ 9,124,439
Buildings and improvements	6,759,165	7,026,967	-	-	6,759,165	7,026,967
Gas system	-	-	2,998,347	3,077,257	2,998,347	3,077,257
Water and sewer system	-	-	26,793,537	27,713,158	26,793,537	27,713,158
Equipment	1,163,816	1,114,276	2,408,078	2,388,230	3,571,894	3,502,506
Vehicles	1,071,933	1,117,262	-	-	1,071,933	1,117,262
Infrastructure	26,173,430	27,207,359	-	-	26,173,430	27,207,359
Construction in progress	7,735,161	6,022,850	3,069,752	883,332	10,804,913	6,906,182
Total capital assets	$ 50,159,249	$ 49,744,458	$ 37,167,047	$ 35,930,672	$ 87,326,296	$ 85,675,130

Additional information on the City's capital assets can be found in the notes on Pages 37 through 40 of this report.

Debt Administration

At the end of the current fiscal year, the City had a total bonded debt, equipment finance contract liability and capital lease obligations of $44,936,556.

	Outstanding Debt					
	Governmental Activities		Business-Type Activities		Total	
	2018	2017	2018	2017	2018	2017
General obligations	$ 4,603,250	$ 5,887,500	$ 2,246,750	$ 2,832,500	$ 6,850,000	$ 8,720,000
Certificates of obligation	36,200,000	38,165,000	-	-	36,200,000	38,165,000
Public property finance contract obligations	1,300,000	-	-	-	1,300,000	-
Capital leases	586,556	660,019	-	-	586,556	660,019
Total	$ 42,689,806	$ 44,712,519	$ 2,246,750	$ 2,832,500	$ 44,936,556	$ 47,545,019

The City's debt decreased by $2,608,463 primarily due existing debt retirements partially offset by the issuance of Public Property Finance Contract Obligations.

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

	Standard & Poor's	Moody's
General obligation bonds	AA+	
Certificates of obligation	AA+	Aa3

Additional information on the City's outstanding debt can be found on Pages 41 through 44 of this report.

Economic Factors and Next Year's Budgets and Rates

Tomball continues to experience growth, both within the corporate City limits and the surrounding area. The City's current population is estimated to be 11,707. However, within a three-mile radius it is estimated to be 15,789. Within a five-mile radius, the estimate rises to 77,560.

The City is continuing to focus on economic development initiatives, including the revitalization of the historic downtown area and the continuing development of two major retail developments on the west side of the City. Residential development continues throughout the City with the addition of three additional Planned Improvement Districts (PIDs).

The City's largest source of revenue continues to be sales taxes. During the fiscal year, the City experienced an increase in this resource of 15 percent. This increase has leveled off with no significant increases in the first few months of fiscal year 2019. City management continues to closely monitor sales tax revenues and will budget accordingly to ensure that financial goals and objectives are achieved.

Additional development continues within the City and is expected to continue with the growth that is taking place in the Tomball area. At September 30, 2018, development continues in several of the existing PID developments with construction beginning in the newest PIDs, Copper Cove, Grand Junction and Timber Trails.

The City's largest taxpayer is now HCA which encompasses the medical center in the center of the City. Growth in this area is expected to continue in fiscal year 2019.

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

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

For fiscal year 2019, the City expects continued growth in sales tax revenues and no changes to the existing property tax rates or user fees. A comprehensive rate analysis was nearing completion at year-end. Construction will continue on several capital projects, including the extension of Medical Complex Drive, Section 4B and the M-121 drainage channel.

Contacting the City's Financial Management

This financial report is designed to provide our citizens, customers, investors and creditors with a general overview of the City's finances and to show the City's accountability for the resources it receives. Questions concerning this report or requests for additional financial information should be directed to: Finance Department, 501 James Street, Tomball, Texas, 77375, telephone 281.290.1417, or for general City information, please visit the City's website at http://www.tomballtx.gov.

Basic Financial Statements

City of Tomball, Texas
Statement of Net Position
September 30, 2018

	Primary Government			Component Unit
	Governmental Activities	Business-type Activities	Total	Tomball Economic Development Corporation
Assets				
Cash and cash equivalents	$ 2,393,998	$ 536,952	$ 2,930,950	$ 227,785
Investments	19,558,187	10,144,955	29,703,142	16,020,644
Receivables (net of allowance for uncollectibles, where applicable)	2,882,939	1,767,969	4,650,908	656,389
Due from other government	412,791	-	412,791	-
Due from component unit	82,231	-	82,231	-
Internal balances	(198,638)	198,638	-	-
Inventories	-	96,481	96,481	-
Prepaids	22,244	-	22,244	-
Cash and cash equivalents restricted and investment for:				
Construction	33,409,860	-	33,409,860	-
Debt service	3,203,202	-	3,203,202	-
Deposits	47,475	-	47,475	-
Capital assets:				
Nondepreciable	14,990,905	4,967,085	19,957,990	3,555,655
Depreciable, net	35,168,344	32,199,962	67,368,306	-
Total assets	111,973,538	49,912,042	161,885,580	20,460,473
Deferred Outflows of Resources				
Deferred charge on refunding	156,372	-	156,372	-
OPEB	165,923	37,663	203,586	-
Pensions	1,225,169	285,141	1,510,310	-
Total deferred outflows of resources	1,547,464	322,804	1,870,268	0
Liabilities				
Accounts payable and other accrued liabilities	2,848,645	493,327	3,341,972	26,184
Accrued interest payable	188,042	10,467	198,509	-
Deposits payable	47,475	890,673	938,148	-
Due to primary government	-	-	-	82,231
Noncurrent liabilities:				
Due within one year	4,058,843	665,346	4,724,189	-
Due in more than one year	48,867,775	3,304,299	52,172,074	-
Total liabilities	56,010,780	5,364,112	61,374,892	108,415
Deferred Inflows of Resources				
Pensions	874,003	157,620	1,031,623	0
Net Position				
Net investment in capital assets	38,896,658	34,874,499	73,771,157	3,555,655
Restricted for:				
Debt service	3,203,202	-	3,203,202	-
Enabling legislation	1,099,912	-	1,099,912	-
Unrestricted	13,436,447	9,838,615	23,275,062	16,796,403
Total net position	$ 56,636,219	$ 44,713,114	$ 101,349,333	$ 20,352,058

See Notes to Financial Statements

City of Tomball, Texas

Statement of Activities

Year Ended September 30, 2018

Functions/Programs:		Program Revenues	
Primary Government:	**Expenses**	**Charges for Services**	**Operating Grants and Contributions**
Governmental activities:			
General government	$ 5,107,870	$ -	$ 562,608
Public safety	10,000,655	1,528,423	449,420
Public works	8,912,367	1,961,957	-
Community development	431,157	513,522	-
Interest	1,452,252	-	-
Total governmental activities	25,904,301	4,003,902	1,012,028
Business-type activities:			
Utility administration	2,876,373	1,335,974	558,148
Water	3,356,893	5,347,170	-
Wastewater	1,239,276	2,405,689	-
Gas	1,529,924	3,139,726	-
Total business-type activities	9,002,466	12,228,559	558,148
Total primary government	34,906,767	16,232,461	1,570,176
Component unit:			
Tomball Economic Development Corporation	2,511,926	0	5,500

General revenues:
- Property taxes
- Sales taxes
- Franchise taxes
- Other taxes
- Gain on sale of capital assets
- Other
- Unrestricted investment earnings

Transfers

Total general revenues and transfers

Change in net position

Net position, beginning, as previously reported

Adjustment for adoption of GASB 75

Net position, beginning, as restated

Net position, ending

Net (Expense) Revenue and Changes in Net Position			
Primary Government			Component Unit
Governmental Activities	Business-type Activities	Total	Tomball Economic Development Corporation
$ (4,545,262)	$ -	$ (4,545,262)	$ -
(8,022,812)	-	(8,022,812)	-
(6,950,410)	-	(6,950,410)	-
82,365	-	82,365	-
(1,452,252)	-	(1,452,252)	-
(20,888,371)	0	(20,888,371)	0
-	(982,251)	(982,251)	-
-	1,990,277	1,990,277	-
-	1,166,413	1,166,413	-
-	1,609,802	1,609,802	-
0	3,784,241	3,784,241	0
(20,888,371)	3,784,241	(17,104,130)	0
0	0	0	(2,506,426)
6,519,413	-	6,519,413	-
12,427,660	-	12,427,660	4,135,137
1,270,927	-	1,270,927	-
711,245	-	711,245	-
-	-	-	949,334
376,266	4,417	380,683	-
920,613	154,619	1,075,232	158,949
836,473	(836,473)	-	-
23,062,597	(677,437)	22,385,160	5,243,420
2,174,226	3,106,804	5,281,030	2,736,994
56,077,589	42,004,978	98,082,567	17,615,064
(1,615,596)	(398,668)	(2,014,264)	
54,461,993	41,606,310	96,068,303	17,615,064
$ 56,636,219	$ 44,713,114	$ 101,349,333	$ 20,352,058

City of Tomball, Texas
Balance Sheet – Governmental Funds
September 30, 2018

	General Fund	Debt Service Fund	Capital Projects Fund	Other Governmental Funds	Total Governmental Funds
Assets					
Cash and cash equivalents	$ 157,572	$ 78,814	$ 680,597	$ 226,734	$ 1,143,717
Investments	12,644,546	1,475,866	932,412	1,204,450	16,257,274
Receivables (net of allowance for uncollectibles, where applicable)	2,796,569	1,597	14,403	46,411	2,858,980
Due from other governments	412,791	-	-	-	412,791
Due from component unit	70,778	-	-	-	70,778
Cash and cash equivalents and investments restricted for:					
Construction	-	-	33,409,860	-	33,409,860
Debt service	-	3,203,202	-	-	3,203,202
Deposits	47,475	-	-	-	47,475
Prepaid items	22,244	-	-	-	22,244
Total assets	$ 16,151,975	$ 4,759,479	$ 35,037,272	$ 1,477,595	$ 57,426,321
Liabilities					
Accounts payable	$ 969,912	$ -	$ 1,256,904	$ 219,504	$ 2,446,320
Accrued liabilities	384,037	-	-	7,380	391,417
Deposits payable	47,475	-	-	-	47,475
Total liabilities	1,401,424	0	1,256,904	226,884	2,885,212
Fund Balances					
Nonspendable, prepaid items	22,244	-	-	-	22,244
Restricted:					
Debt service	-	4,759,479	-	-	4,759,479
Construction	-	-	33,780,368	-	33,780,368
Enabling legislation	-	-	-	1,099,912	1,099,912
Assigned:					
Encumbrances	78,620	-	-	-	78,620
Special revenue funds	-	-	-	150,799	150,799
Unassigned	14,649,687	-	-	-	14,649,687
Total fund balances	14,750,551	4,759,479	33,780,368	1,250,711	54,541,109
Total liabilities and fund balances	$ 16,151,975	$ 4,759,479	$ 35,037,272	$ 1,477,595	$ 57,426,321

City of Tomball, Texas

Reconciliation of the Balance Sheet – Governmental Funds to the Government-wide Statement of Net Position

September 30, 2018

Total fund balances - governmental funds			$ 54,541,109
Amounts reported for the governmental activities in the statement of net position are different because:			
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.			49,141,945
Deferred loss on issuance of refunding bonds is not recorded in the fund financial statements but is recorded as a deferred outflow of resources on the statement of net position.			156,372
The other post employment benefit liability and related deferred outflows and inflows of resources do not require current financial resources and, therefore, are not reported in the governmental funds balance sheet.			
	Total OPEB liability	$ (2,801,916)	
	Deferred outflows, OPEB	165,923	(2,635,993)
The net pension liability and related deferred outflows and inflows of resources do not require current financial resources and, therefore, are not reported in the governmental funds balance sheet.			
	Net pension liability	(4,331,082)	
	Deferred outflows, pensions	1,225,169	
	Deferred inflows, pensions	(874,003)	(3,979,916)
Interest payable on long-term debt does not require current financial resources; therefore, interest payable is not reported as a liability in the governmental funds balance sheet.			(188,042)
Internal service funds are used by management to charge the cost of certain activities, such as fleet management, to individual funds. A portion of the assets and liabilities of the internal service funds are included in the governmental activities in the statement of net position.			4,094,364
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the fund financial statements.			
	Bonds payable	(40,803,250)	
	Capital lease payable	(586,556)	
	Landfill post closure costs	(435,500)	
	Compensated absences payable	(1,565,276)	
	Premiums received on issuance of bonds	(1,103,038)	(44,493,620)
Net position of governmental activities			$ 56,636,219

City of Tomball, Texas

Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds

Year Ended September 30, 2018

	General Fund	Debt Service Fund	Capital Projects Fund	Other Governmental Funds	Total Governmental Funds
Revenues					
Property tax	$ 2,144,861	$ 4,374,552	$ -	$ -	$ 6,519,413
Sales tax	12,427,660	-	-	-	12,427,660
Franchise and other taxes	1,270,927	-	-	637,485	1,908,412
Licenses and permits	532,615	-	-	-	532,615
Fines and forfeitures	414,204	-	-	250,373	664,577
Charges for services	1,844,191	-	-	-	1,844,191
Intergovernmental	453,416	-	-	-	453,416
Contributions from component unit	25,000	533,612	-	-	558,612
Investment earnings	194,303	68,449	636,328	21,536	920,616
Other	1,348,513	-	10,400	53,745	1,412,658
Total revenues	20,655,690	4,976,613	646,728	963,139	27,242,170
Expenditures					
Current:					
General government	5,327,612	-	-	65,401	5,393,013
Public safety	9,189,505	-	-	110,154	9,299,659
Public works	4,125,511	-	-	-	4,125,511
Parks and recreation	623,090	-	-	14,852	637,942
Tourism and arts	-	-	-	648,305	648,305
Community development	431,157	-	-	-	431,157
Debt service:					
Principal	-	3,322,713	-	-	3,322,713
Interest	-	1,443,281	-	-	1,443,281
Bond issuance costs	-	13,380	-	-	13,380
Capital outlay	143,426	-	3,992,092	-	4,135,518
Total expenditures	19,840,301	4,779,374	3,992,092	838,712	29,450,479
Excess (Deficiency) of Revenues Over Expenditures	815,389	197,239	(3,345,364)	124,427	(2,208,309)
Other Financing Sources (Uses)					
Transfers in	2,384,166	-	1,800,000	20,000	4,204,166
Transfers out	(1,510,000)	-	(1,547,693)	(310,000)	(3,367,693)
Total other financing sources (uses)	874,166	0	252,307	(290,000)	836,473
Net Change in Fund Balances	1,689,555	197,239	(3,093,057)	(165,573)	(1,371,836)
Fund Balances, Beginning of Year	13,060,996	4,562,240	36,873,425	1,416,284	55,912,945
Fund Balances, End of Year	$ 14,750,551	$ 4,759,479	$ 33,780,368	$ 1,250,711	$ 54,541,109

City of Tomball, Texas

Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds to the Government-wide Statement of Activities

Year Ended September 30, 2018

Net change in fund balances – total governmental funds			$	(1,371,836)
Amounts reported for governmental activities in the statement of activities are different because:				
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays of $4,040,981 exceeded depreciation expense of $1,522,237 and write off of construction in progress of $2,185,345 in the current period.				333,398
The issuance of long-term debt (*e.g.,* bonds, capital leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of bond premiums, discounts and similar items when debt is first issued, whereas the amounts are deferred and amortized in the statement of activities. The effect of these differences in the treatment of long-term debt and related items was:				
Repayment of long-term debt	$	3,322,713		
Amortization of premiums on bonds payable		85,873		
Amortization of deferred loss on refunding		(58,891)		3,349,695
Current year changes in other long-term liabilities do not require the use of current financial resources; therefore, are not reported as expenditures in governmental funds. The effect of these differences in the treatment of other long-term liabilities was:				
Compensated absences		43,307		
Landfill post-closure costs		(33,000)		10,307
Current year changes in accrued interest payable do not require the use of current financial resources; therefore, are not reported as an expenditure in the governmental funds.				(35,954)
The net change in the OPEB-related deferred outflows of resources and total OPEB liability do not require the use of current financial resources; therefore, are not reported as expenditures in the governmental funds.				(146,342)
The net change in the pension-related deferred outflows and inflows of resources and net pension liability do not require the use of current financial resources; therefore, are not reported as expenditures in the governmental funds.				(228,386)
An internal service fund is used by management to charge the cost of certain activities, such as fleet management, to individual funds. A portion of the change in net position of the internal service funds is included in governmental activities in the statement of activities.				263,344
Change in net position of governmental activities			$	2,174,226

City of Tomball, Texas

Statement of Net Position – Proprietary Funds

September 30, 2018

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Current Assets		
Cash and cash equivalents	$ 536,952	$ 1,250,281
Investments	10,144,955	3,300,913
Receivables (net of allowance for uncollectibles, where applicable)	1,767,969	-
Due from other government	-	23,958
Due from component unit	-	11,453
Inventories	96,481	-
Total current assets	12,546,357	4,586,605
Noncurrent Assets		
Nondepreciable	4,967,085	-
Depreciable, net	32,199,962	1,017,304
Net capital assets	37,167,047	1,017,304
Total assets	49,713,404	5,603,909
Deferred Outflows of Resources		
OPEB	37,663	-
Pensions	285,141	-
Total deferred outflows of resources	322,804	0
Current Liabilities		
Accounts payable	425,017	10,908
Accrued liabilities	68,310	-
Deposits payable	890,673	-
Bonds payable, current	574,750	-
Total OPEB liability, current	20,593	-
Compensated absences, current	70,003	-
Accrued interest payable	10,467	-
Total current liabilities	2,059,813	10,908

City of Tomball, Texas
Statement of Net Position – Proprietary Funds (Continued)
September 30, 2018

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Noncurrent Liabilities		
Bonds payable, net of premium	$ 1,707,331	$ -
Public property finance contract obligation	-	1,300,000
Total OPEB liability	615,424	-
Net pension liability	771,534	-
Compensated absences	210,010	-
Total noncurrent liabilities	3,304,299	1,300,000
Total liabilities	5,364,112	1,310,908
Deferred Inflows of Resources		
Pensions	157,620	0
Net Position		
Net investment in capital assets	34,874,499	1,017,304
Unrestricted	9,639,977	3,275,697
Total net position	44,514,476	$ 4,293,001
Adjustment to reflect the consolidation of internal services fund activities related to enterprise funds	198,638	
Net Position of Business-type Activities	$ 44,713,114	

City of Tomball, Texas

Statement of Revenues, Expenses and Changes in Net Position – Proprietary Funds

Year Ended September 30, 2018

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Operating Revenues		
Charges for sales and services:		
Water sales	$ 5,472,008	$ -
Sewer sales	2,482,619	-
Gas sales	3,247,131	-
Other	-	3,238,642
Capital recovery fees	832,363	-
Miscellaneous	194,438	-
Total operating revenues	12,228,559	3,238,642
Operating Expenses		
Costs of sales and services	7,492,441	2,617,305
Depreciation	1,474,519	380,232
Total operating expenses	8,966,960	2,997,537
Operating Income	3,261,599	241,105
Nonoperating Revenues (Expenses)		
Investment earnings	154,619	46,516
Interest expense	(79,658)	-
Gain on disposal of property	4,417	19,875
Contributions from component unit	558,148	-
Net nonoperating revenues	637,526	66,391
Income Before Transfers	3,899,125	307,496
Transfers in	1,547,693	-
Transfers out	(2,384,166)	-
Change in Net Position	3,062,652	307,496
Net Position, Beginning, As Previously Reported	41,850,492	3,985,505
Adjustment for adoption of GASB 75	(398,668)	-
Net Position, Beginning, As Restated	41,451,824	3,985,505
Net Position, Ending	$ 44,514,476	$ 4,293,001

Reconciliation to government-wide statement of activities:	
Change in net position	$ 3,062,652
Adjustment for the net effect of the current year activity between the internal service funds and the enterprise funds	44,152
Change in net position of business-type activities	$ 3,106,804

City of Tomball, Texas

Statement of Cash Flows – Proprietary Funds

Year Ended September 30, 2018

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Cash Flows from Operating Activities		
Receipts from customers	$ 11,728,740	$ 76,139
Receipts from interfund charges for fleet management services	-	409,500
Receipts from interfund charges for health benefits services	-	2,736,910
Payments to employees for salaries and benefits	(1,493,894)	-
Payments to suppliers and service providers	(5,621,493)	(2,612,043)
Net cash provided by operating activities	4,613,353	610,506
Cash Flows from Noncapital Financing Activity		
Transfers to other funds	(2,384,166)	-
Net cash used in noncapital financing activity	(2,384,166)	0
Cash Flows from Capital and Related Financing Activities		
Acquisition and construction of capital assets	(2,706,477)	(461,527)
Transfers in from other funds	1,547,693	-
Proceeds from public property finance contract	-	1,300,000
Proceeds from sale of capital assets	-	19,875
Payment from component unit for principal payment on debt	558,148	-
Principal paid on capital debt	(597,526)	-
Interest paid on capital debt	(81,903)	-
Net cash provided by (used in) capital and related financing activities	(1,280,065)	858,348
Cash Flows from Investing Activities		
Interest on investments	154,619	46,516
Investment purchases	(1,268,983)	(411,603)
Net cash used in investing activities	(1,114,364)	(365,087)
Increase (Decrease) in Cash and Cash Equivalents	(165,242)	1,103,767
Cash and Cash Equivalents, Beginning of Year	702,194	146,514
Cash and Cash Equivalents, End of Year	$ 536,952	$ 1,250,281

See Notes to Financial Statements

City of Tomball, Texas
Statement of Cash Flows – Proprietary Funds (Continued)
Year Ended September 30, 2018

	Business-type Activities	Governmental Activities
	Enterprise Fund	Internal Service Fund
Reconciliation of Operating Income to Net Cash Provided By Operating Activities		
Operating income	$ 3,261,599	$ 241,105
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation	1,474,519	380,232
Changes in:		
Receivables, net	(141,092)	(16,093)
Accounts payable and accrued liabilities	(57,860)	5,262
Deposits payable	39,941	-
Compensated absences	4,673	-
Total OPEB liability	70,883	-
Net pension liability	(295,286)	-
OPEB deferred outflows	(37,663)	-
Pension deferred outflows	154,410	-
Pension deferred inflows	139,229	-
Net cash provided by operating activities	$ 4,613,353	$ 610,506

City of Tomball, Texas
Notes to Basic Financial Statements
September 30, 2018

Note 1: Nature of Operations and Summary of Significant Accounting Policies

Financial Reporting Entity

The City of Tomball, Texas (the City) was incorporated on July 18, 1933. The City has operated under a "Home Rule Charter," which provides for a Council-City Manager form of government, since 1987. The City Council is the principal legislative body of the City.

The City Manager is appointed by a majority vote of the City Council and is responsible to the Council for the administration of all the affairs of the City. The City Manager is responsible for the appointment and removal of department directors and employees, supervision and control of all City departments, and preparation of the annual budget.

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

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

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

Discretely Presented Component Unit

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

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

Blended Component Units

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

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

Government-wide and Fund Financial Statements

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

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

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

Governmental Funds

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

General Fund

The general fund is used to account for and report all financial resources not accounted for and reported in another fund. The principal sources of revenues include local property taxes, sales and franchise taxes, licenses and permits, fines and forfeitures, and charges for services. Expenditures include general government, public safety, public works, parks and recreation, and community development.

Special Revenue Funds

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

Debt Service Fund

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

Capital Projects Fund

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

Proprietary Funds

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

Enterprise Fund

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

Internal Service Funds

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

Measurement Focus and Basis of Accounting

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

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

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

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

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

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

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

Deposits and Investments

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

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

The City has adopted a written investment policy regarding the investment of its funds as defined in the *Public Funds Investment Act*, Chapter 2256, Texas Governmental Code.

In summary, the City is authorized to invest in the following:

1. Obligations of the United States or its agencies and instrumentalities;

2. Direct obligations of the State of Texas or its agencies and instrumentalities;

3. Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;

4. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities;

5. Obligations of states, agencies, counties, cities and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than "A" or its equivalent;

6. Certificates of deposit, repurchase agreements and commercial paper that meet certain criteria; and

7. An eligible investment pool authorized by the governing body.

Property Taxes

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

Receivables

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

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

Inventory and Prepaid Items

Inventories include stock and parts that are on hand and will be utilized in conducting business within the next year. Inventories are accounted for using the consumption method (an expense is recorded when the inventory item is used). Certain payments to vendors reflect costs applicable to future accounting periods (prepaid expenditures), and are recognized as expenditures when utilized.

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure (*e.g.*, roads, bridges, sidewalks and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements and in the proprietary fund financial statement. Capital assets are defined by the government as assets with an initial, individual cost of more than $5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. Major outlays for capital assets and improvements are capitalized as projects are constructed.

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

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

Buildings and improvements	20-50 years
Machinery and equipment	3-10 years
Vehicles	4-7 years
Water, sewer and gas system	20-30 years
Infrastructure	40-50 years

Compensated Employee Absences

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

Long-term Obligations

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

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

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

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

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

Landfill Post-closure Care Costs

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

Pensions

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

Defined Benefit Other Postemployment Benefit Plans

The City has two single-employer defined benefit other postemployment benefit (OPEB) plans (Plans). For purposes of measuring the total OPEB liability of each OPEB plan, deferred outflows of resources and deferred inflows of resources related to each OPEB plan, and OPEB expense have been determined on the same basis as they are reported by the Plans. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms for the Plans. Allocations of OPEB items to the City's enterprise fund is determined on the basis of full-time employee counts by department.

Deferred Inflows and Outflows of Resources

The City presents deferred outflows and inflows of resources in accordance with GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position* and GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities* (GASB 65), which establish accounting and financial reporting standards that reclassify, as deferred outflows and inflows of resources, certain items that were previously reported as assets and liabilities. Deferred inflows of resources represent an acquisition of resources that applies to a future reporting period and, therefore, will not be recognized as an inflow of resources (revenue or reduction of expense) until that time. Deferred outflows of resources represent a consumption of resources that applies to a future reporting period and, therefore, will not be recognized as an outflow of resources (expense/expenditure or reduction of liability) until that time. The City has the following items that qualify for reporting in these categories.

Government-wide

- Deferred charges on refundings – A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.
- Pension contributions after measurement date – These contributions are deferred and reported as a reduction in net pension liability in the year subsequent to their deferral.
- OPEB benefit and premium payments after measurement date – These benefit payments are deferred and reported as a reduction in total OPEB liability in the year subsequent to their deferral.
- Difference between projected and actual earnings on pension plan investments – This difference is deferred and amortized to pension expense over a closed five-year period.
- Difference in expected and actual experience (Pension) – This difference is deferred and recognized over the estimated average remaining lives of all members determined as of the beginning of the measurement period.

- Change of assumptions (Pension and OPEB) – This difference is deferred and recognized over the estimated average remaining lives of all members determined as of the beginning of the measurement period.

Fund Equity

Government-wide and Proprietary Fund Net Position

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

Net Investment in Capital Assets – This component of net position consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction or improvement of those assets, and adding back unspent proceeds.

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

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

Governmental Funds Fund Balance

Fund balances of governmental funds are classified as follows:

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

Restricted Fund Balance – Represents amounts that are constrained by external parties, constitutional provisions or by enabling legislation.

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

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

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

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

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

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

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

Assigned fund balance in the general fund as of September 30, 2018, reflects fund balance assigned for encumbrances outstanding at the end of the year.

Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

Change in Accounting Principles

GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*

- This Statement replaces the requirements of GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Oher Than Pensions*. Implementation resulted in a restatement of beginning net position as of October 1, 2017, reclassification of amounts previously expensed as salaries and benefits to deferred outflows of resources and recognition of the total OPEB liabilities as of October 1, 2017. The City has implemented this Statement in fiscal year 2018 and, accordingly, has restated beginning net position within the government-wide financial statements as of October 1, 2017, of ($1,615,596) related to Governmental Activities, and ($398,668) related to Business-type Activities. Additionally, in the funds statements, beginning net position as of October 1, 2017, of the proprietary funds was restated by $(398,668).

GASB Statement No. 89, *Accounting for Interest Costs Incurred before the End of a Construction Period*

- This Statement supersedes the requirements of paragraphs 5-22 of GASB Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*, and requires interest costs incurred before the end of a construction period to be recognized as expense in the period incurred under the economic resources measurement focus. Adoption of GASB 89 had no effect on the City's financial statements.

Future Adoption of Accounting Pronouncements

The GASB has issued the following potentially significant statements which the City has not yet adopted and which require adoption subsequent to September 30, 2018.

Statement No.		Adoption Required
83	*Certain Asset Retirement Obligations*	September 30, 2019
84	*Fiduciary Activities*	September 30, 2020
87	*Leases*	September 30, 2021
88	*Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*	September 30, 2019
90	*Majority Equity Interests – an amendment of GASB Statements No. 14 and No. 61*	September 30, 2020

Note 2: Stewardship, Compliance and Accountability

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

Note 3: Deposits and Investments

Cash and cash equivalents and investments as of September 30, 2018, are classified in the accompanying financial statements as follows:

Governmental activities	$	58,612,722
Business-type activities		10,681,907
Component unit		16,248,429
Total	$	85,543,058

Cash and cash equivalents and investments as of September 30, 2018, consist of the following:

		City		Component Unit		Total
Cash and cash equivalents with financial institutions (carrying value)	$	2,978,425	$	227,785	$	3,206,210
Investments		66,316,204		16,020,644		82,336,848
Total	$	69,294,629	$	16,248,429	$	85,543,058

Disclosures About Fair Value of Assets and Liabilities

Fair value is the price that would be received to sell an asset, or paid to transfer a liability, in an orderly transaction between market participants at the measurement date. Fair value measurements must maximize the use of observable inputs and minimize the use of unobservable inputs. There is a hierarchy of three levels of inputs that may be used to measure fair value:

Level 1 Quoted prices in active markets for identical assets or liabilities.

Level 2 Observable inputs other than Level 1 prices, such as quoted prices for similar assets or liabilities; quoted prices in markets that are not active; or other inputs that are observable or can be corroborated by observable market data for substantially the full term of the assets or liabilities.

Level 3 Unobservable inputs supported by little or no market activity and are significant to the fair value of the assets or liabilities.

The following table presents the fair value measurements of assets recognized in the accompanying financial statements measured at fair value on a recurring basis and the level within the fair value hierarchy in which the fair value measurements fall at September 30, 2018:

		Fair Value Measurements Using		
	Fair Value	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Investments by fair value level:				
Municipal bonds	$ 9,410,396	$ -	$ 9,410,396	$ -
U.S. agencies	3,981,958	-	3,981,958	-
Total investments by fair value level	13,392,354	$ 0	$ 13,392,354	$ 0
Investments measured at amortized cost:				
TexPool	34,859,310			
TexPool Prime	25,633,770			
Investments measured at net asset value:				
Texas CLASS	8,451,414			
	68,944,494			
Total investments	$ 82,336,848			

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

Investment Pools

The City is a voluntary participant in TexPool. The State Comptroller of Public Accounts exercises responsibility over TexPool. Oversight includes the ability to significantly influence operations, designation of management and accountability for fiscal matters. The State Comptroller has established an advisory board composed of both participants in TexPool and others not otherwise associated. TexPool uses amortized cost rather than the market value to report net position to compute share prices.

The City is invested in Texas Cooperative Liquid Assets Securities System (Texas CLASS) Trust. Texas CLASS was created as an investment pool for its participants pursuant to Section 2256.016 of the *Public Funds Investment Act*, Texas Government Code, or other laws of the State of Texas governing the investment of funds of a participant or funds under its control. Texas CLASS is administered by Public Trust Advisors, LLC with Wells Fargo Bank Texas, N.A., as the custodian and is supervised by a Board of Trustees who are elected by the participants. The fair value of the position of Texas Class is measured at net asset value and is designed to approximate the share value.

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

Custodial Credit Risk

In the case of deposits, this is the risk that in the event of a bank failure, the City's deposits may not be returned. State statutes require that all deposits in financial institutions be fully collateralized by U.S. Government obligations or its agencies and instrumentalities or direct obligations of Texas or its agencies and instrumentalities that have a fair value of not less than the principal amount of deposits. As of September 30, 2018, all of the City's deposits with financial institutions were fully collateralized with securities held by the pledging financial institution in the City's name and the Component Unit's deposits were fully insured by the Federal Deposit Insurance Corporation.

Interest Rate Risk

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

The weighted average maturity of the City and component unit investment portfolios as of September 30, 2018, is shown below:

	Weighted Average	
	City	Component Unit
Fixed income:		
Municipal bonds	32	22
U.S. agencies	17	19
Investment pools:		
TexPool	28	28
TexPool Prime	37	37
Texas CLASS	22	22

Concentration of Credit Risk

The City's investment policy recognizes invested funds shall be diversified to minimize risk resulting from over-concentration of assets in a specific maturity, specific market sector or specific instruments.

Credit Risk

The City's investment policy limits investments in external investment pools to pools rated as to investment quality not less than "AAA" or "AAAm" or at an equivalent rating by at least one nationally recognized rating service. Obligations of states, agencies, counties, cities and other political subdivisions of any state must be rated as to investment quality by a nationally recognized investment rating firm not less than "A" or its equivalent. The City's investments as of September 30, 2018, were rated as follows:

Investment Type	Rating	Rating Agency
Municipal Bonds	A+ to AAA	Standard & Poor's
	Aa3 to AAA	Moody's Investors Service
	AAA	Fitch ratings
U.S. Agencies	AA+ or Not Rated	Standard & Poor's
TexPool	AAAm	Standard & Poor's
TexPool Prime	AAAm	Standard & Poor's
Texas CLASS	AAAm	Standard & Poor's

Note 4: Receivables

The following comprise receivable balances at year-end:

	General Fund	Debt Service Fund	Capital Projects Fund	Other Governmental Funds	Enterprise Fund
Property taxes	$ 90,908	$ 163,225	$ -	$ -	$ -
Sales taxes	1,969,167	-	-	-	-
Franchise and other taxes	119,973	-	-	3,400	-
Customer accounts	430,515	-	-	-	2,025,261
Other	369,827	1,597	14,403.00	43,011	105
Gross receivable	2,980,390	164,822	14,403	46,411	2,025,366
Less allowance for uncollectible accounts	(183,821)	(163,225)	-	-	(257,397)
Net receivable	$ 2,796,569	$ 1,597	$ 14,403	$ 46,411	$ 1,767,969

Note 5: Capital Assets

Changes in capital assets for governmental activities for the year ended September 30, 2018, are summarized as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated:				
Land	$ 7,255,744	$ -	$ -	$ 7,255,744
Construction in progress	6,022,850	3,897,656	2,185,345	7,735,161
Total capital assets, not being depreciated	13,278,594	3,897,656	2,185,345	14,990,905
Capital assets, being depreciated:				
Buildings and improvements	11,252,775	-	-	11,252,775
Machinery and equipment	6,698,124	246,777	500,147	6,444,754
Vehicles	5,222,187	307,412	108,315	5,421,284
Infrastructure	36,978,439	50,760	-	37,029,199
Total capital assets, being depreciated	60,151,525	604,949	608,462	60,148,012
Less accumulated depreciation:				
Buildings and improvements	(4,225,808)	(267,802)	-	(4,493,610)
Machinery and equipment	(5,583,848)	(197,237)	(500,147)	(5,280,938)
Vehicles	(4,104,925)	(352,741)	(108,315)	(4,349,351)
Infrastructure	(9,771,080)	(1,084,689)	-	(10,855,769)
Total accumulated depreciation	(23,685,661)	(1,902,469)	(608,462)	(24,979,668)
Total capital assets, net	36,465,864	(1,297,520)	0	35,168,344
Governmental activities capital assets, net	$ 49,744,458	$ 2,600,136	$ 2,185,345	$ 50,159,249

Changes in capital assets for business-type activities for the year ended September 30, 2018, are summarized as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated:				
Land	$ 1,868,695	$ 28,638	$ -	$ 1,897,333
Construction in progress	883,332	2,186,420	-	3,069,752
Total capital assets, not being depreciated	2,752,027	2,215,058	0	4,967,085
Capital assets, being depreciated:				
Gas system	6,219,284	69,817	-	6,289,101
Water and sewer system	48,972,407	289,249	-	49,261,656
Machinery and equipment	4,463,625	136,770	-	4,600,395
Total capital assets, being depreciated	59,655,316	495,836	0	60,151,152
Less accumulated depreciation:				
Gas system	(3,142,027)	(148,727)	-	(3,290,754)
Water and sewer system	(21,259,249)	(1,208,870)	-	(22,468,119)
Machinery and equipment	(2,075,395)	(116,922)	-	(2,192,317)
Total accumulated depreciation	(26,476,671)	(1,474,519)	0	(27,951,190)
Total capital assets, net	33,178,645	(978,683)	0	32,199,962
Business-type activities, net	$ 35,930,672	$ 1,236,375	$ 0	$ 37,167,047

Depreciation was charged to governmental and business-type activities as follows:

Governmental activities:		
Public safety	$	436,123
Public works		1,086,114
Internal service fund		380,232
Total depreciation expense		1,902,469
Business-type activities:		
Water and wastewater		1,325,792
Gas		148,727
Total depreciation expense		1,474,519
Total depreciation expense, primary government	$	3,376,988

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

Project Description		Project Authorization		Expended Through September 30, 2018		Remaining Commitment
Governmental activities:						
Tomball Business Park	$	106,848	$	140,602	$	(33,754)
M121 Final Phase		6,920,936		4,608,501		2,312,435
Rudolph Road and utilities		211,135		166,970		44,165
Downtown sidewalks		96,456		96,456		-
Broussard Park		1,393,971		929,074		464,897
Wayne Stovall Sports Complex						416,672
Improvement		446,909		30,237		
Medical Complex Segment 4B		3,469,886		980,683		2,489,203
Public Works Parking Lot		38,894		31,068		7,826
Sidewalks (Quinn/ Holderrieth)		220,478		419,158		(198,680)
Sherwood Forest Drainage		331,762		332,412		(650)
Total governmental activities		13,237,275		7,735,161		5,502,114
Business-type activities:						
Rudolph Road		179,856		161,951		17,905
Wastewater Master Plan		192,587		192,587		-
Critical Needs Assessment		4,268,201		2,418,100		1,850,101
East Side Water Loop Line		621,805		221,316		400,489
Water Modeling		75,798		75,798		-
Total business-type activities		5,338,247		3,069,752		2,268,495
Grand total projects	$	18,575,522	$	10,804,913	$	7,770,609

Due to a change in management priorities and budget constraints, the City determined that certain construction projects previously recorded as construction in progress will not be completed in the foreseeable future. As a result, the City removed these assets from construction in progress in 2018 resulting in $2,185,345 reported in government type activities as public works expense.

Changes in capital assets for the component unit for the year ended September 30, 2018, are summarized as follows:

Component Unit	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated:				
Land	$ 1,684,114	$ -	$ 154,239	$ 1,529,875
Construction in process	1,984,808	40,972	-	2,025,780
Total capital assets, not being depreciated	$ 3,668,922	$ 40,972	$ 154,239	$ 3,555,655

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

Project Description	Project Authorization	Expended Through September 30, 2018	Remaining Commitment
Tomball Business Park and Technology Park	$ 2,044,687	$ 2,025,780	$ 18,907

Note 6: Long-term Liabilities

The following is a summary of changes in the City's total governmental and business-type long-term liabilities for the year ended September 30, 2018. In general, the City uses the general and debt service funds to liquidate governmental long-term liabilities and enterprise funds to liquidate business-type long-term liabilities.

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

	Beginning Balance (Restated)	Increases	Decreases	Ending Balance	Amounts Due in One Year
Governmental Activities					
Certificates of obligation and bonds payable	$ 44,052,500	$ -	$ 3,249,250	$ 40,803,250	$ 2,990,250
Unamortized discount/premium	1,188,911	-	85,873	1,103,038	-
	45,241,411	0	3,335,123	41,906,288	2,990,250
Capital lease obligation	660,019	-	73,463	586,556	586,556
Public property finance contractual obligation	-	1,300,000	-	1,300,000	-
Total OPEB liability	2,519,567	282,349	-	2,801,916	90,718
Net pension liability	5,707,343	3,481,068	4,857,329	4,331,082	-
Compensated absences	1,608,583	684,872	728,179	1,565,276	391,319
Landfill postclosure costs	402,500	33,000	-	435,500	-
Total governmental activities long-term liabilities	$ 56,139,423	$ 5,781,289	$ 8,994,094	$ 52,926,618	$ 4,058,843
Business-type Activities					
Bonds payable	$ 2,832,500	$ -	$ 585,750	2,246,750	$ 574,750
Unamortized discount/premium	47,107	-	11,776	35,331	-
	2,879,607	0	597,526	2,282,081	574,750
Total OPEB liability	571,926	64,091	-	636,017	20,593
Net pension liability	1,066,820	-	295,286	771,534	-
Compensated absences	275,341	151,770	147,098	280,013	70,003
Total business-type activities long-term liabilities	$ 4,793,694	$ 215,861	$ 1,039,910	3,969,645	$ 665,346

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

Certificates of Obligation and General Obligation Bonds

	Interest Rates	Final Maturity	Original Issue	Governmental Activities	Business-type Activities
Certificates of obligation:					
Series 2012	3-4.25%	2032	$ 14,500,000	$ 10,950,000	$ -
Series 2013	2-3%	2033	8,500,000	6,785,000	-
Series 2016	3-5%	2037	20,240,000	18,465,000	-
				36,200,000	0
General obligation bonds:					
Series 2011	2-4%	2022	8,650,000	1,838,250	2,246,750
Series 2013	1-1.65%	2023	6,370,000	2,765,000	-
				4,603,250	2,246,750
Total bonds and certificates of obligation				$ 40,803,250	$ 2,246,750

Annual debt service requirements to maturity for certificates of obligation and general obligation bonds at year-end were as follows:

	Governmental Activities		Business-type Activities	
Fiscal Year	Principal	Interest	Principal	Interest
2019	$ 2,990,250	$ 1,332,831	$ 574,750	$ 92,909
2020	3,016,250	1,239,564	563,750	75,501
2021	3,046,750	1,147,348	558,250	55,605
2022	3,080,000	1,048,748	550,000	33,165
2023	2,680,000	952,673	-	11,000
2024-2028	11,025,000	3,529,000	-	-
2029-2033	11,085,000	1,589,563	-	-
2034-2037	3,880,000	278,875	-	-
	$ 40,803,250	$ 11,118,602	$ 2,246,750	$ 268,180

Public Property Finance Contractual Obligation

The City issued Public Property Finance Obligations to finance acquisition of equipment for the Fire Department as described below:

Governmental Activities

$1,300,000 Public Property Finance Act Contract, payable in annual installments of $130,000, including principal and interest, through November 1, 2028, interest at 3.65 percent through November 1, 2023, and at a fixed rate equal to the Wall Street Journal Prime Rate minus 1.35 percent per annum from November 1, 2023 through 2028.

	Governmental Activities	
Fiscal Year	Principal	Interest
2019	$ -	$ 4,086
2020	130,000	47,450
2021	130,000	42,705
2022	130,000	37,960
2023	130,000	33,215
2024-2028	650,000	94,900
2029	130,000	4,745
	$ 1,300,000	$ 265,061

Federal Arbitrage

The *Tax Reform Act of 1986* instituted certain arbitrage restrictions consisting of complex regulations with respect to issuance of tax-exempt bonds after August 31, 1986. Arbitrage regulations deal with the investment of tax-exempt bond proceeds at an interest yield greater than the interest yield paid to bondholders. Generally, all interest paid to bondholders can be retroactively rendered taxable if applicable rebates are not reported and paid to the Internal Revenue Service at least every five years for applicable bond issues. Accordingly, there is the risk that if such calculations are not performed or are not performed correctly, a substantial liability to the City could result. The City periodically engages an arbitrage consultant to perform the calculations in accordance with the Internal Revenue Service's rules and regulations. The City owed no arbitrage liability as of September 30, 2018.

Obligations under Capital Leases

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

	Governmental Activities
Asset:	
Machinery and equipment	$ 713,570
Less accumulated depreciation	(190,285)
Total	$ 523,285

The City paid the entire balance of principal and interest owed under the capital lease of $621,174 in October 2018.

Note 7: Commitments and Contingencies

Risk Management

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

Contingent Liabilities

The City is a party to various legal actions. Although the outcome is not presently determinable, it is the opinion of the City's management that resolution of these matters will not have a material adverse effect on the financial condition of the City. Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated.

Note 8: Interfund Transfers

Interfund transfers in and transfers out for the year ended September 30, 2018, are as follows:

	Transfers Out				
	Governmental Funds			Proprietary Funds	
Transfers In	General Fund	Capital Projects Fund	Other Governmental Funds	Enterprise Fund	Total
General fund	$ -	$ -	$ -	$ 2,384,166	$ 2,384,166
Capital projects fund	1,490,000	-	310,000	-	1,800,000
Other governmental funds	20,000	-	-	-	20,000
Enterprise Fund	-	1,547,693	-	-	1,547,693
	$ 1,510,000	$ 1,547,693	$ 310,000	$ 2,384,166	$ 5,751,859

Transfers are primarily used to move funds from:

- The general fund to the capital projects fund to fund projects.
- The general fund to other governmental to fund projects.
- Other governmental funds to the capital projects fund to fund projects.
- The capital projects fund to the enterprise fund to fund projects.
- The enterprise fund to the general fund to fund indirect costs for administrative expenses.

Note 9: Pension Plan

Plan Description

The City participates as one of 883 plans in the nontraditional, joint contributory, hybrid agent multiple-employer defined benefit pension plan administered by the TMRS. TMRS is an agency created by the State of Texas and administered in accordance with the *TMRS Act*, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the system with a six-member Board of Trustees. Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not fiscally dependent on the State of Texas. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401(a) of the Internal Revenue Code. TMRS issues a publicly available comprehensive annual financial report (CAFR) that can be obtained at www.tmrs.com.

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

Benefits Provided

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

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

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

	Plan Year 2017	Plan Year 2018
Employee deposit rate	7.00%	7.00%
Matching ratio (city to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service requirement eligibility (expressed as age/years of service)	60/5, 0/20	60/5, 0/20
Updated service credit	100% Repeating, Transfers	100% Repeating, Transfers
Annuity increase (to retirees)	70% of CPI Repeating	70% of CPI Repeating

Employees Covered by Benefit Terms

At the December 31, 2017, valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiariescurrently receiving benefits	78
Inactive employees entitled to but not yet receiving benefits	68
Active employees	166
Total	312

Contributions

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

Employees for the City were required to contribute 7 percent of their annual gross earnings during the fiscal year. The contribution rates for the City were 13.59 percent and 13.42 percent in calendar years 2017 and 2018, respectively. The City's contributions to TMRS for the year ended September 30, 2018, were $1,439,971, and were equal to the required contributions.

Net Pension Liability

The City's Net Pension Liability (NPL) was measured as of December 31, 2017, and the Total Pension Liability (TPL) used to calculate the NPL was determined by an actuarial valuation as of that date.

Actuarial Assumptions

The TPL in the December 31, 2017, actuarial valuation was determined using the following actuarial assumptions.

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

Salary increases were based on a service-related table. Mortality rates for active members, retirees and beneficiaries were based on the gender-distinct RP2000 Combined Healthy Mortality Tables with Blue Collar Adjustment, with male rates multiplied by 109 percent and female rates multiplied by 103 percent. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements.

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

Actuarial assumptions used in the December 31, 2017, valuation were based on the results of actuarial experience studies. This experience study was for the period December 31, 2010 through December 31, 2014. Healthy post-retirement mortality rates and annuity purchase rates were updated based on a Mortality Experience Investigation Study covering 2009 through 2011, and dated December 31, 2013.

Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income, in order to satisfy the short-term and long-term funding needs of TMRS.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

The target allocation and best estimates of real rates of return for each major asset class are summarized in the following table.

Asset Class	Target Allocation	Long-term Expected Real Rate of Return (Arithmetic)
Domestic equity	17.50%	4.55%
International equity	17.50%	6.35%
Core fixed income	10.00%	1.00%
Non-core fixed income	20.00%	3.90%
Real return	10.00%	3.80%
Real estate	10.00%	4.50%
Absolute return	10.00%	3.75%
Private equity	5.00%	7.50%
Total	100.00%	

Discount Rate

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

Changes in the NPL

	TPL (a)	Plan Fiduciary Net Position (b)	NPL (a) - (b)
Balances at October 1, 2017	$ 38,012,132	$ 31,237,969	$ 6,774,163
Changes for the year:			
Service cost	1,780,118	-	1,780,118
Interest	2,582,435	-	2,582,435
Difference between expected and actual experience	437,533	-	437,533
Contributions – employer	-	1,428,931	(1,428,931)
Contributions – employee	-	736,020	(736,020)
Net investment income	-	4,330,256	(4,330,256)
Benefit payments, including refunds of employee contributions	(1,287,794)	(1,287,794)	-
Administrative expenses	-	(22,437)	22,437
Other	-	(1,137)	1,137
Net changes	3,512,292	5,183,839	(1,671,547)
Balances at September 30, 2018	$ 41,524,424	$ 36,421,808	$ 5,102,616

Sensitivity of the NPL to Changes in the Discount Rate

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

	1% Decrease 5.75%	Current Single Rate Assumption 6.75%	1% Increase 7.75%
Net Pension Liability (Asset)	$ 11,515,386	$ 5,102,616	$ (78,750)

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in a separately-issued TMRS financial report. That report may be obtained at www.tmrs.com.

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

For the year ended September 30, 2018, the City recognized pension expense of $1,650,283.

At September 30, 2018, the City reported deferred outflows and inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual pension experience	$ 414,291	$ 85,175
Changes of actuarial assumptions	48,668	-
Difference between projected and actual pension plan investment earnings	-	946,448
Contributions subsequent to the measurement date	1,047,351	-
Total	$ 1,510,310	$ 1,031,623

$1,047,351 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the NPL for the year ending September 30, 2019. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows.

Year Ending September 30,		
2019	$	108,739
2020		52,279
2021		(362,727)
2022		(366,955)
Total	$	(568,664)

Note 10: Postemployment Benefits Other Than Pensions

The City offers two other postemployment benefit (OPEB) plans; the Retiree Health Care Plan and the TMRS-Supplemental Death Benefits Fund as discussed below. OPEB items for the two plans are as follows:

	Retiree Health Care Plan	TMRS - Supplemental Death Benefits Fund	Total
Total OPEB Liability	$ 2,999,689	$ 438,244	$ 3,437,933
Deferred outflows of resources	172,267	31,319	203,586
OPEB expense	254,836	41,268	296,104

Note 11: Retiree Health Care Plan

Plan Description

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

In order to be eligible for this benefit, the retiree must be vested, age 55 or older and a current recipient of retirement benefits from the TMRS, have been a full-time employee of the City for ten consecutive years immediately prior to retirement, and satisfy the applicable plan requirements for the extension of retiree coverage under the medical and dental insurance benefit plan offered by the City at the time of retirement. The City's retiree healthcare benefit is only provided to employees who were hired prior to October 1, 2014.

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

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

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

As of December 31, 2017, the measurement date, the following employees were covered by the benefit terms:

Retirees and beneficiaries	26
Active employees	109
Total	135

Funding Policy

The benefit levels and contribution rates are approved annually by the City management and the City Council as part of the budget process. By the City not contributing anything toward this plan in advance, the City employs a pay-as-you-go method through ensuring the annual retiree contributions are equal to the benefits that are paid on behalf of the retirees.

Actuarial Methods and Assumptions

Significant methods and assumptions used in the December 31, 2017, actuarial valuation are as follows.

Actuarial Cost Method	Individual Entry-Age
Discount Rate	3.31 percent as of December 31, 2017 (3.81 percent in prior year) Source: Fixed-income municipal bonds with 20 years to maturity that include only federally tax-exempt municipal bonds as reported in the Fidelity "20-Year Municipal GO AA Index" as of December 31, 2017.
Inflation	2.50 percent per annum
Salary Increases	3.50 percent to 10.50 percent, including inflation
Demographic Assumption	Based on the experience study covering the four-year period ending December 31, 2014, as conducted for the Texas Municipal Retirement System (TMRS)
Mortality	For healthy retirees, the gender-distinct RP2000 Combined Healthy Mortality Tables with Blue Collar Adjustment are used with male rates multiplied by 109 percent and female rates multiplied by 103 percent. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements.
Health Care Trend Rates	7.50 percent decreasing to an ultimate rate of 5.50 percent over 9 years.
Participation Rates	It was assumed that retirees would choose to receive retiree health care benefits through the City as follows:

Years of City Service	Participation Assumption
< 10	0%
10 – 15	25%
15 – 20	45%
20 – 25	65%
25 +	85%

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

Total OPEB Liability

The total OPEB liability of $2,999,689 was measured as of December 31, 2017, and was determined by an actuarial valuation as of that date.

The total OPEB liability and related information are as follows at September 30, 2018:

	Total OPEB Liability
Balance as of October 1, 2017	$ 2,720,373
Changes for the year:	
Service cost	130,909
Interest on total OPEB liability	104,080
Change of assumptions (discount rate change)	152,484
Benefit payments	(108,157)
Balance as of September 30, 2018	$ 2,999,689

OPEB Expense and Deferred Outflows of Resources Related to OPEB

For the year ended September 30, 2018, the City recognized OPEB expense of $254,836. At September 30, 2018, the City reported deferred outflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources
Changes of assumptions	$ 132,637
Benefit payments subsequent to the measurement date	39,630
Total	$ 172,267

Deferred outflows of resources related to OPEBs resulting from benefit payments subsequent to the measurement date of $39,630 will be recognized as a reduction of the total OPEB liability for the year ending September 30, 2019.

Other amounts reported as deferred outflows related to OPEBs will be recognized in OPEB expense as follows.

Year Ending September 30		
2019	$	19,847
2020		19,847
2021		19,847
2022		19,847
2023		19,847
Thereafter		33,402
Total	$	132,637

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability calculated using the discount rate of 3.31 percent, as well as what the total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.31 percent) or 1-percentage-point higher (4.31 percent) than the current discount rate:

	1% Decrease in Discount Rate (2.31%)	Current Discount Rate (3.31%)	1% Increase in Discount Rate (4.31%)
Total OPEB liability	$ 3,332,436	$ 2,999,689	$ 2,706,670

Sensitivity of the Total OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following presents the total OPEB liability as well as what the total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates:

	1% Decrease	Current Healthcare Cost Trend Rates Assumption	1% Increase
Total OPEB liability	$ 2,615,798	$ 2,999,689	$ 3,466,237

TMRS – Supplemental Death Benefits Fund

Plan Description

The City also participates in a single-employer defined benefit group term life insurance OPEB plan operated by the TMRS known as the Supplemental Death Benefits Fund (SDBF). The City elected, by ordinance, to provide group term life insurance coverage to both current and retired employees. The City may terminate coverage under and discontinue participation in the SDBF by adopting an ordinance before November 1 of any year to be effective the following January 1. The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death); retired employees are insured for $7,500; this coverage is an OPEB.

The plan does not issue a separate financial report.

Benefits Provided

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death). The death benefit for retirees is considered another postemployment benefit (OPEB) and is a fixed amount of $7,500. As the SDBF covers both active and retiree participants, with no segregation of assets and no assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

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

As of December 31, 2017, the measurement date, the following employees were covered by the benefit terms:

Inactive employees currently receiving benefits	66
Inactive employees entitled to but not yet receiving benefits	21
Active employees	166
	253

Actuarial Methods and Assumptions

Significant methods and assumptions used in the December 31, 2017, actuarial valuation are as follows:

Actuarial Cost Method	Entry Age Normal
Discount Rate	3.31 percent as of December 31, 2017 (3.78 percent in prior year) Source: Fidelity Index's "20-Year Municipal GO AA Index"
Inflation	2.50 percent
Salary Increases	3.50 percent to 10.50 percent, including inflation

Actuarial Cost Method	Entry Age Normal
Retirees' share of benefit related costs	$0
Administrative expenses	All administrative expenses are paid through the Pension Trust and accounted for under reporting requirements under GASB Statement No. 68.
Mortality rates – service retirees	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109 percent and female rates multiplied by 103 percent and projected on a fully generational basis with scale BB.
Mortality rates – disabled retirees	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109 percent and female rates multiplied by 103 percent with a three-year set-forward for both males and females. The rates are projected on a fully generational basis with scale BB to account for future mortality improvements subject to the 3 percent floor.

The actuarial assumptions used in the December 31, 2017, valuation were based on the results of an actuarial experience study for the period of December 31, 2010 to December 31, 2014.

Total OPEB Liability

The City's total OPEB liability of $438,244 was measured as of December 31, 2017, and was determined by an actuarial valuation as of that date.

The total OPEB liability and related information are as follows for the City at September 30, 2018:

	Total OPEB Liability
Balance as of October 1, 2017	$ 371,120
Changes for the year:	
Service cost	21,029
Interest on total OPEB liability	14,366
Change of assumptions (discount rate change)	34,883
Benefit payments	(3,154)
Balance as of September 30, 2018	$ 438,244

OPEB Expense and Deferred Outflows of Resources Related to OPEB:

For the year ended September 30, 2018, the City recognized OPEB expense of $41,268.

At September 30, 2018, the City reported deferred outflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources
Changes of assumptions	$ 29,010
Benefit payments subsequent to the measurement date	2,309
Total	$ 31,319

Benefit payments subsequent to the measurement date and before fiscal year-end of $2,309 will be recognized as a reduction of the total OPEB liability in the year ending September 30, 2019.

Other amounts reported as deferred outflows related to OPEB will be recognized in OPEB expense as follows:

Year Ending September 30	
2019	$ 5,873
2020	5,873
2021	5,873
2022	5,873
2023	5,518
Total	$ 29,010

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability of the City, calculated using the discount rate of 3.31 percent, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.31 percent) or 1-percentage-point higher (4.31 percent) than the current discount rate:

	1% Decrease in Discount Rate (2.31%)	Current Discount Rate (3.31%)	1% Increase in Discount Rate (4.31%)
Total OPEB liability	$ 528,461	$ 438,244	$ 368,599

Note 12: Landfill Postclosure Care Costs

The City's municipal solid waste landfill is in the postclosure process as the landfill has been closed. State and federal laws and regulations required that the City place a final cover on its landfill when closed and perform certain maintenance and monitoring functions at the landfill site until approved for final regulatory closure by the Texas Commission on Environmental Quality.

The estimated liability for landfill postclosure care costs of $435,500 as of September 30, 2018, represents the remaining estimated postclosure costs required to achieve regulatory approval for closure. However, the actual cost of closure and postclosure care may be higher due to inflation, changes in technology, or changes in landfill laws and regulations.

Required Supplementary Information
(Unaudited)

City of Tomball, Texas

Schedule of Changes in Net Pension Liability and Related Ratios – Last Four Fiscal Years

	Measurement Year			
	2014	2015	2016	2017
Total Pension Liability				
Service cost	$ 1,405,192	$ 1,631,504	$ 1,678,897	$ 1,780,118
Interest	2,122,080	2,283,312	2,396,517	2,582,435
Difference between expected and actual experience	(75,098)	153,806	(109,994)	437,533
Change of assumptions	-	112,706	-	-
Benefit payments, including refunds of employee contributions	(1,120,036)	(1,404,009)	(1,235,596)	(1,287,794)
Net Change in Total Pension Liability	2,332,138	2,777,319	2,729,824	3,512,292
Total pension liability - beginning	30,172,851	32,504,989	35,282,308	38,012,132
Total pension liability - ending (a)	$ 32,504,989	$ 35,282,308	$ 38,012,132	$ 41,524,424
Plan Fiduciary Net Position				
Contributions - employer	$ 1,106,867	$ 1,321,927	$ 1,309,638	$ 1,428,931
Contributions - employee	629,009	680,604	689,283	736,020
Net investment income	1,480,415	41,253	1,930,676	4,330,256
Benefit payments, including refunds of employee contributions	(1,120,036)	(1,404,009)	(1,235,596)	(1,287,794)
Administrative expense	(15,453)	(25,124)	(21,804)	(22,437)
Other	(1,271)	(1,240)	(1,175)	(1,137)
Net Change in Plan Fiduciary Net Position	2,079,531	613,411	2,671,022	5,183,839
Plan Fiduciary Net Position, Beginning	25,874,005	27,953,536	28,566,947	31,237,969
Plan Fiduciary Net Position, Ending (B)	$ 27,953,536	$ 28,566,947	$ 31,237,969	$ 36,421,808
Net Pension Liability, Ending (a) - (b)	$ 4,551,453	$ 6,715,361	$ 6,774,163	$ 5,102,616
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	86.00%	80.97%	82.18%	87.71%
Covered-Employee Payroll	$ 8,985,838	$ 9,722,909	$ 9,846,905	$ 10,514,577
Net Pension Liability as a Percentage of Covered-Employee Payroll	50.65%	69.07%	68.79%	48.53%

Only four years of data are presented in accordance with GASB Statement No. 68 as the data for the years prior to 2015 is not available. Additionally, GASB Statement No. 68 requires that the information on this schedule be presented for the year ended as of the current measurement date (December 31).

Other information: For the 2015 valuation, inflation used was 2.5 percent, investment rates of return and the discount rate used was 6.75 percent, and actuarial studies were updated through December 31, 2014.

City of Tomball, Texas
Schedule of Pension Contributions – Last Four Fiscal Years

	Fiscal Year 2015	2016	2017	2018
Actuarially determined contribution	$ 1,246,735	$ 1,285,841	$ 1,435,572	$ 1,439,971
Contributions in relation to the actuarially determined contribution	1,246,735	1,285,841	1,435,572	1,439,971
Contribution deficiency	$ -	$ -	$ -	$ -
Covered employee payroll	$ 9,404,137	$ 9,620,867	$ 10,481,687	$ 10,693,441
Contributions as a percentage of covered employee payroll	13.26%	13.37%	13.70%	13.47%

Only four years of data are presented in accordance with GASB Statement No. 68 as the data for the years prior to fiscal year 2015 is not available. Additionally, GASB Statement No. 68 requires that the information presented on this schedule correspond with the City's fiscal year (September 30).

Valuation Date:

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

Methods and Assumptions Used to Determine Contribution Rates:

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	28 years
Asset Valuation Method	10 year smoothed market; 15% soft corridor
Inflation	2.5%
Salary Increases	3.50% to 10.5% including inflation
Investment Rate of Return	6.75%
Retirement Age	Experience-based table of rates that are specific to the City's plan of benefits. Last updated for the 2015 valuation pursuant to an experience study of the period 2010 - 2014.
Mortality	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103% and projected on a fully generational basis with scale BB.

Other Information:

There were no benefit changes during the year.

City of Tomball, Texas

Schedule of Changes in the City's Total OPEB Liability and Related Ratios – (Retiree Health Care Plan)

		Measurement Year 2017
TOTAL OPEB LIABILITY		
Service cost	$	130,909
Interest		104,080
Difference between expected and actual experience		
Change of assumptions		152,484
Benefit payments, including refunds of employee contributions		(108,157)
Net Change in Total OPEB Liability		279,316
Total OPEB Liability - Beginning		2,720,373
Total OPEB Liability - Ending		2,999,689
Covered-Employee Payroll	$	10,520,156
Total OPEB Liability as a Percentage of Covered-Employee Payroll		28.51%

The information in this schedule has been determined as of the measurement date (December 31) of the City's total OPEB liability and is intended to show information for 10 years. However, until a full 10-year trend is compiled in accordance with the provisions of GASB 75, only periods for which such information is available are presented.

Changes of assumptions reflect a change in the discount rate from 3.81 percent as of December 31, 2016, to 3.31 percent as of December 31, 2017.

City of Tomball, Texas

Schedule of Changes in the City's Total OPEB Liability and Related Ratios – (Supplemental Death Benefits Fund)

	Measurement Year 2017
TOTAL OPEB LIABILITY	
Service cost	$ 21,029
Interest	14,366
Change of assumptions	34,883
Benefit payments, including refunds of employee contributions	(3,154)
Net Change in Total OPEB Liability	67,124
Total OPEB Liability - Beginning	371,120
Total OPEB Liability - Ending	$ 438,244
Covered-Employee Payroll	$ 10,514,577
Total OPEB Liability as a Percentage of Covered-Employee Payroll	4.17%

The information in this schedule has been determined as of the measurement date (December 31) of the City's total OPEB liability and is intended to show information for 10 years. However, until a full 10-year trend is compiled in accordance with the provisions of GASB 75, only periods for which such information is available are presented.

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual (General Fund)

Year Ended September 30, 2018

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Taxes:				
Property	$ 2,040,000	$ 2,045,000	$ 2,144,861	$ 99,861
Sales	10,850,000	12,500,000	12,427,660	(72,340)
Franchise and other	1,328,000	1,265,000	1,270,927	5,927
License and permits	423,500	480,500	532,615	52,115
Fines and forfeitures	556,200	496,200	414,204	(81,996)
Charges for services	2,235,000	1,900,000	1,844,191	(55,809)
Intergovernmental	445,603	453,412	453,416	4
Contributions from component unit	-	-	25,000	25,000
Investment earnings	125,000	177,395	194,303	16,908
Other	773,861	1,348,933	1,348,513	(420)
Total revenues	18,777,164	20,666,440	20,655,690	(10,750)
Expenditures				
General government:				
City manager's office	415,452	459,976	440,324	19,652
Mayor and Council	93,248	73,868	50,181	23,687
City secretary	406,511	344,207	334,844	9,363
Human resources	492,725	440,443	385,671	54,772
Finance	694,482	756,031	715,774	40,257
Information systems	721,553	688,974	617,431	71,543
Legal	142,000	142,250	117,595	24,655
Non-departmental	2,726,635	2,684,391	2,665,792	18,599
	5,692,606	5,590,140	5,327,612	262,528
Public safety:				
Police	5,789,418	5,656,768	5,601,730	55,038
Fire	2,918,950	2,673,934	2,595,164	78,770
Municipal court	384,316	377,581	357,447	20,134
Emergency management	21,645	22,239	19,737	2,502
ESD#15 - Station 5	286,171	694,989	655,533	39,456
	9,400,500	9,425,511	9,229,611	195,900
Public works:				
Public works administration	55,120	58,039	55,620	2,419
Garage	154,061	132,221	130,720	1,501
Streets	2,020,085	2,055,815	1,998,255	57,560
Engineering and Planning	724,629	654,256	562,307	91,949
Sanitation	2,162,844	2,153,474	1,586,442	567,032
Facilities maintenance	760,800	771,588	745,872	25,716
	5,877,539	5,825,393	5,079,216	746,177

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual (General Fund) (Continued)

Year Ended September 30, 2018

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Expenditures				
Parks and recreation:				
Parks	$ 1,133,845	$ 1,134,926	$ 1,105,557	$ 29,369
Community center	164,296	164,280	157,148	7,132
	1,298,141	1,299,206	1,262,705	36,501
Community development:				
Permits and inspections	491,216	445,724	431,157	14,567
Total expenditures	22,760,002	22,585,974	21,330,301	1,255,673
Deficiency of Revenues Over Expenditures	(3,982,838)	(1,919,534)	(674,611)	1,244,923
Other Financing Sources (Uses)				
Transfers in	2,384,166	2,384,166	2,384,166	-
Transfers out	(20,000)	(20,000)	(20,000)	-
Total other financing sources	2,364,166	2,364,166	2,364,166	0
Net Change in Fund Balances	$ (1,618,672)	$ 444,632	1,689,555	$ 1,244,923
Fund Balances, Beginning of Year			13,060,996	
Fund Balances, End of Year			$ 14,750,551	

Notes to Required Supplementary Information:

1. Annual budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America.

2. Transfers out which were budgeted within a department are reported as expenditures in the department where budgeted for purposes of this schedule, and as other financing uses on the statement of revenues, expenditures and changes in fund balance.

Combining and Individual Fund Statements and Schedules

City of Tomball, Texas
Nonmajor Governmental Funds
September 30, 2018

Special Revenue Funds

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

Special General Fund - to account for police forfeiture funds and child safety fees.

Housing Trust Fund – to account for the grant funds received for Affordable Housing Initiatives and Related Services.

Court Security Fund - to account for fees generated from court fines which, by law, can only be spent on the City's municipal court.

Court Technology Fund - to account for fees generated from court fines which, by law, can only be spent on the City's municipal court.

Hotel Occupancy Tax Fund - to account for the accounts for revenues received from hotel occupancy taxes.

Red Light Camera Fund - to account for the use of revenues that, by law, are limited to traffic safety programs, including pedestrian safety programs, public safety programs, intersection improvements and traffic enforcement.

Bunny Run Fund - to account for the revenues generated by City-sponsored races.

Tomball Legacy Fund - to account for private and corporate grant funds received by the City.

City of Tomball, Texas
Combining Balance Sheet – Nonmajor Governmental Funds
September 30, 2018

	Special General	Housing Trust	Court Security	Court Technology	Hotel Occupancy Tax	Red Light Camera	Bunny Run	Tomball Legacy Fund	Total Nonmajor Governmental Funds
Assets									
Cash and cash equivalents	$ 18,308	$ -	$ 86,213	$ 42,267	$ 20,312	$ 45,793	$ 13,841	$ -	$ 226,734
Investments	92,868	-	141,920	156,130	461,590	321,110	5,123	25,709	1,204,450
Receivables (net of allowance for uncollectibles, where applicable)	-	-	-	-	3,400	43,011	-	-	46,411
Total assets	$ 111,176	$ 0	$ 228,133	$ 198,397	$ 485,302	$ 409,914	$ 18,964	$ 25,709	$ 1,477,595
Liabilities and Fund Balances									
Liabilities									
Accounts payable	$ -	$ -	$ -	$ -	$ 22,822	$ 191,632	$ 5,050	$ -	$ 219,504
Accrued liabilities	-	-	-	-	6,593	787	-	-	7,380
Total liabilities	0	0	0	0	29,415	192,419	5,050	0	226,884
Fund Balances									
Restricted by enabling legislation	-	-	228,133	198,397	455,887	217,495	-	-	1,099,912
Assigned	111,176	-	-	-	-	-	13,914	25,709	150,799
Total fund balances	111,176	0	228,133	198,397	455,887	217,495	13,914	25,709	1,250,711
Total liabilities and fund balances	$ 111,176	$ 0	$ 228,133	$ 198,397	$ 485,302	$ 409,914	$ 18,964	$ 25,709	$ 1,477,595

City of Tomball, Texas

Combining Statement of Revenues, Expenditures and Changes in Fund Balance – Nonmajor Governmental Funds

Year Ended September 30, 2018

	Special General	Housing Trust	Court Security	Court Technology	Hotel Occupancy Tax	Red Light Camera	Bunny Run	Tomball Legacy Fund	Total Nonmajor Governmental Funds
Revenues									
Franchise and other taxes	$ -	$ -	$ -	$ -	$ 637,485	$ -	$ -	$ -	$ 637,485
Fines and forfeitures	-	-	9,334	12,453	-	228,586	-	-	250,373
Investment earnings	1,649	-	3,369	3,272	6,950	5,708	135	453	21,536
Other	18,783	-	-	-	18,396	-	16,566	-	53,745
Total revenues	20,432	0	12,703	15,725	662,831	234,294	16,701	453	963,139
Expenditures									
Current:									
General government	11,052	3	5,348	48,998	-	-	-	-	65,401
Public safety	-	-	-	-	-	110,154	-	-	110,154
Parks and recreation	-	-	-	-	-	-	14,852	-	14,852
Tourism and arts	-	-	-	-	648,305	-	-	-	648,305
Total expenditures	11,052	3	5,348	48,998	648,305	110,154	14,852	0	838,712
Excess (Deficiency) of Revenues Over Expenditures	9,380	(3)	7,355	(33,273)	14,526	124,140	1,849	453	124,427
Other Financing Sources (Uses)									
Transfers in	-	-	-	-	20,000	-	-	-	20,000
Transfers out	-	-	-	-	-	(310,000)	-	-	(310,000)
Total other financing sources (uses)	0	0	0	0	20,000	(310,000)	0	0	(290,000)
Net Change in Fund Balances	9,380	(3)	7,355	(33,273)	34,526	(185,860)	1,849	453	(165,573)
Fund Balances, Beginning of Year	101,796	3	220,778	231,670	421,361	403,355	12,065	25,256	1,416,284
Fund Balances, End of Year	$ 111,176	$ 0	$ 228,133	$ 198,397	$ 455,887	$ 217,495	$ 13,914	$ 25,709	$ 1,250,711

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Special General Fund

Year Ended September 30, 2018

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Investment earnings	$ 200	$ 1,500	$ 1,649	$ 149
Other	18,000	20,500	18,783	(1,717)
Total revenues	18,200	22,000	20,432	(1,568)
Expenditures				
General government	38,300	38,300	11,052	27,248
Net Change in Fund Balance	$ (20,100)	$ (16,300)	9,380	$ 25,680
Fund Balance, Beginning of Year			101,796	
Fund Balance, End of Year			$ 111,176	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Court Security Fund

Year Ended September 30, 2018

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Fines and forfeitures	$ 14,000	$ 10,000	$ 9,334	$ (666)
Investment earnings	1,200	3,500	3,369	(131)
Total revenues	15,200	13,500	12,703	(797)
Expenditures				
General government	25,000	25,000	5,348	19,652
Net Change in Fund Balance	$ (9,800)	$ (11,500)	7,355	$ 18,855
Fund Balance, Beginning of Year			220,778	
Fund Balance, End of Year			$ 228,133	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Court Technology Fund

Year Ended September 30, 2018

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Fines and forfeitures	$ 20,000	$ 15,000	$ 12,453	$ (2,547)
Investment earnings	1,000	3,200	3,272	72
Total revenues	21,000	18,200	15,725	(2,475)
Expenditures				
General government	131,400	67,500	48,998	18,502
Net Change in Fund Balance	$ (110,400)	$ (49,300)	(33,273)	$ 16,027
Fund Balance, Beginning of Year			231,670	
Fund Balance, End of Year			$ 198,397	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Hotel Occupancy Tax Fund

Year Ended September 30, 2018

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Franchise and other taxes	$ 525,000	$ 600,000	$ 637,485	$ 37,485
Investment earnings	1,500	6,000	6,950	950
Other	17,500	17,500	18,396	896
Total revenues	544,000	623,500	662,831	39,331
Expenditures				
Tourism and arts	736,826	731,726	648,305	83,421
Deficiency of Revenues Over Expenditures	(192,826)	(108,226)	14,526	122,752
Other Financing Sources				
Transfers in	20,000	20,000	20,000	-
Net Change in Fund Balance	$ (172,826)	$ (88,226)	34,526	$ 122,752
Fund Balance, Beginning of Year			421,361	
Fund Balance, End of Year			$ 455,887	

City of Tomball, Texas

Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Debt Service Fund

Year Ended September 30, 2018

	Original Budget	Final Budget	Actual	Variance With Final Budget Favorable (Unfavorable)
Revenues				
Property tax	$ 4,103,500	$ 4,244,000	$ 4,374,552	$ 130,552
Contributions from component unit	533,613	533,613	533,612	(1)
Investment earnings	23,800	77,300	68,449	(8,851)
Total revenues	4,660,913	4,854,913	4,976,613	121,700
Expenditures				
Debt service:				
Principal	3,336,596	3,336,596	3,322,713	13,883
Interest	1,443,284	1,443,284	1,443,281	3
Bond issuance costs	-	-	13,380	(13,380)
Total expenditures	4,779,880	4,779,880	4,779,374	506
Net Change in Fund Balance	$ (118,967)	$ 75,033	197,239	$ 122,206
Fund Balance, Beginning of Year			4,562,240	
Fund Balance, End of Year			$ 4,759,479	

City of Tomball, Texas
Internal Service Funds
Year Ended September 30, 2018

Internal service funds are used to account for services provided to other departments or agencies of the government, or to other governments on a cost-reimbursement basis.

Fleet Replacement Fund

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

Health Benefits Fund

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

City of Tomball, Texas
Combining Statement of Net Position – Internal Service Funds
September 30, 2018

	Fleet Replacement Fund	Health Benefits Fund	Total Internal Service Funds
Assets			
Current Assets			
Cash and cash equivalents	$ 833,731	$ 416,550	$ 1,250,281
Investments	2,184,961	1,115,952	3,300,913
Due from other government	-	23,958	23,958
Due from component unit	-	11,453	11,453
Total current assets	3,018,692	1,567,913	4,586,605
Noncurrent Assets			
Capital assets:			
Machinery and equipment	1,349,510	-	1,349,510
Vehicles	1,862,358	-	1,862,358
Less accumulated depreciation	(2,194,564)	-	(2,194,564)
Total noncurrent assets	1,017,304	0	1,017,304
Total assets	$ 4,035,996	$ 1,567,913	$ 5,603,909
Liabilities and Net Position			
Current Liabilities			
Accounts payable	$ 7,639	$ 3,269	$ 10,908
Noncurrent Liabilities			
Public property finance contractual obligation	1,300,000	-	1,300,000
Total liabilities	1,307,639	3,269	1,310,908
Net Position			
Net investment in capital assets	1,017,304	-	1,017,304
Unrestricted	1,711,053	1,564,644	3,275,697
Total net position	2,728,357	1,564,644	4,293,001
Total liabilities and net position	$ 4,035,996	$ 1,567,913	$ 5,603,909

City of Tomball, Texas

Combining Statement of Revenues, Expenses and Changes In Net Position – Internal Service Funds

Year Ended September 30, 2018

	Fleet Replacement Fund	Health Benefits Fund	Total Internal Service Funds
Operating Revenues			
Charges for sales and services	$ 409,500	$ 2,829,142	$ 3,238,642
Operating Expenses			
Costs of sales and services	35,296	2,582,009	2,617,305
Depreciation	380,232	-	380,232
Total operating expenses	415,528	2,582,009	2,997,537
Operating Income (Loss)	(6,028)	247,133	241,105
Nonoperating Revenues			
Investment earnings	26,918	19,598	46,516
Gain on disposal of property	19,875	-	19,875
Total nonoperating revenues	46,793	19,598	66,391
Change in Net Position	40,765	266,731	307,496
Net Position, Beginning of Year	2,687,592	1,297,913	3,985,505
Net Position, End of Year	$ 2,728,357	$ 1,564,644	$ 4,293,001

City of Tomball, Texas

Combining Statement of Cash Flows – Internal Service Funds

Year Ended September 30, 2018

	Fleet Replacement Fund	Health Benefits Fund	Total Internal Service Funds
Operating Activities			
Receipts from customers	$ -	$ 76,139	$ 76,139
Receipts from interfund charges for fleet management services	409,500	-	409,500
Receipts from interfund charges for health benefits services	-	2,736,910	2,736,910
Payments to suppliers and service providers	(28,460)	(2,583,583)	(2,612,043)
Net cash provided by operating activities	381,040	229,466	610,506
Capital and Related Financing Activities			
Acquisition and construction of capital assets	(461,527)	-	(461,527)
Proceeds from equipment finance agreement	1,300,000	-	1,300,000
Proceeds from sale of capital assets	19,875	-	19,875
Net cash provided by capital and related financing activities	858,348	0	858,348
Investing Activities			
Interest on investments	26,918	19,598	46,516
Investment maturities (purchases), net	(516,747)	105,144	(411,603)
Net cash provided by (used in) investing activities	(489,829)	124,742	(365,087)
Increase in Cash and Cash Equivalents	749,559	354,208	1,103,767
Cash and Cash Equivalents, Beginning of Year	84,172	62,342	146,514
Cash and Cash Equivalents, End of Year	$ 833,731	$ 416,550	$ 1,250,281
Reconciliation of Operating Income (Loss) to Net Cash Provided By Operating Activities			
Operating income (loss)	$ (6,028)	$ 247,133	$ 241,105
Adjustments to reconcile operating income (loss) to net cash provided by operating activities:			
Depreciation	380,232	-	380,232
Changes in:			
Accounts receivable, net	-	(16,093)	(16,093)
Accounts payable and accrued liabilities	6,836	(1,574)	5,262
Net cash provided by operating activities	$ 381,040	$ 229,466	$ 610,506

City of Tomball, Texas
Discretely Presented Component Unit
Year Ended September 30, 2018

Tomball Economic Development Corporation accounts for the proceeds of a one-half cent sales tax to promote and assist in the economic development of the City.

City of Tomball, Texas
Balance Sheet – Discretely Presented Component Unit
(Tomball Economic Development Corporation)
September 30, 2018

Assets

Cash and cash equivalents	$	227,785
Investments		16,020,644
Accounts receivable, net		656,389
Total assets	$	16,904,818

Liabilities

Accounts payable	$	26,184
Due to primary government		82,231
Total liabilities		108,415
Fund Balance		
Unassigned		16,796,403
Total liabilities and fund balance	$	16,904,818
Reconciliation to Government-wide Statement of Net Position		
Total fund balance	$	16,796,403
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the fund		3,555,655
Net Position of Component Unit	$	20,352,058

City of Tomball, Texas

Statement of Revenues, Expenditures and Changes in Fund Balance – Discretely Presented Component Unit (Tomball Economic Development Corporation)

Year Ended September 30, 2018

Revenues		
Sales tax	$	4,135,137
Intergovernmental		5,500
Other revenue		1,103,573
Investment earnings		158,949
Total revenues		5,403,159
Expenditures		
Current:		
Economic development		2,552,898
Excess of Revenues Over Expenditures		2,850,261
Net Change in Fund Balance		2,850,261
Fund Balance, Beginning of Year		13,946,142
Fund Balance, End of Year	$	16,796,403
Reconciliation to Government-wide Statement of Activities		
Net change in fund balance	$	2,850,261
Governmental funds report capital outlay as expenditures. However, in the government-wide statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. Transactions in the current period involving capital assets include:		
Capital outlay recorded as capital assets.		40,972
Asset retirements/disposals		(154,239)
Change in Net Position of Component Unit	$	2,736,994

Statistical Section
(Unaudited)

City of Tomball, Texas
Net Position by Component
Last Ten Fiscal Years (Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Governmental Activities										
Net investment in capital assets	$ 16,143,552	$ 16,790,199	$ 18,306,705	$ 23,370,524	$ 25,646,519	$ 28,189,848	$ 31,267,016	$ 34,220,115	$ 40,779,628	$ 38,896,658
Restricted	2,278,695	1,423,521	1,895,850	2,675,627	2,804,100	3,557,490	4,308,595	5,821,510	3,912,411	4,303,114
Unrestricted	11,362,902	13,048,317	12,518,847	10,571,977	12,612,754	13,566,745	10,694,702	10,340,744	11,385,550	13,436,447
Total governmental activities net position	$ 29,785,149	$ 31,262,037	$ 32,721,402	$ 36,618,128	$ 41,063,373	$ 45,314,083	$ 46,270,313	$ 50,382,369	$ 56,077,589	$ 56,636,219
Business-type Activities										
Net investment in capital assets	$ 26,080,707	$ 29,073,794	$ 29,338,053	$ 30,368,908	$ 30,721,512	$ 30,851,835	$ 33,433,571	$ 33,059,434	$ 33,038,353	$ 34,874,499
Restricted	-	-	-	-	-	1,095,173	-	-	-	-
Unrestricted	10,555,994	8,753,794	10,299,638	9,636,451	10,646,792	11,354,769	10,960,950	11,445,362	8,966,625	9,838,615
Total business-type activities net position	$ 36,636,701	$ 37,827,588	$ 39,637,691	$ 40,005,359	$ 41,368,304	$ 43,301,777	$ 44,394,521	$ 44,504,796	$ 42,004,978	$ 44,713,114
Primary Government										
Net investment in capital assets	$ 42,224,259	$ 45,863,993	$ 47,644,758	$ 53,739,432	$ 56,368,031	$ 59,041,683	$ 64,700,587	$ 67,279,549	$ 73,817,981	$ 73,771,157
Restricted	2,278,695	1,423,521	1,895,850	2,675,627	2,804,100	4,652,663	4,308,595	5,821,510	3,912,411	4,303,114
Unrestricted	21,918,896	21,802,111	22,818,485	20,208,428	23,259,546	24,921,514	21,655,652	21,786,106	20,352,175	23,275,062
Total primary government net position	$ 66,421,850	$ 69,089,625	$ 72,359,093	$ 76,623,487	$ 82,431,677	$ 88,615,860	$ 90,664,834	$ 94,887,165	$ 98,082,567	$ 101,349,333

City of Tomball, Texas
Changes in Net Position
Last Ten Fiscal Years (Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Expenses										
Governmental activities:										
General government	$ 3,091,652	$ 3,476,001	$ 4,472,541	$ 4,077,633	$ 5,131,879	$ 4,789,051	$ 4,968,344	$ 5,391,624	$ 5,916,485	$ 5,107,870
Public safety	6,720,247	5,907,235	6,546,562	6,845,653	7,508,811	8,069,621	8,493,353	9,028,841	9,650,665	10,000,655
Public works	5,692,269	5,205,824	4,739,268	5,794,907	5,456,886	6,137,989	6,181,783	6,436,355	6,952,664	8,912,367
Community development	260,561	272,034	255,764	287,085	302,564	338,381	313,713	421,381	386,153	431,157
Interest and fiscal agent fees on long-term debt	708,109	658,304	353,188	821,705	830,054	926,584	891,258	830,716	1,252,064	1,452,252
Total governmental activities expenses	16,472,838	15,519,398	16,367,323	17,826,983	19,230,194	20,261,626	20,848,451	22,108,917	24,158,031	25,904,301
Business-type activities:										
Utility Administration	2,235,193	1,843,501	2,207,488	979,390	955,026	909,211	979,161	1,179,100	1,362,874	2,876,373
Water	2,197,679	2,549,230	3,003,537	3,262,366	2,962,612	3,087,563	3,410,534	3,410,534	3,937,152	3,356,893
Wastewater	1,134,907	1,226,582	1,757,176	1,736,531	1,978,197	2,418,443	2,483,923	2,483,923	2,228,636	1,239,276
Gas	2,374,227	1,801,364	1,600,490	1,743,258	2,229,583	1,963,162	1,429,950	1,429,950	1,507,955	1,529,924
Interest and fiscal agent fees	512,851	481,542	272,406	321,443	245,129	-	-	-	-	-
Total business-type activities expenses	8,454,857	7,902,219	8,841,097	8,042,988	8,370,547	8,378,379	8,303,568	8,503,507	9,036,617	9,002,466
Total primary government expenses	$ 24,927,695	$ 23,421,617	$ 25,208,420	$ 25,869,971	$ 27,600,741	$ 28,640,005	$ 29,152,019	$ 30,612,424	$ 33,194,648	$ 34,906,767

City of Tomball, Texas

Changes in Net Position (Continued)

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Program Revenues										
Governmental activities:										
Charges for services:										
Public safety	$ 1,204,099	$ 1,083,408	$ 1,143,981	$ 1,181,742	$ 1,066,313	$ 999,667	$ 1,334,938	$ 1,334,938	$ 1,315,754	$ 1,528,423
Public works	2,231,777	2,284,482	2,384,406	2,613,043	2,695,712	2,694,670	2,673,999	2,673,999	2,359,008	1,961,957
Community development	-	-	-	-	-	-	-	-	441,542	513,522
Operating grants and contributions	83,130	268,675	1,295,653	1,313,128	1,844,224	1,039,237	544,607	544,607	1,420,653	1,012,028
Total governmental activities program revenues	3,519,006	3,636,565	4,824,040	5,107,913	5,606,249	4,733,574	4,553,544	4,553,544	5,536,957	5,015,930
Business-type activities:										
Charges for services:										
Utility administration	427,519	413,523	622,320	1,001,306	807,673	842,468	907,654	907,654	739,061	1,335,974
Water	3,985,231	5,199,565	4,470,657	4,668,205	4,578,777	4,449,383	4,654,613	4,654,613	5,092,916	5,347,170
Wastewater	2,233,364	2,368,469	2,262,268	2,365,611	2,372,163	2,320,748	2,316,495	2,316,495	2,434,143	2,405,689
Gas	4,011,635	3,538,152	2,894,447	3,061,634	3,578,145	3,295,521	2,844,005	2,844,005	2,655,884	3,139,726
Operating grants and contributions	720,000	798,300	720,000	670,000	670,000	670,000	558,148	558,148	558,148	558,148
Total business-type activities program revenues	11,377,749	12,318,009	10,969,692	11,766,756	12,006,758	11,578,120	11,280,915	11,280,915	11,480,152	12,786,707
Total primary government program revenues	$ 14,896,755	$ 15,954,574	$ 15,793,732	$ 16,874,669	$ 17,613,007	$ 16,311,694	$ 15,834,459	$ 15,834,459	$ 17,017,109	$ 17,802,637
Net (Expense) Revenue										
Governmental activities	$ (12,953,832)	$ (11,882,833)	$ (11,543,283)	$ (12,719,070)	$ (13,623,945)	$ (15,528,052)	$ (16,294,907)	$ (17,555,373)	$ (18,621,074)	$ (20,888,371)
Business-type activities	2,922,892	4,415,790	2,128,595	3,723,768	3,636,211	3,199,741	2,977,347	2,777,408	2,443,535	3,784,241
Total primary government net expense	$ (10,030,940)	$ (7,467,043)	$ (9,414,688)	$ (8,995,302)	$ (9,987,734)	$ (12,328,311)	$ (13,317,560)	$ (14,777,965)	$ (16,177,539)	$ (17,104,130)

City of Tomball, Texas

Changes in Net Position (Continued)

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2008	2010	2011	2012	2013	2014	2015	2016	2017	2018
General Revenues and Other Changes in Net Position										
Governmental activities:										
Taxes:										
Property taxes, levied for general purposes	$ 1,587,560	$ 1,422,603	$ 1,270,645	$ 1,228,461	$ 1,543,913	$ 1,638,673	$ 1,715,949	$ 1,855,706	$ 1,964,345	$ 2,144,861
Property taxes, levied for debt service	1,449,089	1,500,310	1,586,918	2,557,169	3,164,416	3,371,282	3,525,979	3,818,986	4,042,945	4,374,552
Sales taxes	7,038,176	6,651,064	7,023,409	8,189,360	9,442,376	10,532,691	10,839,818	10,578,683	10,791,147	12,427,660
Franchise and local taxes	1,150,591	1,153,954	1,186,272	1,227,784	1,267,302	1,253,077	1,282,598	1,331,077	1,307,171	1,270,927
Other taxes	308,100	229,636	325,360	444,032	428,208	590,910	538,843	628,932	554,839	711,245
Gain on sale of capital assets	-	-	-	-	-	-	17,634	127,134	-	-
Other	405,391	166,287	361,026	151,142	227,592	253,375	475,712	395,060	145,114	376,266
Unrestricted investment earnings	325,789	80,426	43,035	46,763	44,877	30,636	40,115	133,673	473,077	920,613
Transfers	1,749,561	2,260,134	2,393,458	3,054,958	2,448,842	1,691,621	1,607,068	2,798,178	5,037,656	836,473
Total governmental activities	14,014,257	13,464,414	14,190,123	16,899,669	18,567,526	19,362,265	20,043,716	21,667,429	24,316,294	23,062,597
Business-type activities:										
Other	2,860	43,076	121,344	44,212	50,567	45,800	47,847	87,304	11,511	4,417
Unrestricted investment earnings	175,119	93,361	30,414	21,721	13,088	(1,417)	33,771	43,741	82,792	154,619
Transfers	(1,749,561)	(2,260,134)	(2,393,458)	(3,054,958)	(2,448,842)	(1,691,621)	(1,607,068)	(2,798,178)	(5,037,656)	(836,473)
Total business-type activities	(1,571,582)	(2,123,697)	(2,241,700)	(2,989,025)	(2,385,187)	(1,647,238)	(1,525,450)	(2,667,133)	(4,943,353)	(677,437)
Total primary government	$ 12,442,675	$ 11,340,717	$ 11,948,423	$ 13,910,644	$ 16,182,339	$ 17,715,027	$ 18,518,266	$ 19,000,296	$ 19,372,941	$ 22,385,160
Change in Net Position										
Governmental activities	$ 1,060,425	$ 1,581,581	$ 2,646,840	$ 4,180,599	$ 4,943,581	$ 3,834,213	$ 3,748,809	$ 4,112,056	$ 5,695,220	$ 2,174,226
Business-type activities	1,351,310	2,292,093	(113,105)	734,743	1,251,024	1,552,503	1,451,897	110,275	(2,499,818)	3,106,804
Total primary government	$ 2,411,735	$ 3,873,674	$ 2,533,735	$ 4,915,342	$ 6,194,605	$ 5,386,716	$ 5,200,706	$ 4,222,331	$ 3,195,402	$ 5,281,030

City of Tomball, Texas

Fund Balances – Governmental Funds

Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
General Fund										
Nonspendable	$ -	$ -	$ -	$ 39,913	$ 30,441	$ 15,894	$ 14,435	$ 12,047	$ 14,956	$ 22,244
Restricted	23,724	-	-	-	-	-	-	-	-	-
Assigned	-	-	-	325,879	161,921	322,702	127,671	35,379	24,767	78,620
Unassigned	12,194,969	12,161,681	11,797,535	9,489,655	11,559,755	13,075,443	13,340,472	13,245,355	13,021,273	14,649,687
Total general fund	$ 12,218,693	$ 12,161,681	$ 11,797,535	$ 9,855,447	$ 11,752,117	$ 13,414,039	$ 13,482,578	$ 13,292,781	$ 13,060,996	$ 14,750,551
All Other Governmental Funds										
Restricted	$ 1,530,276	$ 1,276,646	$ 1,896,380	$ 19,319,655	$ 27,524,034	$ 26,470,729	$ 23,370,264	$ 19,434,478	$ 42,711,890	$ 39,639,759
Assigned, reported in:										
Capital project funds	133,498	133,790	135,609	-	-	-	-	-	-	-
Nonmajor governmental funds	742,340	901,406	141,129	133,570	143,436	168,245	167,060	128,489	140,059	150,799
Total all other governmental funds	$ 2,406,114	$ 2,311,842	$ 2,173,118	$ 19,453,225	$ 27,667,470	$ 26,638,974	$ 23,537,324	$ 19,562,967	$ 42,851,949	$ 39,790,558

City of Tomball, Texas

Changes in Fund Balances – Governmental Funds

Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Revenues										
Taxes	$ 11,442,297	$ 10,897,786	$ 11,400,964	$ 13,886,856	$ 15,846,215	$ 17,386,633	$ 17,903,187	$ 18,213,384	$ 18,660,447	$ 20,855,485
Licenses and permits	247,548	311,563	262,713	308,621	445,104	446,292	492,646	439,677	477,934	532,615
Fines and forfeitures	1,044,706	1,204,099	1,083,408	1,143,981	1,181,742	1,066,313	999,667	892,654	811,084	664,577
Charges for services	2,348,796	1,920,214	2,021,769	2,075,785	2,167,939	2,249,420	2,202,024	2,234,322	2,236,863	1,844,191
Intergovernmental	278,350	73,130	168,782	273,950	784,918	939,861	384,308	288,988	879,740	453,416
Contributions from component unit	-	10,000	99,893	1,021,703	528,210	904,363	606,753	538,012	540,913	558,612
Investment earnings	312,290	99,837	40,760	44,347	42,913	29,604	38,372	125,092	451,739	920,616
Other revenues	361,992	254,615	386,935	151,143	178,501	242,361	538,244	637,104	746,050	1,412,658
Total revenues	16,035,979	14,771,244	15,465,224	18,906,386	21,175,542	23,264,847	23,165,201	23,369,233	24,804,770	27,242,170
Expenditures										
General government	2,606,885	4,333,119	4,507,290	4,520,919	5,099,473	4,929,295	5,128,871	5,226,561	6,100,527	5,393,013
Public safety	7,770,127	5,850,953	6,391,016	7,344,336	7,353,064	8,230,705	9,114,221	8,509,599	9,089,408	9,299,659
Public works	3,713,018	3,784,400	3,090,590	3,407,143	3,217,149	3,364,509	3,464,256	3,386,348	6,526,127	4,125,511
Public service	932,492	587,557	1,179,637	266,984	1,677,586	1,627,610	1,366,045	2,716,596	-	-
Parks and recreation	-	-	-	-	-	-	-	-	741,577	637,942
Tourism and arts	-	-	-	-	-	-	-	-	-	648,305
Community development	-	-	-	-	-	-	-	-	702,393	431,157
Capital outlay	5,387,966	821,359	1,445,273	4,311,250	1,939,517	2,996,663	5,923,542	7,384,704	777,156	4,135,518
Debt service:										
Principal	1,328,619	1,135,500	1,195,500	1,192,057	1,800,649	2,210,330	2,742,812	2,285,608	3,119,373	3,322,713
Interest and paying agent	714,188	723,159	626,247	913,371	1,017,839	963,930	865,633	822,149	1,657,511	1,456,661
Total expenditures	22,453,295	17,236,047	18,435,553	21,956,060	22,105,277	24,323,042	28,605,380	30,331,565	28,714,072	29,450,479
Deficiency of Revenues Over Expenditures	(6,417,316)	(2,464,803)	(2,970,329)	(3,049,674)	(929,735)	(1,058,195)	(5,440,179)	(6,962,332)	(3,909,302)	(2,208,309)
Other Financing Sources (Uses)										
Transfers in	1,749,561	2,260,134	2,393,458	5,206,958	2,748,842	2,491,049	3,261,023	3,979,455	8,138,353	4,204,166
Transfers out	-	-	-	(2,152,000)	(300,000)	(799,428)	(1,653,955)	(1,181,277)	(2,323,541)	(3,367,693)
Issuance of debt	-	2,120,000	3,892,500	14,500,000	14,270,500	-	-	-	20,240,000	-
Premium on debt issued	-	4,945	278,253	107,735	205,934	-	-	-	911,687	-
Payment to refunded bond escrow agent	-	(2,071,560)	(4,096,752)	-	(5,884,626)	-	-	-	-	-
Capital leases	-	-	-	725,000	-	-	800,000	-	-	-
Sale of capital assets	43,399	-	-	-	-	-	-	-	-	-
Total other financing sources	1,792,960	2,313,519	2,467,459	18,387,693	11,040,650	1,691,621	2,407,068	2,798,178	26,966,499	836,473
Net Change in Fund Balances	$ (4,624,356)	$ (151,284)	$ (502,870)	$ 15,338,019	$ 10,110,915	$ 633,426	$ (3,033,111)	$ (4,164,154)	$ 23,057,197	$ (1,371,836)
Debt service as a percentage of noncapital expenditures	11.82%	11.29%	10.38%	11.52%	13.43%	14.28%	15.87%	13.50%	17.06%	18.81%

City of Tomball, Texas
Tax Revenues by Source – Governmental Activities
Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Function										
Property	$ 2,945,430	$ 2,938,594	$ 2,865,923	$ 4,025,680	$ 4,708,329	$ 5,009,955	$ 5,241,928	$ 5,674,692	$ 6,007,290	$ 6,519,413
Sales	7,038,176	6,651,064	6,976,875	8,189,360	9,442,376	10,532,691	10,839,818	10,578,683	10,791,147	12,427,660
Franchise fee	1,150,591	1,153,954	1,262,187	964,790	1,267,302	1,253,077	1,282,598	1,331,077	1,064,371	1,026,440
Other taxes	308,100	154,174	295,979	707,026	428,208	590,910	538,843	628,933	797,639	881,972
	$ 11,442,297	$ 10,897,786	$ 11,400,964	$ 13,886,856	$ 15,846,215	$ 17,386,633	$ 17,903,187	$ 18,213,385	$ 18,660,447	$ 20,855,485

City of Tomball, Texas

Assessed Value and Estimated Actual Value of Taxable Property

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Residential property	$ 494,490,612	$ 431,346,771	$ 435,637,242	$ 436,949,202	$ 433,331,223	$ 439,396,850	$ 497,193,417	$ 561,634,471	$ 588,671,706	$ 623,634,272
Commercial property	962,896,368	1,041,882,736	988,693,074	1,071,555,690	1,192,905,533	1,303,924,316	1,314,023,000	1,395,710,026	1,451,279,183	1,469,452,394
Less tax exempt property	(302,822,021)	(317,120,571)	(305,154,366)	(341,307,250)	(261,641,054)	(274,973,296)	(280,967,178)	(290,126,523)	(298,380,174)	(263,289,888)
Total taxable assessed value (1)	$ 1,154,564,959	$ 1,156,108,936	$ 1,119,175,950	$ 1,167,197,642	$ 1,364,595,702	$ 1,468,347,870	$ 1,530,249,239	$ 1,667,217,974	$ 1,741,570,715	$ 1,829,796,778
Total direct tax rate	0.251455	0.251455	0.251455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455

Source: Harris County Certified / Uncertified Tax Roll.

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

City of Tomball, Texas
Direct and Overlapping Property Tax Rates
Last Ten Fiscal Years (Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
City of Tomball by Fund:										
General	$ 0.1314550	$ 0.1214550	$ 0.1114550	$ 0.1114550	$ 0.1114550	$ 0.1114550	$ 0.1114550	$ 0.1114550	$ 0.1114550	$ 0.1114550
Debt service	0.120000	0.130000	0.140000	0.230000	0.230000	0.230000	0.230000	0.230000	0.230000	0.230000
Total direct rates	0.251455	0.251455	0.251455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455	0.341455
Overlapping Rates:										
Tomball Independent School District	1.360000	1.360000	1.360000	1.360000	1.360000	1.360000	1.360000	1.340000	1.340000	1.340000
Harris County	0.389230	0.392240	0.388050	0.391170	0.400210	0.414550	0.417310	0.419230	0.416560	0.418580
Harris County Flood Control District	0.030860	0.029220	0.029230	0.028090	0.028090	0.028270	0.027360	0.027330	0.028290	0.028770
Port of Houston Authority	0.017730	0.016360	0.020540	0.185600	0.019520	0.017160	0.015310	0.013420	0.013340	0.011550
Harris County Hospital District	0.192160	0.192160	0.192160	0.192160	0.182160	0.170000	0.170000	0.170000	0.171790	0.171080
Harris County Department of Education	0.005840	0.006050	0.006581	0.006581	0.006617	0.006358	0.005999	0.005422	0.005200	0.005190
Lone Star College System District	0.110100	0.110100	0.117600	0.121000	0.119800	0.116000	0.108100	0.107900	0.107800	0.107800
Emergency Service District #8	0.050000	0.050000	0.050000	0.050000	0.050000	0.050000	0.100000	0.100000	0.095470	0.098250
Total direct and overlapping rates (1)	$ 2.4073750	$ 2.4075850	$ 2.4156160	$ 2.6760560	$ 2.5078520	$ 2.5037930	$ 2.5455340	$ 2.5247570	$ 2.5199050	$ 2.5226750

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

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

City of Tomball, Texas

Principal Property Taxpayers

Current Year and Nine Years Ago

Property Taxpayer	2018	Rank	Percent of Taxable Assessed Value	2009	Rank	Percent of Taxable Assessed Value
North Houston TRMC	$ 85,716,036	1	4.68%	$ -	n/a	
B J Services	73,287,037	2	4.01%	183,798,798	1	15.92%
Baker Hughes	36,359,458	3	1.99%	-	n/a	
Weingarten Investments Inc.	35,343,282	4	1.93%	12,887,614	7	1.12%
Tomball Regional Medical Center	32,254,825	5	1.76%	-	n/a	
Breaux Machine Works LP	22,440,587	6	1.23%	-	n/a	
CenterPoint Energy	18,084,497	7	0.99%	14,783,169	5	1.28%
MB Tomball Town Center	17,422,235	8	0.95%	-	n/a	
Welltower TCG	15,463,161	9	0.85%	-	n/a	
BK 2920 LTD	14,496,229	10	0.79%	-	n/a	
Harrison Street Real Estate LLC	13,265,000	11	0.72%	-	n/a	
Benadam Corporation	13,229,812	12	0.72%	-	n/a	
Wal-Mart	10,830,400	13	0.59%	20,315,713	2	1.76%
MSR TX Tomball LP	-	n/a		18,955,529	3	1.64%
Lowe's	-	n/a		15,103,772	4	1.31%
HEB Grocery Co. LP	-	n/a		13,328,160	6	1.15%
NNN Park at Spring Creek LLC	-	n/a		12,655,681	8	1.10%
Target Corporation	-	n/a		11,776,723	9	1.02%
A S 62 HWY 249 & FM 2920	-	n/a		11,481,912	10	0.99%
Subtotal	388,192,559		21.22%	315,087,071		27.29%
Other Taxpayers	1,441,604,219		78.78%	839,477,888		72.71%
Total	$ 1,829,796,778		100.00%	$ 1,154,564,959		100.00%

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

City of Tomball, Texas

Ad Valorem Tax Levies and Collections

Last Ten Fiscal Years (Accrual Basis of Accounting)

Fiscal Year Ended September 30,	Total Tax Levy for Fiscal Year	Collected Within the Fiscal Year of the Levy		Collections in Subsequent Periods	Total Collections to Date	
		Amount	Percent of Levy		Amount	Percent of Levy
2009	$ 2,903,971	$ 2,843,461	98%	$ 40,547	$ 2,884,008	99%
2010	2,910,632	2,861,107	98%	35,460	2,896,567	100%
2011	2,815,500	2,776,954	99%	31,595	2,808,549	100%
2012	3,983,961	3,943,188	99%	23,756	3,966,944	100%
2013	4,649,753	4,633,156	100%	7,900	4,641,056	100%
2014	4,985,054	4,967,598	100%	11,539	4,979,137	100%
2015	5,185,007	5,168,570	100%	21,097	5,189,667	100%
2016	5,688,531	5,591,963	98%	58,445	5,650,408	99%
2017	6,077,755	5,870,159	97%	185,790	6,055,949	100%
2018	6,285,748	6,210,139	99%	-	6,210,139	99%

City of Tomball, Texas
Sales Tax Revenues by Industry
Current Year and Nine Years Ago

Sales Tax Remitter	Calendar Year 2018 Number of Outlets	Calendar Year 2018 Percentage of Total	Calendar Year 2018 Tax Liability	Calendar Year 2018 Percentage of Total	Calendar Year 2009 Number of Outlets	Calendar Year 2009 Percentage of Total	Calendar Year 2009 Tax Liability	Calendar Year 2009 Percentage of Total
Retail Trade	2,912	38.04%	$ 6,674,186	39.36%	957	22.33%	$ 5,380,887	57.80%
Services	1,254	16.38%	3,042,315	17.94%	892	20.81%	1,628,930	17.50%
Wholesale Trade	1,098	14.34%	1,587,656	9.36%	700	16.33%	365,351	3.92%
Utilities, Transportation, Communications	351	4.58%	989,076	5.83%	197	4.60%	455,950	4.90%
Manufacturing	611	7.98%	1,036,271	6.11%	303	7.07%	382,436	4.11%
Construction	372	4.86%	310,305	1.83%	308	7.19%	132,642	1.42%
Finance, Insurance and Real Estate	270	3.53%	478,611	2.82%	233	5.44%	221,366	2.38%
Mining, Quarrying and Oil and Gas Extraction	17	0.22%	248,944	1.47%	8	0.19%	78,913	0.85%
All other outlets	771	10.07%	2,589,727	15.27%	688	16.05%	662,698	7.12%
Total	7,656	100.00%	$ 16,957,091	100.00%	4,286	100.00%	$ 9,309,173	100.00%

Source: Texas State Comptroller of Public Accounts

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

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

City of Tomball, Texas
Ratios of Outstanding Debt by Type
Last Ten Fiscal Years (Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Primary Government										
Governmental activities:										
General Obligation Bonds	$ -	$ 2,120,000	$ 5,767,500	$ 5,501,750	$ 10,985,250	$ 9,710,500	$ 8,437,500	$ 7,165,750	$ 5,887,500	$ 4,603,250
Certificates of Obligation	15,578,000	12,377,500	7,516,500	21,151,000	22,435,000	21,565,000	20,640,000	19,695,000	38,165,000	36,200,000
Premiums	-	-	255,065	332,990	492,862	449,806	406,750	363,694	1,188,911	1,103,038
Public Property Finance Contractual Obligation	-	-	-	-	-	-	-	-	-	1,300,000
Other Debt items	-	-	(376,266)	(338,639)	(453,956)	-	-	-	-	-
Capital leases	-	-	-	664,193	601,044	535,464	800,000	731,142	660,019	586,556
Subtotal	15,578,000	14,497,500	13,162,799	27,311,294	34,060,200	32,260,770	30,284,250	27,955,586	45,901,430	43,792,844
Business-type activities:										
General Obligation Bonds	-	-	4,757,500	4,738,250	5,304,750	4,669,500	4,042,500	3,429,250	2,832,500	2,246,750
Certificates of Obligation	7,777,000	7,177,500	1,798,500	1,199,000	-	-	-	-	-	
Premiums	-	-	129,540	105,987	94,211	82,435	70,659	58,883	47,107	35,331
Revenue bonds	4,470,000	4,100,000	3,715,000	3,315,000	2,900,000	2,465,000	-	-	-	-
Subtotal	12,247,000	11,277,500	10,400,540	9,358,237	8,298,961	7,216,935	4,113,159	3,488,133	2,879,607	2,282,081
Total Primary Government	$ 27,825,000	$ 25,775,000	$ 23,563,339	$ 36,669,531	$ 42,359,161	$ 39,477,705	$ 34,397,409	$ 31,443,719	$ 48,781,037	$ 46,074,925
Personal Income	$ 285,081,600	$ 290,186,220	$ 273,663,850	$ 315,207,090	$ 315,207,090	$ 463,247,856	$ 475,348,930	$ 508,752,440	$ 576,689,433	$ 575,773,674
Debt as a Percentage of Personal Income	9.760%	8.882%	8.610%	11.633%	13.439%	8.522%	7.236%	6.181%	8.459%	8.002%
Population	11,600	11,670	10,753	10,979	10,979	11,124	11,299	11,540	11,643	11,707
Debt Per Capita	$ 2,399	$ 2,209	$ 2,191	$ 3,340	$ 3,858	$ 3,549	$ 3,044	$ 2,725	$ 4,190	$ 3,936

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

City of Tomball, Texas

Ratio of Net General Bonded Debt to Assessed Value, Net General Bonded Debt per Capita and Assessed and Estimated Actual Value of Taxable Property

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Net Taxable Assessed Value										
All property	$ 1,154,564,959	$ 1,156,108,936	$ 1,119,175,950	$ 1,167,197,642	$ 1,364,595,702	$ 1,468,347,870	$ 1,530,249,239	$ 1,667,217,974	$ 1,741,570,715	$ 1,829,796,778
Net Bonded Debt										
Net bonded debt	23,355,000	21,675,000	19,718,799	32,690,338	38,858,117	36,477,241	33,597,409	30,712,577	48,121,018	45,488,369
Net bonded debt	$ 23,355,000	$ 21,675,000	$ 19,718,799	$ 32,690,338	$ 38,858,117	$ 36,477,241	$ 33,597,409	$ 30,712,577	$ 48,121,018	$ 45,488,369
Ratio of Net Bonded Debt to Assessed Value	2.02%	1.87%	1.76%	2.80%	2.85%	2.48%	2.20%	1.84%	2.76%	2.49%
Population	11,531	11,600	11,670	10,753	10,979	10,979	11,124	11,299	11,643	11,707
Net Bonded Debt Per Capita	2,025	1,869	1,690	3,040	3,539	3,322	3,020	2,718	4,133	3,886

City of Tomball, Texas
Direct and Overlapping Governmental Activities Debt
As of September 30, 2017

Governmental Unit	Net Bonded Debt Outstanding	Estimated Percentage Applicable (1)	Estimated Share of Overlapping Debt
Debt repaid with property taxes:			
Tomball ISD	$ 506,425,000	17.59%	$ 89,080,158
Harris County	2,050,758,022	0.38%	7,792,880
Harris County Flood Control District	83,075,000	0.38%	315,685
Harris County Hospital District	59,490,000	0.38%	226,062
Port of Houston Authority	613,699,397	0.38%	2,332,058
Harris County Dept of Education	6,320,000	0.38%	24,016
Lone Star College System	613,550,000	0.97%	5,951,435
Subtotal, overlapping debt			105,722,294
City direct debt		100.00%	45,488,369
Total direct and overlapping debt			$ 151,210,663

Source: Hilltop Securities

(1) Estimated percentage applicable developed from information obtained from the Municipal Advisory Council of Texas.

City of Tomball, Texas

Legal Debt Margin Information

Last Ten Fiscal Years (Accrual Basis of Accounting)

The City has no general obligation legal debt limit other than a ceiling on the ad valorem tax rate as specified by the State of Texas. The prescribed maximum is $2.50 per $100.00 at 100 percent valuation.

City of Tomball, Texas

Pledged Revenue Coverage

Last Ten Fiscal Years (Accrual Basis of Accounting)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Gross revenues	$ 12,327,602	$ 11,493,769	$ 12,488,750	$ 11,012,281	$ 11,831,041	$ 12,060,478	$ 11,650,417	$ 11,371,959	$ 10,922,004	$ 12,228,559
Operating expenses (1)	6,593,348	6,338,235	6,165,226	5,968,026	6,366,426	6,766,405	6,989,458	6,917,814	7,200,566	7,492,441
Net revenues available for debt service	$ 5,734,254	$ 5,155,534	$ 6,323,524	$ 5,044,255	$ 5,464,615	$ 5,294,073	$ 4,660,959	$ 4,454,145	$ 3,721,438	$ 4,736,118
Debt Service Requirements (2)										
Principal and interest	$ 538,595	$ 542,505	$ 560,591	$ 563,815	$ 568,174	$ 273,536	$ 0	$ 0	$ 0	$ 0

City of Tomball, Texas

Demographic and Economic Statistics

Last Ten Fiscal Years (Accrual Basis of Accounting)

Fiscal Year Ended September 30	Population (1)	Personal Income	Per Capita Personal Income (5)	Median Age (2)	School Enrollment (3)	Unemployment Rate (4)
2009	11,600	$ 285,081,600	$ 24,576	36.8	9,691	8.40%
2010	11,670	290,186,220	24,866	36.8	10,229	8.70%
2011	10,753	273,663,850	25,450	36.0	10,633	8.50%
2012	10,979	315,207,090	28,710	36.9	11,132	7.50%
2013	10,979	315,207,090	28,710	39.8	12,362	6.20%
2014	11,124	463,247,856	41,644	35.6	12,461	4.90%
2015	11,299	475,348,930	42,070	37.2	13,270	4.40%
2016	11,540	508,752,440	44,086	37.3	14,077	5.70%
2017	11,643	576,689,433	49,531	34.5	14,700	4.80%
2018	11,707	575,773,674	49,182	34.5	15,934	4.72%

Data sources:

(1) Estimated (2000 census adjusted for growth for fiscal years 2009-2010). Actual 2011 census population shown for fiscal year 2011. Fiscal year 2014-2016 adjusted for growth based on 2010 census American FactFinder. 2017 estimate from WolframAlpha. 2018 median per American FactFinder.

(2) Tomball Economic Development Corporation or American FactFinder.

(3) Tomball Independent School District.

(4) Texas Employment Commission, SMSA Houston-Sugar Land-Baytown Metropolitan Statistical Area or Houston-The Woodlands-Sugar Land MSA.

(5) Tomball Economic Development Corporation or American FactFinder.

City of Tomball, Texas
Principal Employers
Current Year and Nine Years Ago

Employer	2018 Employees	2018 Rank	2018 Percentage of Total City Employment (1)	2009 Employees	2009 Rank	2009 Percentage of Total City Employment (2)
Tomball ISD	2,216	1	25.73%	1,346	2	28.38%
Lone Star College - Tomball	681	2	7.91%	1,600	1	33.74%
Tomball Regional Medical Center	832	3	9.66%	1,205	3	25.41%
Wal-Mart	357	4	4.15%	450	4	9.49%
HEB	222	5	2.58%	270	6	5.69%
City of Tomball	183	6	2.12%	222	7	4.68%
Lowes	161	7	1.87%	129	9	2.72%
Kindred Hospital	156	8	1.81%	n/a	n/a	n/a
Kroger	148	9	1.72%	130	8	2.74%
Target	107	10	1.24%	117	10	2.47%
Baker Hughes (B J Services)	n/a	n/a	n/a	400	5	8.44%

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

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

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

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

City of Tomball, Texas
Full-time Equivalent City Government Employees by Function\Program
Last Ten Fiscal Years

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
General Fund										
Administration	15.00	14.50	14.50	16.00	17.50	17.50	17.50	17.50	18.00	18.00
Permits and Inspection	5.00	5.00	5.00	5.00	5.00	5.00	4.00	6.00	6.00	6.00
Police Department	55.00	55.00	57.00	59.00	58.00	58.50	59.50	59.50	61.50	61.50
Municipal Court	5.00	5.00	5.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50
Community Center	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Fire Department	14.00	14.00	16.00	18.00	18.00	18.50	27.50	27.50	27.50	27.50
Public Works Admin.	9.00	9.00	9.00	9.00	9.00	9.00	10.00	8.00	8.00	8.00
Garage	1.00	1.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Parks	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	5.20	6.20
Streets	8.20	8.20	8.20	8.20	7.20	7.20	7.20	8.20	8.20	9.20
Total general fund	120.40	119.90	125.40	129.90	129.40	130.40	140.40	141.40	143.90	145.90
Enterprise Fund										
Utility Administration	10.00	9.00	9.00	9.00	8.00	7.00	7.00	8.00	8.00	9.00
Water	6.20	7.20	7.20	7.20	7.20	8.20	8.20	8.20	8.20	8.20
Wastewater	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20	10.20
Gas	6.20	6.20	6.20	6.20	6.20	6.20	6.20	6.20	6.20	6.20
Total enterprise fund	32.60	32.60	32.60	32.60	31.60	31.60	31.60	32.60	32.60	33.60
Special Revenue Fund	0.00	0.50	3.00	2.50	3.00	12.00	3.00	3.00	3.50	3.50
Total City positions	153.00	153.00	161.00	165.00	164.00	174.00	175.00	177.00	180.00	183.00

NOTES:

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

City of Tomball, Texas
Operating Indicators by Function/Program
Last Ten Fiscal Years

Function/Program	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Police:										
Arrests	1,625	2,049	2,012	1,475	2,394	1,650	1,252	883	1,073	808
Accident reports	440	330	334	392	378	453	514	577	489	486
Citations	10,820	14,694	12,798	13,329	11,330	10,181	7,251	6,746	5,679	4,789
Offense reports	2,050	1,705	1,915	2,153	2,008	2,224	1,462	1,092	1,299	525
Fire:										
Emergency responses	1,056	1,341	1,364	1,523	1,768	2,749	2,002	1,671	1,773	2,820
Fire incidents	218	220	207	178	129	128	104	114	162	135
Average response time	4:38	5:15	5:54	6:40	4:50	5:13	5:18	6:52	6:10	6:43
Water:										
New accounts	532	89	79	56	122	126	88	41	148	87
Source:										
Water	532	89	79	56	122	126	88	41	148	87
Sewer	532	89	79	56	122	126	88	41	148	87
Average daily consumption (millions of gallons)	2,166	1,941	2.525	2.249	2,043	1,967	2,052	2,051	1,807	2,090
Number of million gallons of well water pumped	790,409	708,565	923,261	822,215	759,817	718,069	750,434	748,615	659,814	763,060
Total consumption (millions of gallons)	790,409	708,565	923,261	822,215	759,817	718,069	750,434	748,615	659,814	763,060
Peak daily consumption (millions of gallons)	3,791	3,480	4,392	4,312	4,689	3,385	2,840	2,657	4,760	3,941
Sewer:										
Average daily sewage treatment (millions of gallons)	1.428	1.362	1.174	1.555	1.347	1.478	1.576	1.92	1.589	1.528
Total consumption (millions of gallons)	520.176	497.166	429.608	567.754	491.660	539.470	575.240	700.800	579.985	565.824
Peak daily consumption (millions of gallons)	5.10	3.72	2.18	7.44	2.85	5.19	3.78	2.70	3.51	3.20

Source: Various City departments

City of Tomball, Texas
Capital Asset Statistics by Function/Program
Last Ten Fiscal Years

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Function/Program										
Police:										
Stations	1	1	1	1	1	1	1	1	1	1
Patrol units	28	30	32	33	33	33	35	35	35	35
Fire stations	2	2	2	2	2	2	2	2	2	2
Other public works:										
Streets (miles - centerlines)	73	56.2	56.2	58.2	50.6	50.6	50.6	50.6	57.94	57.94
Streetlights	648	650	654	664	689	720	720	720	720	720
Parks and recreation:										
Parks	4	4	4	4	6	6	7	7	7	7
Parks acreage	24 acres	24 acres	24 acres	24 acres	39 acres	39 acres	52 acres	52 acres	69.81 acres	69.81 acres
Swimming pools	1	1	1	1	1	1	1	1	1	1
Baseball/softball diamonds	8	8	8	8	8	8	8	8	8	8
Tennis courts	4	4	4	4	4	4	4	4	4	4
Basketball courts	1	1	1	1	2	2	2	2	2	2
Water:										
Water mains (miles)	91.29	91.59	91.79	91.49	92.2915	92.69	92.69	94.49	95.11	121.36
Fire hydrants	869	874	878	883	950	955	955	974	981	1135
Storage capacity (millions of gallons)	1.85	1.85	2.35	2.35	2.85	2.85	2.85	2.85	2.15	2.15
Sewer:										
Sanitary sewers (miles)	58.6	58.86	59.44	60.13	60.2512	60.2512	60.2512	61.8512	62.48	98.14
Storm sewers (miles)	17.2	17.4	17.4	17.4	22.9	22.9	22.9	22.9	22.9	22.90
Open ditch/creek/canal drainage (miles)	53.4	53.7	54	54	54	54	54	54	57	57.23
Treatment capacity (millions of gallons)	3	3	3	3	3	3	3	3	3	3

Source: Various City departments. In 2018, water and sewer mains (miles) were determined using a Geographic Imaging System.

Streets (miles-centerlines) for 2009 and previous years included County.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: May 20, 2019

Topic:

Consideration to approve **Zoning Case P19-053:** Request by Harpreet Mangat to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.6 acres of land legally described as Tracts 6, 7, 8 and 10 and Lot 9, Block 1 Hirschfield Farms Section 1 U/R, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of SH 249 and Alice Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P19-053**
- Adopt, on First Reading, Ordinance No. 2019-11, 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 3.6 Acres of Land, Legally Described as Tracts 6, 7, 8 and 10 and Lot 9, Block 1 Hirschfield Farms Section 1 U/R, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; said Property being generally located at the Northeast corner of SH 249 and Alice Road; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

Background:

On Monday, May 13, 2019, after conducting a Public Hearing, the Planning and Zoning Commission recommended approval of the rezoning request with a 4-0 vote.

Origination:

Harpreet Mangat

Recommendation:

Approval

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

Craig T. Meyers, P.E., Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2019-11
Staff Report
Notice of Public Hearing
Property Owner Notification

ORDINANCE NO. 2019-11

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 3.6 ACRES OF LAND, LEGALLY DESCRIBED AS TRACTS 6, 7, 8 AND 10 AND LOT 9, BLOCK 1 HIRSCHFIELD FARMS SECTION 1 U/R, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE AGRICULTURAL DISTRICT TO THE COMMERCIAL DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED AT THE NORTHEAST CORNER OF SH 249 AND ALICE ROAD; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * * * * * *

Whereas, Harpreet Mangat has requested that approximately 3.6 acres of land, legally described as Tracts 6, 7, 8 and 10 and Lot 9, Block 1 Hirschfield Farms Section 1 U/R, generally located at the northeast corner of SH 249 and Alice Road, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

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

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

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

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

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

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

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

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

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

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

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

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 20TH DAY OF MAY 2019.

COUNCILMAN FORD	________
COUNCILMAN STOLL	________
COUNCILMAN DEGGES	________
COUNCILMAN TOWNSEND	________
COUNCILMAN KLEIN QUINN	________

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF JUNE 2019.

COUNCILMAN FORD	________
COUNCILMAN STOLL	________
COUNCILMAN DEGGES	________
COUNCILMAN TOWNSEND	________
COUNCILMAN KLEIN QUINN	________

____
Gretchen Fagan, Mayor

ATTEST:

____
Doris Speer, City Secretary

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: May 13, 2019
City Council Public Hearing Date: May 20, 2019

Rezoning Case:	P19-053
Property Owner(s):	Harpreet Mangat and Hardial Mangat
Applicant(s):	Harpreet Mangat
Legal Description:	Tracts 6, 7, 8 and 10 and Lot 9, Block 1 Hirschfield Farms Section 1 U/R
Location:	Northeast corner of SH 249 and Alice Road (Exhibit "A")
Area:	3.6 acres (total site is 10.15 acres)
Comp Plan Designation:	Commercial (Exhibit "B")
Present Zoning and Use:	Agricultural District (Exhibit "C") / Undeveloped (Exhibit "D")
Request:	Rezone from the Agricultural District to the Commercial District

Adjacent Zoning & Land Uses:

North: General Retail and Planned Development Districts / Breaux Machine Works and undeveloped (approved CUP for *mobile food court*)

South: Not Zoned / Alice Road and Harris County Flood Control channel

West: Not Zoned / SH 249

East: General Retail District / Harris County Flood Control channel

BACKGROUND

City Staff met with the applicant in March 2019 to discuss the development of the subject site.

ANALYSIS

The 3.6 acre subject site is currently zoned Agricultural District. The proposed rezoning is for the Commercial District. Properties in the immediate area are zoned General Retail and Planned Development to the north and General Retail to the east. Properties to the south and west are publicly owned by the Texas Department of Transportation (SH 249) or Harris County Flood Control (drainage channel).

The uses in the area include a machine shop (Breaux Machine Works), a State Highway, a flood control drainage channel, undeveloped property and a few general retail stores.

The Comprehensive Plan Future Land Use Map designates the property as Commercial which is intended for retail sales and service activities such as "shopping centers, convenience stores, auto dealers, department stores, grocery and drug stores, entertainment facilities, food and beverage purveyors, salons, and small repair shops".

The purpose of the Commercial Zoning District is to "provide a location for commercial and service-related establishments". The Commercial Zoning District is an appropriate zoning district for the Commercial area.

ZONING CONSIDERATIONS

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

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

The uses permitted in the Commercial District appear to be appropriate for the area. The immediate area consists of SH 249, a Harris County Flood Control Ditch, Alice Road, a machine shop and a few retail businesses. With the direct access to SH 249 and Alice Road, a minor arterial, the property is best suited for a Commercial development.

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

Adequate utilities are available to be extended to the property and the existing streets adjacent to the property can accommodate traffic generated by a Commercial District development. According to Section 50-77 of the Tomball Code of Ordinances, the Commercial District should have "convenient access to thoroughfares and collector streets". The subject site has direct access to both SH 249 and Alice Road.

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

There is vacant land in the City zoned Commercial District. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

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

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

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

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

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

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

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

The Future Land Use Map designates the property as Commercial. The Commercial Zoning District is an appropriate district for the Commercial designated area. According to the Comprehensive Plan, the Commercial area is expected to have a steady stream of traffic throughout the day and into the evening and is an area for retail sales and service activities. According to Section 50-77 of the Tomball Code of Ordinances, the Commercial District "is intended to provide a location for commercial and service-related establishments". The request appears to be consistent with the Comprehensive Plan.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on April 26, 2019. The Notice of Public Hearing was published in the paper on May 1, 2019. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P19-053 for the following reasons:

1. The request meets the goals of City's Comprehensive Plan;
2. The request is in conformance with the Future Land Use Map;
3. The request is generally appropriate with the surrounding land uses in the area;
4. The request is generally appropriate with the surrounding zoning districts.

EXHIBITS

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

Exhibit “A”
Aerial Photo

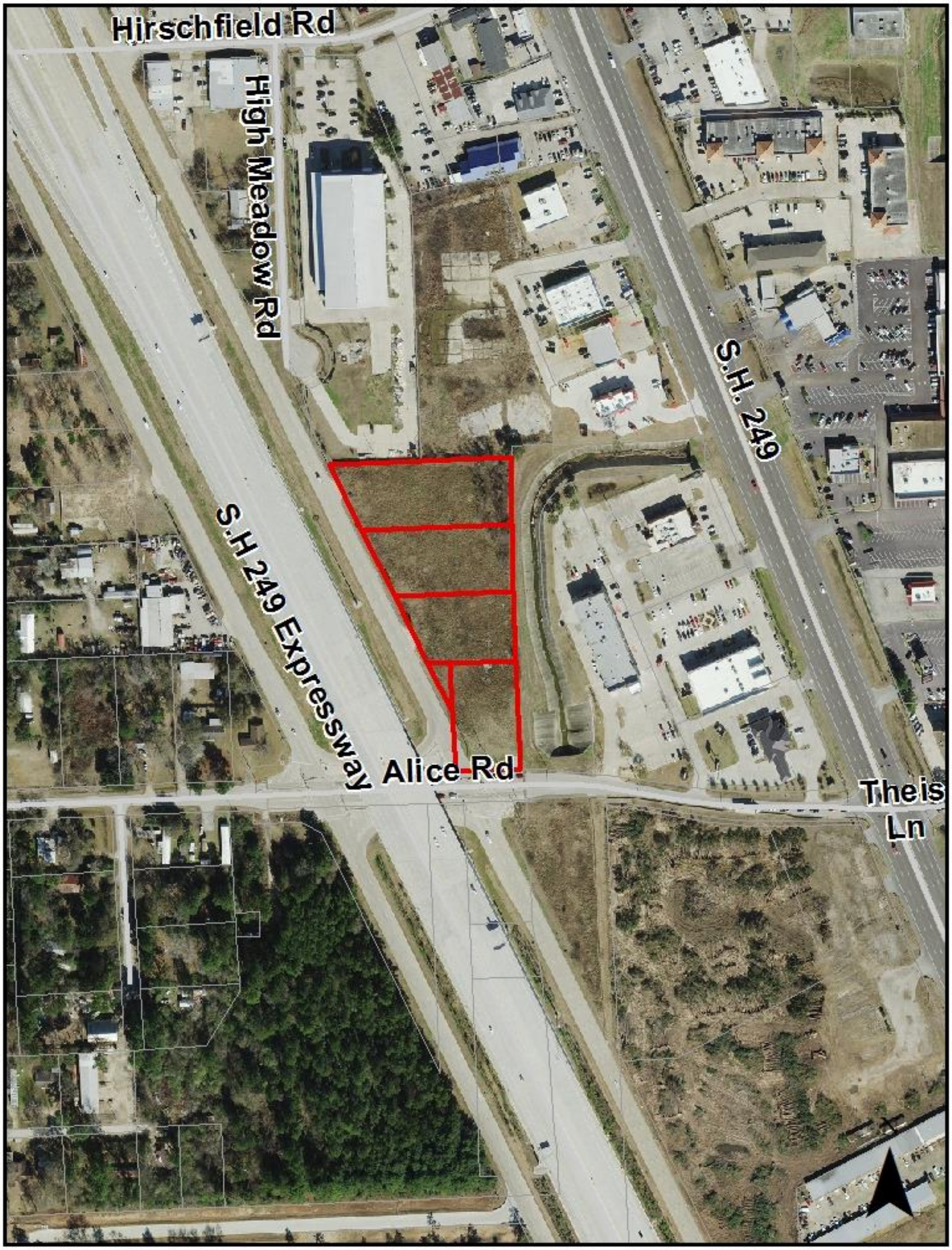


Exhibit "B"
Comprehensive Plan

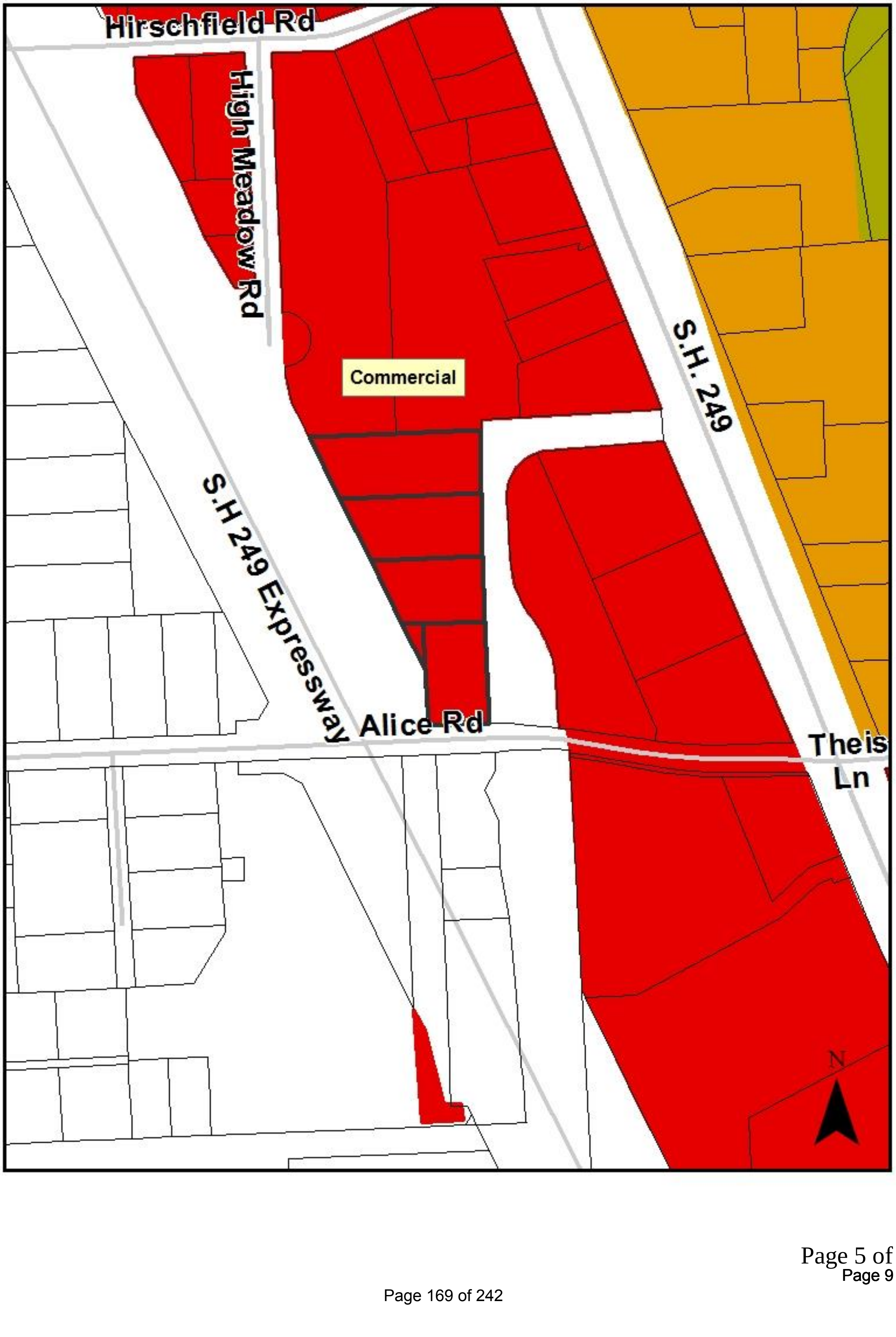


Exhibit “C”
Zoning Map

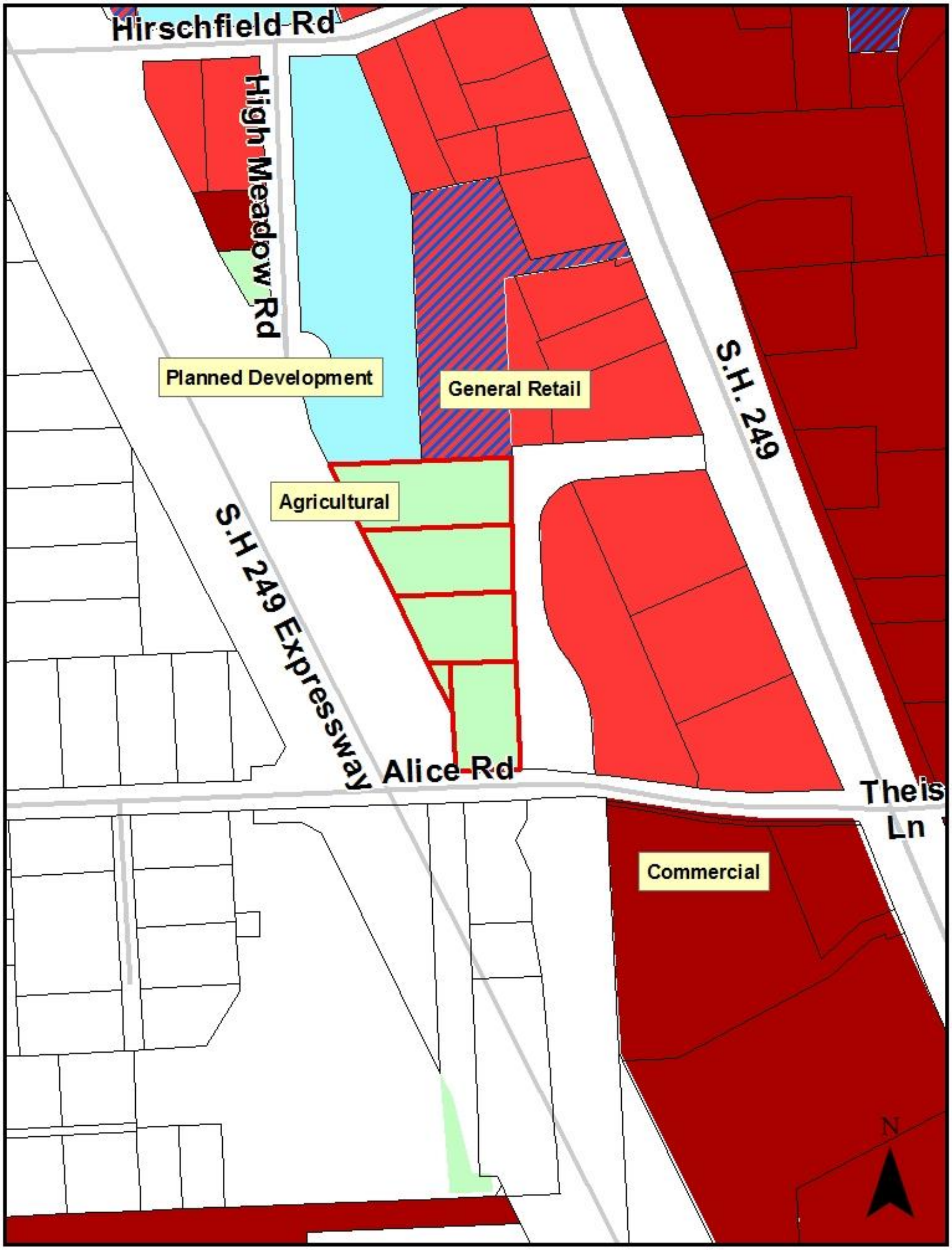


Exhibit "D"
Site Photos

Exhibit "E"
Application

Revised 5/19/15

APPLICATION FOR REZONING

Community Development Department
Planning Division

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

Applicant
Name: HARPREET MANGAT Title: OWNER
Mailing Address: 16433 SMITH ST City: HOUSTON State: TX
Zip: 77040
Phone: (832) 472-2990 Fax: (713) 937-9354 Email: hmangat@hotmail.com

Owner HARPREET MANGAT
Name: HARDIAL MANGAT Title: OWNERS
Mailing Address: 16433 SMITH ST City: HOUSTON State: TX
Zip: 77040
Phone: (832) 472-2990 Fax: (713) 937-9354 Email: hmangat@hotmail.com
281-300-3799

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

Description of Proposed Project: RETAIL / OFFICE / RESTAURANT COMPLEX

Physical Location of Property: NORTHEAST CORNER OF HWY 249 BYPASS / ALICE RD
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: HIRSCHFIELD FARMS SEC 1 U/R BLK 1, LOTS 6, 7, 8, 9, 10
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: AGRICULTURE

Current Use of Property: UNDEVELOPED

Proposed Zoning District: COMMERCIAL

Proposed Use of Property: RETAIL / OFFICE / RESTAURANT COMPLEX

HCAD Identification Number: 104-771-000-0006 104-771-000-0007 104-771-000-0008 104-771-000-0009 104-771-000-0010 Acreage: 3.6255

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

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

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

X Harold L. Mayfield MD 3/29/19
Signature of Applicant **Date**

X Harold L. Mayfield MD 3/29/19
Signature of Owner **Date**

Harold J. Myal 3/29/19

Harpreet S. Mangat MD
Hardial S. Mangat
16433 Smith Street
Houston, TX 77040

March 29, 2019

City of Tomball
401 Market St
Tomball, TX 77375

Ref:- Request to change zoning of tract of land along NE corner of Hwy 249 Bypass/Alice RD

Sir/Madam;

We own the tract of land along NE corner of Hwy 249 Bypass/Alice RD known by Legal Description as Hirschfield Farms Sec 1 U/R Blk 1, Lots 6, 7, 8, 9 and 10. Also known by HCAD numbers 104-771-000-0006, 104-771-000-0007, 104-771-000-0008,104-771-000-0009, and 104-771-000-0010.

We are looking to develop this land into a high-end mixed-use development consisting of Retail Center, Office Complex, and Restaurant(s).

We understand that the City of Tomball currently has this land zoned as Agricultural. We kindly request the City of Tomball to change the zoning designation to Commercial as this land fronts a major freeway and city street. Additionally, lands adjacent and nearby to our tract have both commercial and retail developments in place.

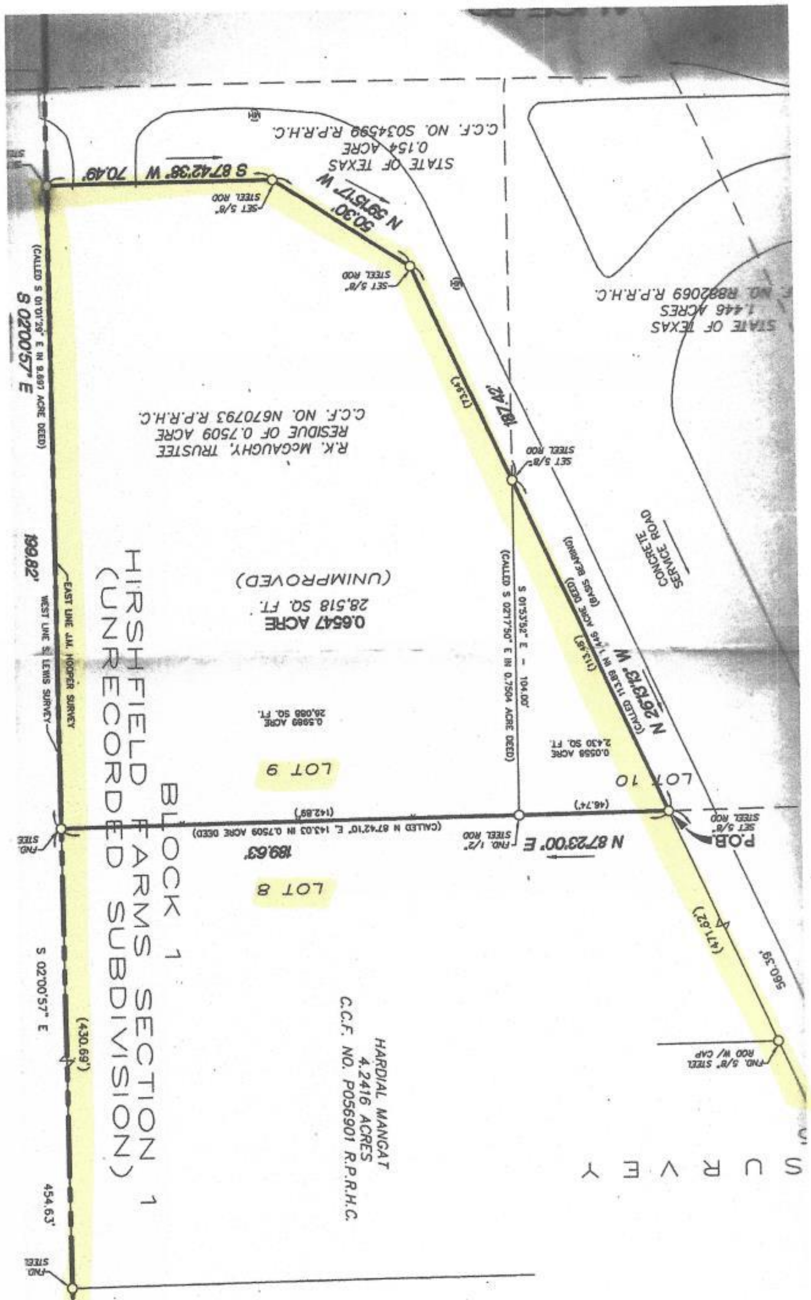
We strongly feel our project will be a beautiful addition to the City of Tomball.

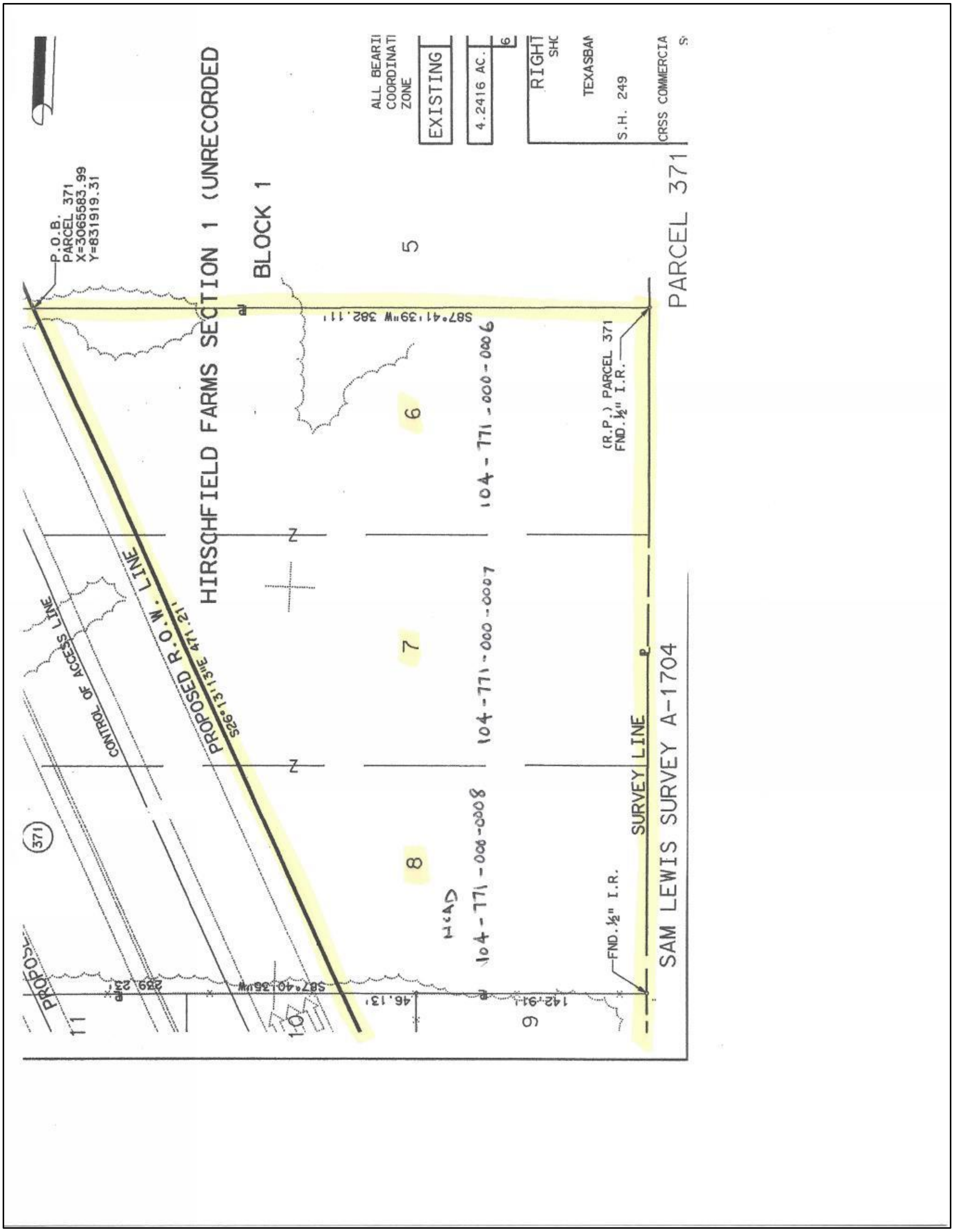
Thank you.

Respectfully;

Harpreet S Mangat MD

Hardial S. Mangat


BLOCK 1
HIRSHFIELD FARMS SECTION 1
(UNRECORDED SUBDIVISION)
R.K. McGAUGHY, TRUSTEE
RESIDUE OF 0.7509 ACRE
C.C.F. NO. N670793 R.P.R.H.C.
0.6547 ACRE
28,518 SQ. FT.
(UNIMPROVED)
LOT 9
LOT 8
LOT 10
P.O.B.
N 87°23'00" E
189.63'
S 02°00'57" E
199.82'
S 87°42'38" W 70.49'
N 59°15'17" W 50.30'
187.42'
STATE OF TEXAS
0.154 ACRE
C.C.F. NO. S034599 R.P.R.H.C.
STATE OF TEXAS
1.446 ACRES
CONCRETE SERVICE ROAD
HARDIAL MANGAT
4.2416 ACRES
C.C.F. NO. P056901 R.P.R.H.C.
SURVEY
(430.69')
454.63'
560.39'
(417.92')


P.O.B.
PARCEL 371
X=3065583.99
Y=831919.31
HIRSCHFIELD FARMS SECTION 1 (UNRECORDED
BLOCK 1
5
6
7
8
371
PROPOSED R.O.W. LINE
S26°13'13"E 471.21'
CONTROL OF ACCESS LINE
S87°41'39"W 382.11'
S87°40'35"W
46.13'
142.91'
104-771-000-0006
104-771-000-0007
HCAD
104-771-000-0008
(R.P.) PARCEL 371
FND. ½" I.R.
FND. ½" I.R.
SURVEY LINE
SAM LEWIS SURVEY A-1704
PARCEL 371
EXISTING
4.2416 AC.
S.H. 249

May 31, 2007

0.6547 Acre

Fieldnotes for 0.6547 acre of land out of Lot 9 and Lot 10, Block 1 of Hirschfield Farms, Section 1, an unrecorded subdivision in the J.M. Hooper Survey, Abstract No. 375, in Harris County, Texas, being comprised of the residue of that certain 1.500 acre tract of land conveyed to Edward H. Pampell, and Wife, Lavern Pampell, as described in deed recorded under County Clerk's File No. G700335 of the Real Property Records of Harris County and the residue of that certain 0.7509 acre tract of land conveyed to R.K. McGaughy, Trustee, as described in deed recorded under County Clerk's File No. N670793 of the said Real Property Records, said 0.6547 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod set in the Northeasterly line of State Highway No. 249 (Bypass), right-of-way varies at this point, at its intersection with the North line of said Lot 10, marking the most Westerly or Northwest corner of the herein described tract, said point being in the South line of adjacent Lot 8 of said Block 1, and that certain 4.2416 acre tract of land conveyed to Hardial Mangat, as described in deed recorded under County Clerk's File No. P056901 of the said Real Property Records, said point also being the most Northerly Northeast corner of that certain 1.446 acre tract of land conveyed to the State of Texas, as described in deed recorded under County Clerk's File No. R882069 of the said Real Property Records;

Thence, North 87°23'00" East with the South line of said Lot 8 and the said 4.2416 acre tract, and with the North line of said Lot 10 and the said 1.500 acre tract, at 46.74 feet passing a 1/2 inch steel rod found marking the Northeast corner of said Lot 10 and the said 1.500 acre tract, and Northwest corner of said Lot 9 and the said 0.7509 acre tract, and continuing with the North line of said Lot 9 and the said 0.7509 acre tract in all, a total distance of 189.63 feet to a 1/2 inch steel rod found in the East line of the said J.M. Hooper Survey marking the Northeast corner of said Lot 9, the said 0.7509 acre tract, and the herein described tract, said point being the Southeast corner of the said 4.2416 acre tract, said point also being in the West line of the Sam Lewis Survey, Abstract No. 1704 and that certain 9.697 acre tract of land conveyed to the Harris County Flood Control District (H.C.F.C.D.), and described as Parcel "D" in deed recorded under County Clerk's File No. L951535 of the said Real Property Records;

Thence, South 02°00'57" East, 199.82 feet with the West line of the said Sam Lewis Survey and the said 9.697 acre tract, and with the East line of the said J.M. Hooper Survey, said Lot 9, and the said 0.7509 acre tract to a 3/4 inch steel rod set in the Northerly line of Alice Road (right-of-way varies) for the Southeast corner of the herein described tract, said point being the Northeast corner of that certain 0.154 acre tract of land conveyed to the State of Texas, as described in deed recorded under County Clerk's File No. S034599 of the said Real Property Records;

Thence, South 87°42'38" West, 70.49 feet with the North line of said Alice Road and the said 0.154 acre tract to a 5/8 inch steel rod set at a cut-back for said State Highway No. 249 (Bypass);

Thence, North 59°15'17" West, 50.30 feet with the Northeasterly line of the said 0.154 acre tract and with the said cut-back line to a 5/8 inch steel rod set in the Northeasterly line of said State Highway No. 249 (Bypass);

Thence, North 26°13'13" West (basis bearing) with the Northeasterly line of said State Highway No. 249 (Bypass) and the said 0.154 acre tract, at 73.94 feet passing a 5/8 inch steel rod set in the West line of said Lot 9 and the said 0.7509 acre tract, and the East line of said Lot 10 and the said 1.500 acre tract, said point being the Northwest corner of the said 0.154 acre tract and the most Easterly Northeast corner of the aforesaid 1.446 acre tract, and continuing with the Northeasterly line of the said 1.446 acre tract in all, a total distance of 187.42 feet to the PLACE OF BEGINNING and containing 0.6547 acre or 28,518 square feet of land, more or less.

This description is based on the land title survey and plat (Job No. 07-15196A) made under the direction of James H. Thomas, Registered Professional Land Surveyor on May 31, 2007.

James H. Thomas, R.P.L.S. No. 5736

STATE OF TEXAS
REGISTERED
JAMES H. THOMAS
5736
PROFESSIONAL
LAND SURVEYOR

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
MAY 13, 2019
&
CITY COUNCIL
MAY 20, 2019

Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, May 13, 2019, at 6:00 P.M.,** and by the City Council of the City of Tomball on **Monday, May 20, 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:

Zoning Case P19-053: Request by Harpreet Mangat to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.6 acres of land legally described as Tracts 6, 7, 8 and 10 and Lot 9, Block 1 Hirschfield Farms Section 1 U/R, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of SH 249 and Alice Road, from the Agricultural District to the Commercial District.

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

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **9th** day of **May 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.

Community Development Department

Notice of Public Hearing

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

CASE NUMBER: P19-053

APPLICANT/OWNER: Harpreet Mangat

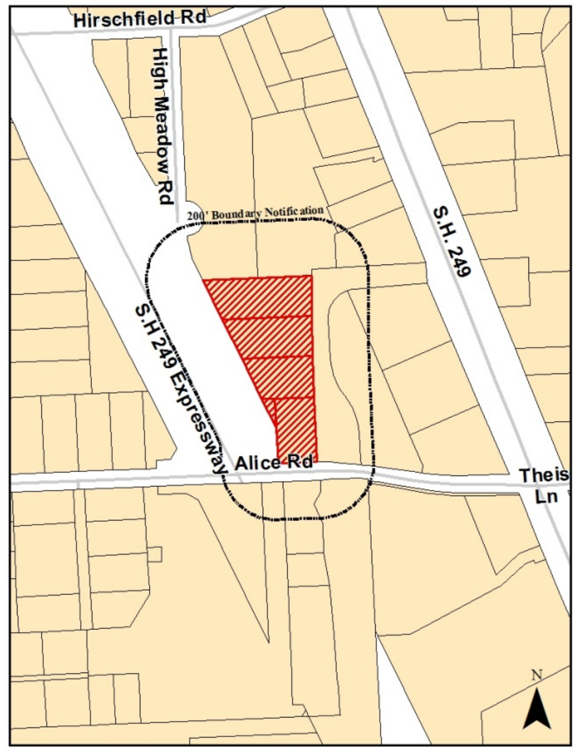
LOCATION: Generally located at the northeast corner of SH 249 and Alice Road

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.6 acres of land legally described as Tracts 6, 7, 8 and 10 and Lot 9, Block 1 Hirschfield Farms Section 1 U/R, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District.

CONTACT: Amelia Lindley, Planner
PHONE: (281) 290-1410
E-MAIL: alindley@tomballtx.gov

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

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



Planning & Zoning Commission Public Hearing:
Monday, May 13, 2019, 6:00 PM

City Council Public Hearing:
***Monday, May 20, 2019, 6:00 PM**

The Public Hearings will be held in the City Council Chambers, City Hall 401 Market Street, Tomball, Texas

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.

Regular City Council Agenda Item Data Sheet

Meeting Date: May 20, 2019

Topic:

Approve Resolution No. 2019-13, a Resolution of the City of Tomball, Texas, Adopting the City's Water Conservation and Drought Contingency Plan (2019)

Background:

Article VII, Sec. 46 of the City of Tomball Code of Ordinances addresses the City's policy, purpose and intent to conserve the available water and protect the integrity of the water supply facilities in regard to domestic water usage.

In addition, the Texas Commission on Environmental Quality (TCEQ) requires that municipalities adopt a Water Conservation and Drought Contingency Plan that establishes rules and regulations for governing drought response conditions and provides procedures for administration and enforcement of a Water Conservation and Emergency Management Plan. Further it is mandated that a review and update must be completed on the plan every five (5) years and then must be re- adopted by City Council.

A review has been completed on the existing Water Conservation and Drought Contingency Plan with no changes with the next review to be completed in 2024.

Origination:

Public Works Department

Recommendation:

Staff recommends approving Resolution No. 2019-13, the City of Tomball Water Conservation and Drought Contingency Plan (2019)

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

Meagan Mageo, Project Coordinator

ACTION TAKEN

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

ATTACHMENTS:

Resolution 2019-13

Water Contingency & Drought Plan 2019

RESOLUTION NO. 2019-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ADOPTING THE CITY'S WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN 2019.

* * * * * * * * * *

WHEREAS, the Texas Commission on Environmental Quality ("TCEQ") requires municipalities to adopt a Water Conversation and Drought Contingency Plan; and

WHEREAS, the TCEQ mandates that such Water Conversation and Drought Contingency Plan be reviewed and re-adopted every five (5) years; and

WHEREAS, a revised and updated Water Conservation and Drought Contingency Plan has been prepared for the City; and

WHEREAS, the City Council finds it to be in the best interest of the health, safety and welfare of its citizens to adopt and approve the revised Water Conservation and Drought Contingency Plan;

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

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

Section 2. The City's Water Conservation and Drought Contingency Plan 2019, a true and correct copy of which is attached hereto and is on file in the City Secretary's office, is hereby adopted.

Section 3. In the event any clause phrase, provision, sentence, or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND RESOLVED this the __20th__ day of __May____, 2019.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

2019

501 James Street, Tomball, Texas 77375
(281) 290-1427 www.ci.tomball.tx.us

PWS# 1010026

CONTENTS

prepared by LaCosta ENVIRONMENTAL LLC

DECLARATION OF POLICY, PURPOSE, AND INTENT

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, to protect and preserve public health, welfare, and safety, and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Tomball hereby adopts the following practices, regulations, and restrictions on the delivery, use, and consumption of water by City Ordinance.

Water uses regulated or prohibited under this Water Conservation and Drought Contingency Plan are considered to be wasteful, non-essential, or discretionary. Uses of water considered wasteful or violations of restricted uses during times of water shortage or other emergency water supply conditions subjects the offender(s) to penalties as defined in the Implementation and Enforcement section of this Plan.

AUTHORIZATION

The City Manager or his/her designee is hereby authorized and directed to implement this Water Conservation Plan and the applicable provisions of this Drought Contingency Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

APPLICATION

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Tomball. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

OVERVIEW

HISTORY

The original settlers to the area now called Tomball began arriving from Europe in the mid-1800s filled dreams, hope for a better life, and a desire for true freedom in a new home.

These pioneers were pleased to find the thick, lush forests around Spring Creek to be much like the Black Forest of Germany and prime property for a soon-to-be thriving lumber industry. They also found the rich soil throughout the area to be perfect for farming and livestock.

Just after the turn of the 20th Century this simple railroad stop and surrounding community was named Peck, Texas, but soon that all changed. In ceremonies held on December 2, 1907 at the now historic downtown depot, Peck was renamed Tomball in honor of the man responsible for routing the railroad and its operations through the small town . . . his name was Thomas Ball.

Thomas Ball was a former congressman, practice law in Houston, was three-time mayor of Huntsville, Texas and is known as the "Father of the Port of Houston". By bringing rail service to the community, Ball virtually ensured the growth that would follow for years to come.

As the City continued to grow and prosper over the next 25-years, residents had little idea of the economic boon that was about to gush into their lives. It was on May 27th, 1933 when the Humble Oil Company struck oil southwest of town earning Tomball the nickname, "Oiltown USA". Humble Oil Company, now known as Exxon, and more than 20 other energy companies worked the fields around the City for many years producing more than 100 million barrels of oil and 316 billion cubic feet of natural gas.

In the decades to follow Tomball has continued to grow into a diverse and vibrant community near to the big City while retaining its small town history and hometown sensibilities.

GEOGRAPHY

Tomball is located in the Trinity River Basin within 11.78 square miles of Harris County. The City is located with the Region H Regional Water Planning Group and TCEQ Region 12.

CLIMATE

An average annual rainfall for Tomball is 45.3 inches with the months of May typically having the most rainfall (4.5 inches). The City averages 79 days with rainfall each year. Monthly temperature averages range from 43°F in January and December to 80°F in July.

WATER RESOURCES

The City of Tomball obtains 100% of its water from the Gulf Coast Aquifer and is within the boundaries of the Harris-Galveston Subsidence District.

INTRODUCTION

OBJECTIVE

The objective of Tomball's Water Conservation and Drought Contingency Plan is to increase efficiency of water use and reduce water demands without adversely affecting the population and economic growth of the City. The fundamental strategy for this Plan is to promote and publicize water conservation activities and drought management strategies in order to meet our water conservation goals and respond appropriately to water supply concerns or emergencies.

The City of Tomball recognizes that the amount of water available to the City and its water utility customers may be limited and subject to depletion during periods of extended drought. Representing the best interests of the citizens of Tomball, Texas, the City deems it expedient and necessary to establish and maintain certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

STATUTORY AND RULE REQUIREMENTS

Texas Water Code §13.146. WATER CONSERVATION PLAN. The commission shall require a retail public utility that provides potable water service to 3,300 or more connections to submit to the executive administrator of the board a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices, as defined by Section 11.002, or other water conservation strategies.

Title 30 Texas Administrative Code, Chapter 288.30(10)(A). Water conservation plans for retail public water suppliers. For retail public water suppliers providing water service to 3,300 or more connections, a water conservation plan meeting the minimum requirements of Subchapter A of this chapter and using appropriate best management practices must be developed, implemented, and submitted to the executive administrator of the Texas Water Development Board not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

Texas Water Code §11.1272. ADDITIONAL REQUIREMENT: DROUGHT CONTINGENCY PLANS FOR CERTAIN APPLICANTS AND WATER RIGHT HOLDERS. (a) The commission shall by rule require wholesale and retail public water suppliers and irrigation districts to develop drought contingency plans consistent with the appropriate approved regional water plan to be implemented during periods of water shortages and drought.

Title 30 Texas Administrative Code, Chapter 288.30(5)(A). For retail public water suppliers providing water service to 3,300 or more connections, the drought contingency plan must be submitted to the executive director not later than May 1, 2005. Thereafter, the retail public water suppliers providing water service to 3,300 or more connections shall submit the next revision of the plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

REPORTING REQUIREMENTS

The Texas Water Development Board (TWDB) requires that the City submit a Water Conservation Plan every five years to coincide with the Regional Water Planning Cycle. The TWDB also requires that the City submit the following information annually:

1. Water Loss Audit, May 1
2. Annual Report, May 1
3. Water Use Survey, March 1

The Texas Commission on Environmental Quality (TCEQ) also requires that the City submit a Drought Contingency Plan every five years to coincide with the Regional Water Planning Cycle.

PUBLIC EDUCATION AND INVOLVEMENT

The City will periodically provide the public with information about this Plan, including information, and/or notification, about ongoing water conservation efforts, the conditions under which each drought stage would be initiated or terminated, and the drought response measures to be implemented in each stage. This information will be provided by means of press releases, radio announcements, local television public announcements, utility bill notices, and other public activities.

WATER WASTE AND NON-ESSENTIAL USES

WATER WASTE

It shall be a violation of this plan at any time of the year for any person, firm, corporation, business or other entity to:

- Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet.
- Operating a permanently installed irrigation system with a broken head, a head that is out of adjustment, or a head that is misting due to high water pressure.
- Operating an automated in-ground irrigation system or hose-end sprinkler on any day of the week between 10:00 a.m. and 6:00 p.m.
- Irrigation or landscape watering during any form of precipitation.
- Allowing water to run off a property and form a stream of water in a street for a distance of fifty (50) feet or greater.
- Allowing water to pond in a street or parking lot to a depth of greater than one quarter (¼) of an inch.

NON-ESSENTIAL/DISCRETIONARY USES OF WATER

The following uses of water are considered non-essential, or discretionary uses of water:

- Irrigation of landscape areas, including parks, athletic fields and golf courses.
- Use of water to wash any motor vehicle, boat, trailer, airplane, or other vehicle.
- Use of water to wash down any sidewalks, walkways, driveways, parking lots, athletic courts, or other hard surfaced areas.
- Use of water to wash down buildings or other structures for purposes other than immediate fire protection.

WATER WASTE AND NON-ESSENTIAL USES

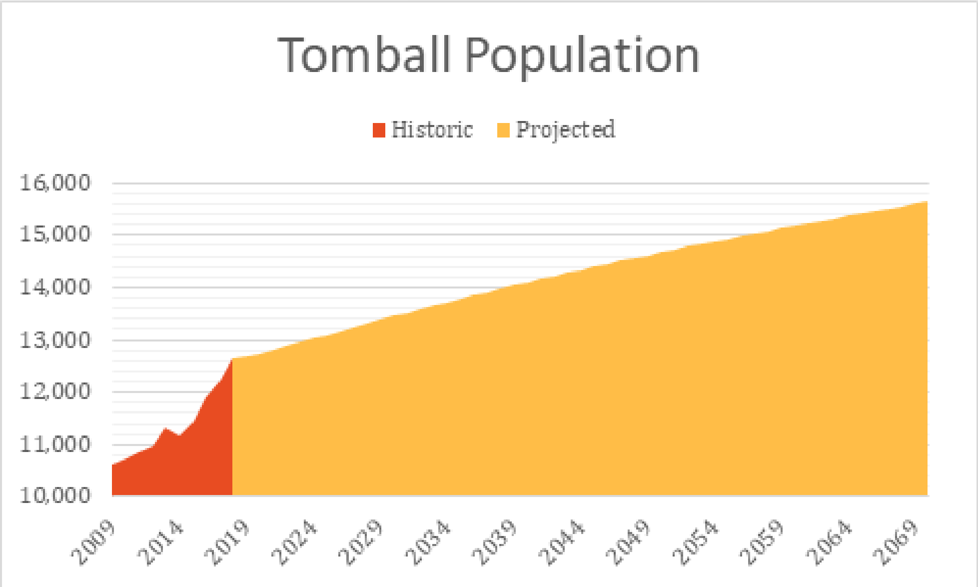
- Flushing gutters or permitting water to run or accumulate in any gutter or street.
- Use of water to fill, refill, or add to any swimming pools or Jacuzzi type pools.
- Use of water in an outside fountain or pond for aesthetic or scenic purposes, except where necessary to support aquatic life.

UTILITY PROFILE

A completed TWDB Utility Profile form is attached as Appendix A. Data is managed by utility staff on a daily basis and organized to be able to track water production and deliveries to the highest practicable levels.

POPULATION

The population of the City has increased steadily throughout its history. The TWDB and Region H population projections, shown below, predict that the City will have over 15,000 residents by 2060.



WATER SYSTEM

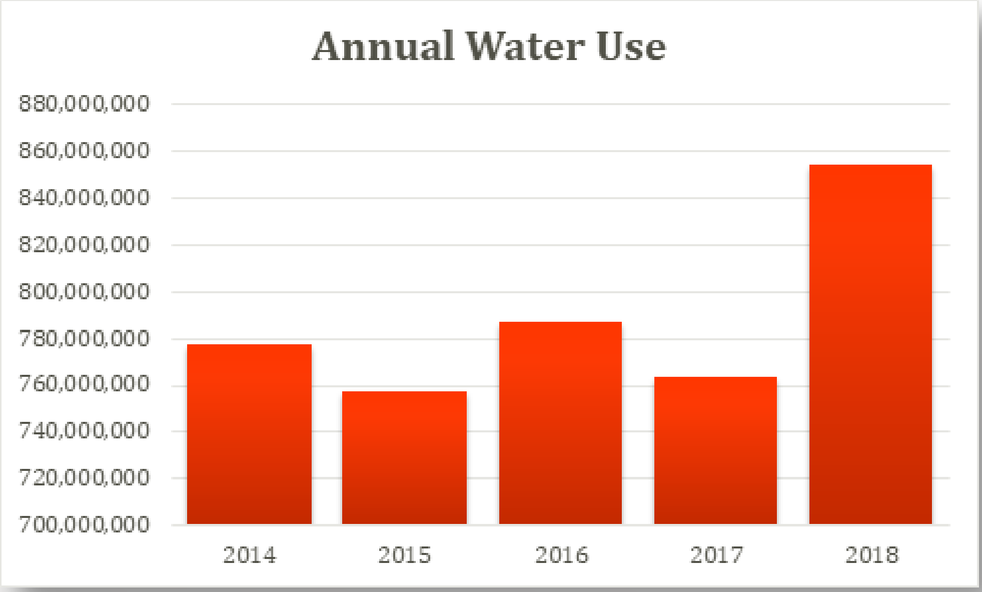
The Water Utility System has a designed daily capacity of 6,562,080 gallons, consists of over 95 miles of distribution lines, and has over 3,700 metered connections. The City maintains four ground/elevated storage tanks, which when full, contain 2,150,000 gallons of water.

WATER SUPPLY

The City of Tomball obtains 100% of its water from five groundwater wells in the Gulf Coast Aquifer.

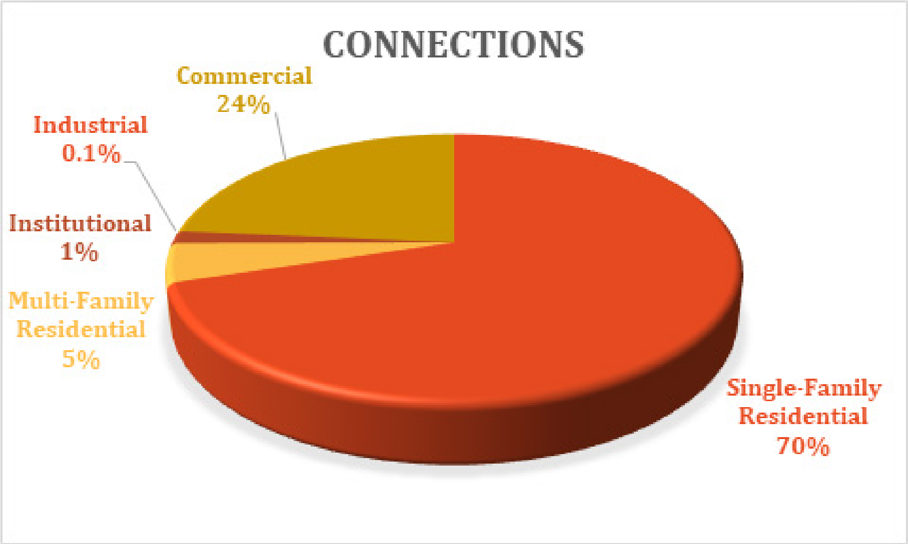
WATER DEMANDS

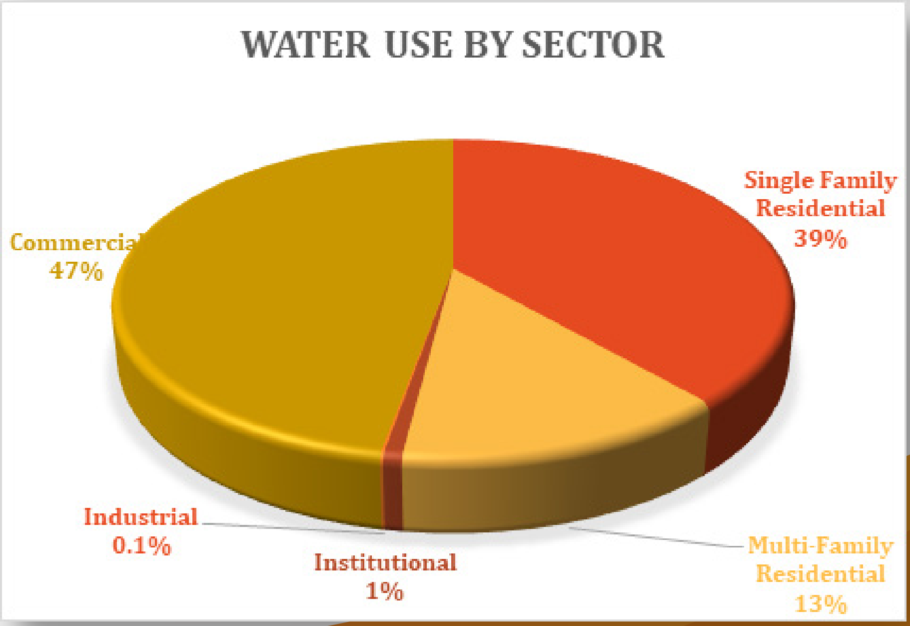
Over the previous 5 years, the City has averaged 788 million gallons of water use annually. In 2018 the City began wholesale service with Red Oak Terrace System.



WATER USE SECTORS

The distribution of retail connections within Tomball is shown below. 70% of connections are for single family residential use, 5% are for multi-family residential use, and 24% are for Commercial. The City has one industrial connection and no agricultural connections.

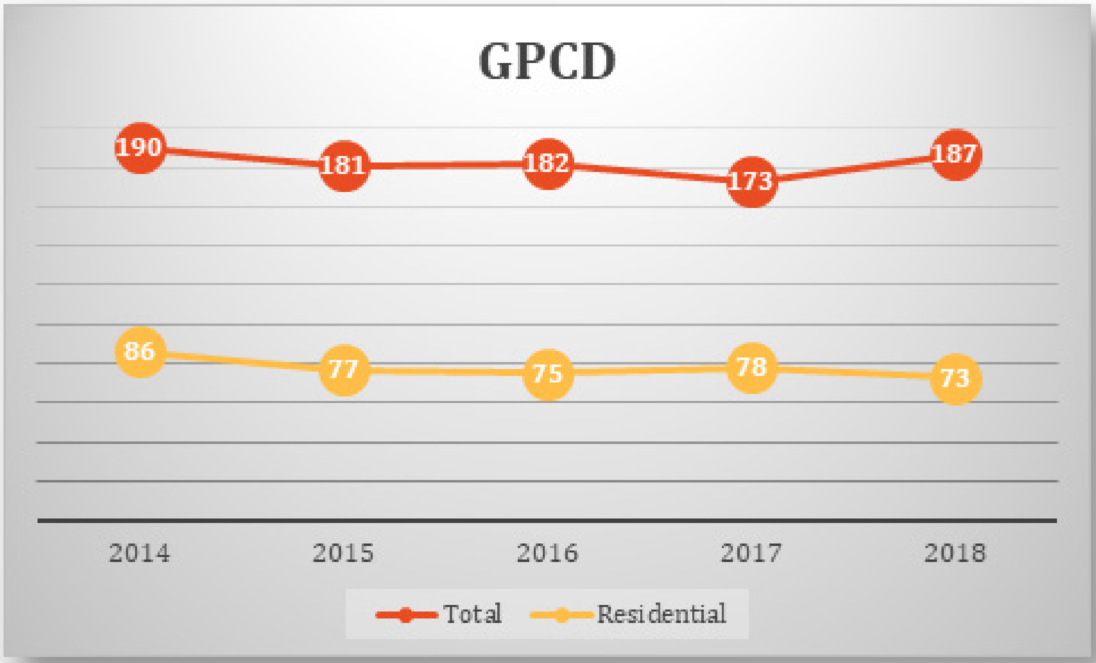




PER CAPITA WATER USE

Per capita water use is generally expressed in gallons per customer per day (GPCD) and is the average amount of water used by each person in the population served by a water utility. Variables that can influence GPCD include the relative amount of non-residential water uses, the rate and type of growth, economics, climatic conditions, and demographics. Residential GPCD is a superior metric for understanding how much water each resident is actually using and does not include commercial and industrial uses.

For the previous 5 years, Total and Residential GPCD for the City are shown below.



PER CAPITA WATER USE GOALS

Per capita water use is generally expressed in gallons per customer per day (GPCD) and is the average amount of water used by each person in the population served by a water utility. Variables that can influence GPCD include the relative amount of non-residential water uses, the rate and type of growth, economics, climatic conditions, and demographics. Residential GPCD is a superior metric for understanding how much water each resident is actually using and does not include commercial and industrial uses.

For the previous 5 years, Total and Residential GPCD for the City are shown below.

SCHEDULE AND TRACKING

The City Director of Public Works will act as the Administrator of the water conservation program. The Administrator will oversee the execution and implementation of all elements of the program. The Administrator is responsible for maintaining adequate records for program verification.

The Administrator will monitor the progress of the Water Conservation Plan, using information from water utility records and staff. Additionally, the Administrator will be responsible for submission of an annual report to the TWDB on the progress, and any changes to, the Water Conservation Plan.

UNIVERSAL METERING AND RECORDS MANAGEMENT

The City employs metering devices on all source water connections capable of measuring the amount of water to within plus or minus 5%. The City requires all retail connections to be metered. All water metered and billed is recorded using the City's billing software.

METER TESTING, REPAIR, AND REPLACEMENT

The City's meter testing, repair, and replacement program:

- Master meters are tested and calibrated periodically to within an accuracy of plus or minus 5%.
- All retail meters are tested and calibrated or replaced as necessary.
- Meters that have abnormally high or low water usage are changed out as they are identified.

LEAK DETECTION, REPAIR, AND WATER LOSS CONTROL

Tomball operates and maintains the water transmission system within the City. In order to maintain water delivery service and to reduce and control unaccounted for water, Tomball staff routinely visually inspect the distribution system to identify abnormal conditions indicating leaks. The staff is equipped to respond and repair equipment and pipeline breaks or employ contract assistance as required. As a result of these measures, water loss has been ranged from 14% to 18%. The City's goals for water loss for the next 5 and 10 years is to maintain less than 15% water loss.

The City's accounting system flags residential and commercial customers where monthly usage exceeds forty percent (40%) differential from average, thereby allowing Public Works to confirm accuracy and meter replacement or repairs as needed. Also, on a monthly basis, the Public Works Department investigates any idle water meters that indicate a usage, regardless of the amount. A stuck meter report generated by the accounting department provides Public Works with a listing of all active meters that had no monthly volumes recorded. These meters are investigated and are replaced or repaired as required.

The City has a continuous leak detection, location, and repair program. Monthly audits of consumption and production volumes are utilized to determine trends for water loss and more immediate action steps to locate water leaks. Continuous surveillance by meter readers and City servicemen provide immediate response to water leaks.

All water meters two inches (2") and larger are compound meters except for irrigation purposes. These meters provide more accurate use volumes for all ranges of flow. In addition, the City has implemented an Automatic Meter Reading (AMR) system.

WATER RATE STRUCTURE

Tomball has a non-promotional rate structure for water service that is cost based and does not encourage the excessive use of water. An escalating base rate from residential through large commercial customers (51,000+ gallons), along with a constant volume rate, provide a uniform rate structure so that all customer classes (residential, small, medium, and large commercial) are equally encouraged to conserve.

PLUMBING FIXTURES

The State of Texas has recently adopted more stringent water saving performance measures for plumbing fixtures, found in the Health & Safety Code Chapter 372. The following maximum flow standards are subsequently listed in the Texas Administrative Code Title 30 Chapter 290 Subchapter G:

Customers in existing buildings that do not have water saving plumbing fixtures are encouraged to retrofit their old plumbing fixtures. New construction, including remodeling of existing structures, must comply with City and State plumbing fixture standards. There are a wide assortment of water efficient fixtures, clothes and dish washers that provide the same performance, but use less water. A water efficient home can save more than 20% of annual indoor water use.

WATER-CONSERVING LANDSCAPING

Water-conserving landscaping is a development concept that encourages residents to adopt low- water- using landscaping principles and methods for use around the home. The same concepts can be applied to other landscaped areas as well, including parks and other public places.

A popular method of reducing water use for landscape irrigation is to encourage residents to use the following techniques for landscaping. The following are generally accepted principles when planning a water efficient yard:

- Planning and design. During this step an appropriate plan is developed considering such variables as climate, existing vegetation, intended use of the space, and topographic features.
- Soil analysis. Examine the soil types covering the whole site.
- Appropriate plant selection. Plants should be selected which are native to the area or are adaptive to the site.
- Practical turf areas. Plan where turf areas should be located and consider increasing the area of decks, porous paving, paths, and mulched planting beds to reduce turf.
- Efficient irrigation. Landscaped areas should only be watered as needed and then usually during the early morning or late evening to avoid water lost due to evaporation, keeping in mind some plant species may experience mold and/or fungus growth if watered at night.
- Use of mulches. A three- to four-inch layer of mulch should cover all exposed soil areas and be replenished twice a year.
- Appropriate maintenance. Keep the yard well maintained to reduce the use of fertilizer, chemicals, and water.

CUSTOMER SERVICE INSPECTIONS

A customer service inspection certification as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, § 290.46, shall be completed prior to providing continuous water service to new construction or any existing service when the City has reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any material improvement, correction, or addition to the private plumbing facilities. The existence of a serious threat to the integrity of the public water supply shall be considered sufficient grounds for immediate termination of water service.

BACKFLOW ASSEMBLY TESTING AND INSTALLATION

All backflow prevention assemblies shall be tested upon installation by a recognized backflow assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against high health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention device tester.

Backflow assembly testing and installation shall be completed as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, § 290.44h.
It shall be the duty of the customer at any premise where backflow prevention assemblies are installed to have a certified inspection and operational tests conducted annually. In those instances where the City deems the hazard to be deleterious to human health, customer service inspection certifications may be required semiannually. Inspections and tests shall be at this expense of the customer or customer representative and shall be performed by a certified backflow technician.

Assemblies shall be repaired, overhauled, or replaced at the expense of the customer whenever said assemblies are found to be defective. Records of such tests, repairs, and overhaul shall be kept and submitted to the City within five days of the test, repairs, or overhaul of each backflow prevention assembly.

No device or assembly shall be removed from use, relocated, or other device or assembly substituted without the approval of the City. Whenever the existing assembly is moved from the present location, requires more than minimum maintenance, or when the City finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention assembly complying with requirements of this section and the current adopted Plumbing Code of the City.

A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. The signed and dated original must be submitted to the City, Community Development Division, within five days of test.

A recognized backflow prevention assembly tester must have completed a Texas Commission on Environmental Quality (TCEQ) approved course on cross connection control and backflow prevention and pass an examination administered by the TCEQ or its designated agent.

ADDITIONAL WATER CONSERVATION STRATEGIES

The City will select any combination of the following strategies, in addition to those strategies listed above, if they are necessary to achieve the stated water conservation goals of this Water Conservation Plan. The TCEQ may also require that any of the following strategies be implemented by the City if the TCEQ determines that the strategy is necessary to achieve the goals of this Water Conservation Plan. The additional strategies that may be implemented are:

- Revision of water rates to promote increased water conservation.
- Additional programs to encourage the retrofit of water-conserving plumbing fixtures in existing structures.
- A program for pressure control and/or reduction in the distribution system and/or for customer connections.
- Any other conservation practice, method, or technique which the City shows to be appropriate to achieving the stated goal or goals of this Water Conservation Plan.

DROUGHT TRIGGERS

The Mayor, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan.

STAGE 1

MILD DROUGHT CONDITION

Total daily demand exceeds 60% of production capacity for three consecutive days
Other causes as determined by City Council and/or City Manager

STAGE 2

MODERATE DROUGHT CONDITION

Total daily demand exceeds 70% of production capacity for three consecutive days
Other causes as determined by City Council and/or City Manager

STAGE 3

SEVERE DROUGHT CONDITION

Total daily demand exceeds 80% of production capacity for three consecutive days
Other causes as determined by City Council and/or City Manager

STAGE 4

CRITICAL DROUGHT CONDITION

Total daily demand exceeds 90% of production capacity for three consecutive days
Other causes as determined by City Council and/or City Manager

STAGE 5

EMERGENCY WATER CONDITION

Total daily demand exceeds 95% of production capacity for three consecutive days
Natural or man-made contamination of the water supply source
System outage due to failure of major water system components

Tomball tx

WATERING SCHEDULE

The City of Tomball watering schedule is shown below. During the mandatory stages of this plan, watering with irrigation system or hose-end sprinklers is prohibited between the hours of 5:00AM and 7:00PM. Landscape watering is permitted at any time or day with a bucket or watering can.

	COMPLIANCE	ODD ADDRESSES	EVEN ADDRESSES
DROUGHT STAGE 1	VOLUNTARY	Wednesday, Saturday	Thursday, Sunday
DROUGHT STAGE 2	MANDATORY	Wednesday	Thursday
DROUGHT STAGE 3	MANDATORY	Wednesday	Thursday
DROUGHT STAGE 4	MANDATORY	Wednesday	Thursday
EMERGENCY 5	All outoor, non-essential, or discretionary uses of water are prohibited.		

RESPONSE STAGES

DROUGHT STAGE 1	**MILD DROUGHT CONDITION** Target: 10% reduction in daily water demand	City will reduce waterline flushing Request customers to adhere to Stage 1 watering schedule City operations shall adhere to Stage 2 watering schedule Customers are requested to minimize non-essential uses
DROUGHT STAGE 2	**MODERATE DROUGHT CONDITION** Target: 20% reduction in daily water demand	Require customers to adhere to Stage 2 watering schedule Washing vehicles and filling swimming pools prohibited between 5:00AM and 7:00PM * Use of water for fountains or ponds prohibed **
DROUGHT STAGE 3	**SEVERE DROUGHT CONDITION** Target: 30% reduction in daily water demand	City will eliminate flushing of waterlines Require customers to adhere to Stage 2 watering schedule Watering of golf course tees prohibited Use of water for construction from hydrants prohibited
DROUGHT STAGE 4	**EMERGENCY WATER CONDITION** Target: Achieve necessary reduction in daily demand	Require customers to adhere to Stage 2 watering schedule Washing vehicles and filling swimming pools prohibited * No applications for new service ***
EMERGENCY 5	**MILD DROUGHT CONDITION** Target: 10% reduction in daily water demand	Non-essential and discretionary uses of water prohibited Implement appropriate emergency response Examine alternative sources

* Does not apply to commercial car washes in Stage 2. Vehicle washing at commercial car washes may only occur between 6:00AM and 10:00AM and between 6:00PM to 10:00PM in Stage 4.

** Does not apply to fountains or ponds that support aquatic life.

*** No applications for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as Stages 4 or Stage 5 are in effect.

EMERGENCY RESPONSES

In the event of an identified water shortage declaration, the City will distribute water to wholesale customers according to Texas Water Code, §11.039* and initiate water allocation to municipal water customers.

In the event of a contamination event, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified immediately. In the event of a backflow incident, loss of pressure, or an Acute Maximum Contaminant Level coliform violation, a Boil Water Notice will be implemented as prescribed in 30 TAC Chapter 290.

In the event of a catastrophic failure due to natural or man-made events, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified.

In the event of an emergency loss of water supply, the City will consider purchases of water by the truckload or in bottles for the health and public safety of the City's residents.

VARIANCES

The City Manager or his/her designee may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

1. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
2. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Tomball within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by City Manager or his/her designee, and shall include the following:

1. Name and address of the petitioner(s).
2. Purpose of water use.
3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
4. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
5. Description of the relief requested.
6. Period of time for which the variance is sought.
7. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
8. Other pertinent information.

WHOLESALE CONTRACTS

The City of Tomball will include a requirement in every water supply contract entered into after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with applicable provisions of Title 30 Texas Administrative Code, Chapter 288.

The City of Tomball will include a provision in every wholesale water contract entered into after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

ENFORCEMENT

Whoever violates any provision of this chapter for which another penalty is not specifically provided, shall be punished as set forth by City Ordinance.

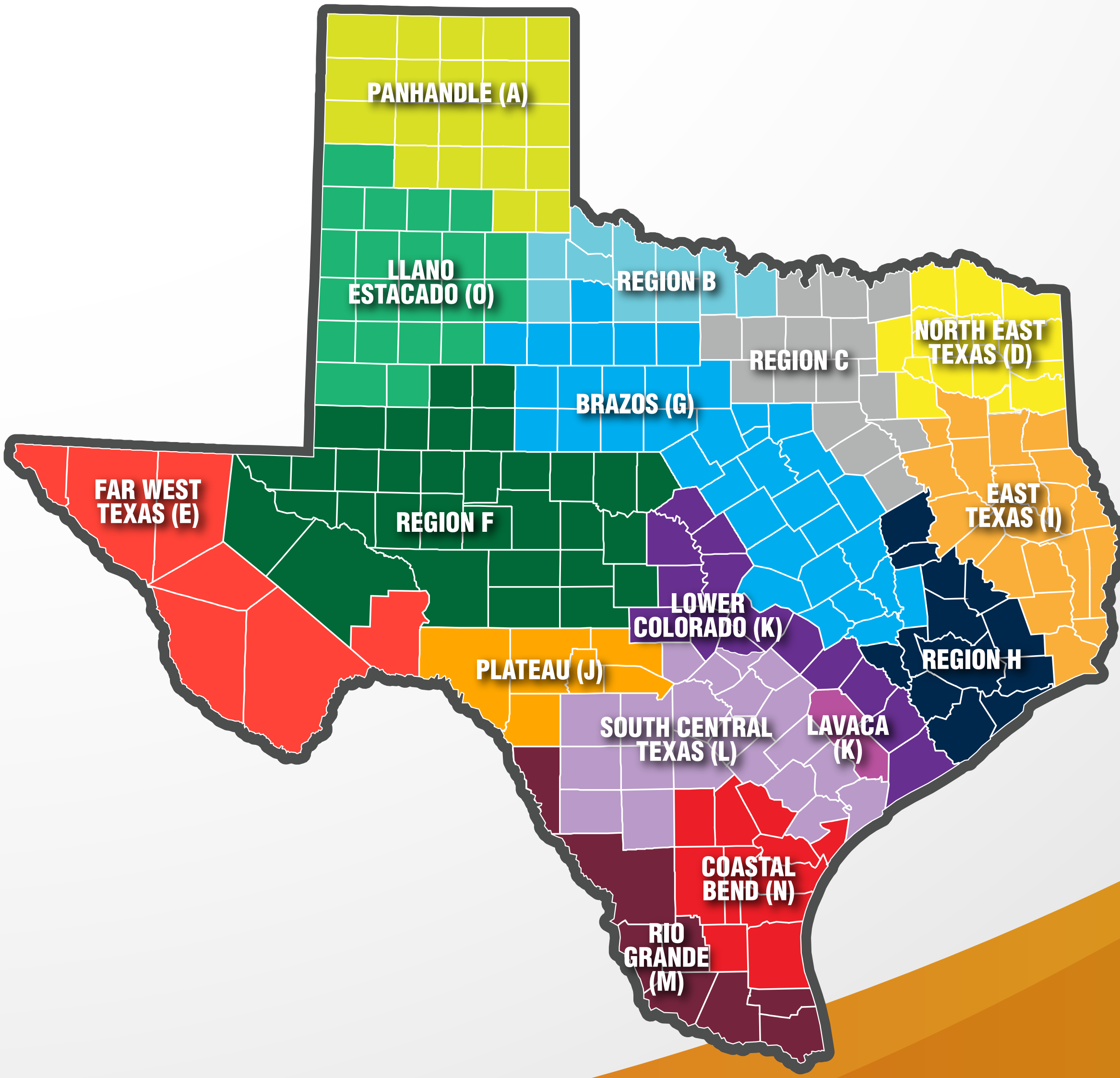
(1) No person shall knowingly or intentionally allow the use of water from the City for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Mayor, or his/her designee, in accordance with provisions of this Plan.

(2) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of up to $2,000. Each day that one or more of the provisions is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of these sections, the Mayor shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City that the same action shall not be repeated while the Drought Contingency Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

(3) Any person, including a person classified as a water customer of the City, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation.

COORDINATION WITH REGIONAL WATER PLANNING GROUP

The service area of the City of Tomball is located within the Region H Regional Water Planning Group and the City will provide a copy of this Plan to the Planning Group.



Regular City Council
Agenda Item
Data Sheet

Meeting Date: May 20, 2019

Topic:
Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2019-14, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed to Install Public Utilities along Hufsmith Road, Specifically a Tract of Land Containing 0.1099 Acres Believed to be Owned by Barbara Hieden Seber, in the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

Background:
The Hufsmith Utility Project was approved by City Council. This project will provide water and gas utilities along East Hufsmith, generally east of Snook Lane and south of Zion Road. The City has negotiated with the owner for the purchase of the property and has been unable to agree with the owner as to a fair market value thereof and damages, if any. The offer to the owner of the land was made based upon its appraised value. Staff is requesting Council approval to proceed with eminent domain proceedings.

When making the motion please state ***"I move that the City of Tomball, Texas adopt this resolution authorizing the use of the power of eminent domain to acquire the property described in this resolution for public utility purposes."***

Origination:
City Attorney

Recommendation:
City Attorney recommends approval.

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

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2019-14 - Hieden

RESOLUTION NO. 2019-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT LAND IS NEEDED TO INSTALL PUBLIC UTILITIES ALONG HUFSMITH ROAD, SPECIFICALLY A TRACT OF LAND CONTAINING 0.1099 ACRES BELIEVED TO BE OWNED BY BARBARA HIEDEN SEBER, IN THE CITY OF TOMBALL, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

* * * * *

WHEREAS, the City Council of the City of Tomball now finds and determines that public convenience and necessity requires the City of Tomball to acquire a utility easement over and across a tract of land containing 0.1099 acres along Hufsmith Road for installation of public utilities in the City of Tomball, Texas, a more specific description of said 0.1099 acre tract of land is attached hereto as Exhibit "A" and made a part thereof, (herein after the "Land"); and

WHEREAS, the City of Tomball, through its duly authorized representatives, has negotiated with the owners of the Land for the purchase of same for the purpose stated herein and has been unable to agree with such owners as to the fair cash market value thereof and damages, if any; and

WHEREAS, the City Council of the City of Tomball has authorized the City Manager or his designee to make a final offer to the owners of the Land for the purchase of same based upon its appraised value, and such final offer has been made and the owner has refused to accept such final offer; now therefore,

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

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

Section 2. The City Council of the City of Tomball finds that a bona fide offer has been made by duly authorized representatives of the City for the acquisition of a utility easement over and across the herein described tract of the Land, and that said offer was not accepted, and that the only way

for the City of Tomball to acquire such interest in said tract of land is through the filing of eminent domain proceedings.

Section 3. The City Council hereby finds and determines that a public use and necessity exists for the City of Tomball to install utilities along Hufsmith Road, and to acquire the necessary property rights in the 0.1099 acre tract of land deemed necessary for such purpose, as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land.

Section 4. The final offer heretofore made by the City Manager or his designee authorized by formal action of the City Council, for the purchase of the Land is in all things hereby ratified and confirmed.

Section 5. The City Attorney is hereby authorized to bring eminent domain proceedings on behalf of the City of Tomball under applicable provisions of law, whether provided by §251.001 of the Texas Local Government Code, as amended, Chapter 21 of the Texas Property Code, or by any other provision of law, against the owner or owners of the Land, to-wit: Barbara Hieden Seber, or against the real and true owner, owners, claimant, or claimants if Barbara Hieden Seber is said not to be the owners of the Land.

PASSED, APPROVED, AND RESOLVED this 20th day of May 2019.

Gretchen Fagan
Mayor

ATTEST:

Doris Speer
City Secretary

EXHIBIT "A"

METES & BOUNDS
0.1099 ACRE
CITY OF TOMBALL UTILITY EASEMENT

BEING A TRACT OF LAND CONTAINING 0.1099 ACRE (4,789 SQUARE FEET) LOCATED IN THE JOHN SOPER SMITH SURVEY, ABSTRACT NUMBER 730, HARRIS COUNTY, TEXAS, AND BEING PART OF AND OUT OF TRACT 2 OF THE DIVISION OF THE STOKLEY ESTATE TRACT ACCORDING TO THE MAP THEREOF RECORDED UNDER VOLUME 1163, PAGE 270 OF THE HARRIS COUNTY DEED RECORDS, AND BEING FURTHER OUT OF THAT CERTAIN CALLED 7.6527 ACRE TRACT CONVEYED TO ELTON RAY TIPTON, CHRYSTAL RENEE TIPTON VITULLI AND SANDRA REGINA TIPTON HARGRAVE BY DEED RECORDED UNDER COUNTY CLERK'S FILE NUMBER D580475 OF THE HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY AND THE PROBATED WILL OF BETTIE JOE HIEDEN, DECEASED, UNDER CAUSE NUMBER 178888, HARRIS COUNTY TEXAS, AND ALSO BEING FURTHER OUT OF THAT CERTAIN CALLED, BY SAVE AND EXCEPT CALCULATION, 86.7729 ACRE TRACT CONVEYED TO OLE SPEC, LTD., A TEXAS LIMITED PARTNERSHIP BY DEED RECORDED UNDER COUNTY CLERK'S FILE NUMBER 20100066073 OF THE HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, SAID 0.1099 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS IN THIS DESCRIPTION ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES ARE IN SURFACE. THE COORDINATES SHOWN HEREON ARE GRID COORDINATES AND MAY BE BROUGHT TO SURFACE BY DIVIDING BY THE COMBINED SCALE FACTOR OF 0.999955. ALSO, THE 5/8" IRON RODS WITH PLASTIC CAPS NOTED AS BEING SET IN THIS DESCRIPTION HAVE THE FOLLOWING STAMPED ON SAID CAPS: MGM, INC. RPLS #4743. SAID IRON RODS WILL BE SET AT A TIME AUTHORIZED BY THE CITY OF TOMBALL.)

BEGINNING at a point along the west line of the aforementioned Tract 2 of the division of the Stokley Estate tract for the intersection of said west line with the occupied southeasterly line of East Hufsmith Road, called 50' wide, said point also marking the common northwesterly corner of said Elton Ray Tipton, et al, called 7.6527 acre tract and the 0.1099 acre tract herein described, said point also marking the northeasterly corner of that certain called 1.25 acre tract conveyed to James A. Johnson and wife, Dorothy Johnson by deed recorded under Volume 7302, Page 523 of the Harris County Deed Records, said point bearing N 53° 20' 30" E a distance of 316.82' from a 1/2" iron rod with cap stamped "O'Malley" found for the intersection of said southeasterly line of East Hufsmith Road and the occupied west line of Snook Lane, called 60' wide, said point also bearing S 16° 44' 20" W a distance of 2.88' from a found 5/8" iron rod with cap stamped "E.I.C." and N 39° 39' W a distance of 1.65' from a timber fence post, said point possessing Texas State Plane Coordinates of X=3,042,698.46 and Y=13,967,796.36;

THENCE, N 53° 20' 30" E, along said occupied southeasterly line of East Hufsmith Road and the northerly line of said Elton Ray Tipton, et al, called 7.6527 acre tract, a distance of 239.43' to a point along the east line of said Tract 2 of the division of the Stokley Estate tract for the common northeasterly corner of said called 7.6527 acre tract and the 0.1099 acre tract herein described, said point marking the previous location of a 5/8" iron rod along said southeasterly line of East Hufsmith Road for the northwesterly corner of that certain called 3,281 square foot tract of land conveyed to the City of Tomball by General Warranty Deed recorded under County Clerk's File Number 20100382818 of the Official Public Records of Real Property of Harris County, Texas, said 5/8" iron rod having since been destroyed, said point bearing S 54° 01' 26" W a distance of 239.56' from a found 5/8" iron rod;

THENCE, S 02° 36' 00" E, leaving the occupied southeasterly line of said East Hufsmith Road and the northerly line of said Elton Ray Tipton, et al, called 7.6527 acre tract along the common east line of said called 7.6527 acre tract and said Tract 2, said east line also being the west line of Tract 3 of said division of the Stokley Estate tract, at a distance of 17.34' pass the southwesterly corner of said City of Tomball called 3,281 square foot tract, at a distance of 18.02' pass a 1/2" iron rod with cap stamped "Precision" found a distance of 0.06' to the right, and continuing in all a total distance of 24.14' to a 5/8" iron rod with plastic cap set for the southeasterly corner of the 0.1099 acre tract herein described, said 5/8" iron rod bearing N 02° 36' 00" W a distance of 457.35' from a 5/8" iron rod found for the occupied southeast corner of said Tract 2;

THENCE, S 53° 20' 30" W, leaving the common east line of said called 7.6527 acre tract and said Tract 2 of the division of the Stokley Estate tract along a line 20' from and parallel with the occupied southeasterly line of East Hufsmith Road and the northerly line of said called 7.6527 acre tract, a distance of 239.44' to a 5/8" iron rod with plastic cap set along the common west line of said called 7.6527 acre tract and said Tract 2 and the common east line of the aforementioned Johnson called 1.25 acre tract and Tract 1 of the division of the Stokley Estate tract, for the southwesterly corner of the 0.1099 acre tract herein described,

EXHIBIT "A"

METES & BOUNDS
0.1099 ACRE UTILITY EASEMENT
PAGE 2

said iron road bearing N 02° 33' 48" W a distance of 320.65' from the previous location of a 1/2" iron pipe referenced in that certain General Warranty Deed that conveyed a called 0.9986 acre tract to Willie Mae Green, said deed being recorded under
County Clerk's File Number N797769 of the Official Public Records of Real Property of Harris County, Texas, said 1/2" iron pipe location being accepted this survey as the apparent southwest corner of said Tract 2 and the northernmost southwest corner of said called 7.6527 acre tract, said iron pipe also marking the common southeast corner of said called 1.25 acre tract and said Tract 1 of the division of the Stokley Estate tract, said iron pipe having since been destroyed;

THENCE, N 02° 33' 48" W, along the common west line of said called 7.6527 acre tract and said Tract 2 and the east line of said called 1.25 acre tract and said Tract 1, a distance of 24.15' to the **POINT OF BEGINNING** and containing 0.1099 acre (4,789 square feet) of land.

This metes and bounds description is based on an actual survey made on the ground under the supervision of Steven L. Guy, R.P.L.S. An Exhibit of this easement of like date has been issued separately in conjunction with this metes and bounds description.

Steven L. Guy

STATE OF TEXAS
REGISTERED
STEVEN L. GUY
4743
PROFESSIONAL
LAND SURVEYOR

2/27/2019

Page 5 of 5

Regular City Council Agenda Item Data Sheet

Meeting Date: May 20, 2019

Topic:

Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2019-15, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed to Install Public Utilities along Hufsmith Road, Specifically a Tract of Land Containing 0.0555 Acres Believed to be Owned by Frank Rhane Krzenski and Deanna Krzenski, in the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

Background:

The Hufsmith Utility Project was approved by City Council. This project will provide water and gas utilities along East Hufsmith, generally east of Snook Lane and south of Zion Road. The City has negotiated with the owner for the purchase of the property and has been unable to agree with the owner as to a fair market value thereof and damages, if any. The offer to the owner of the land was made based upon its appraised value. Staff is requesting Council approval to proceed with eminent domain proceedings.

When making the motion please state ***"I move that the City of Tomball, Texas adopt this resolution authorizing the use of the power of eminent domain to acquire the property described in this resolution for public utility purposes."***

Origination:

City Attorney

Recommendation:

City Attorney recommends approval.

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

City Attorney/City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2019-15 - Krzenski

RESOLUTION NO. 2019-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT LAND IS NEEDED TO INSTALL PUBLIC UTILITIES ALONG HUFSMITH ROAD, SPECIFICALLY A TRACT OF LAND CONTAINING 0.0555 ACRES BELIEVED TO BE OWNED BY FRANK RHANE KRZENSKI AND DEANNA KRZENSKI, IN THE CITY OF TOMBALL, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

* * * * *

WHEREAS, the City Council of the City of Tomball now finds and determines that public convenience and necessity requires the City of Tomball to acquire a utility easement over and across a tract of land containing 0.0555 acres along Hufsmith Road for installation of public utilities in the City of Tomball, Texas, a more specific description of said 0.0555 acre tract of land is attached hereto as Exhibit "A" and made a part thereof, (herein after the "Land"); and

WHEREAS, the City of Tomball, through its duly authorized representatives, has negotiated with the owners of the Land for the purchase of same for the purpose stated herein and has been unable to agree with such owners as to the fair cash market value thereof and damages, if any; and

WHEREAS, the City Council of the City of Tomball has authorized the City Manager or his designee to make a final offer to the owners of the Land for the purchase of same based upon its appraised value, and such final offer has been made and the owner has refused to accept such final offer; now therefore,

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

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

Section 2. The City Council of the City of Tomball finds that a bona fide offer has been made by duly authorized representatives of the City for the acquisition of a utility easement over and across the herein described tract of the Land, and that said offer was not accepted, and that the only way

for the City of Tomball to acquire such interest in said tract of land is through the filing of eminent domain proceedings.

Section 3. The City Council hereby finds and determines that a public use and necessity exists for the City of Tomball to install utilities along Hufsmith Road, and to acquire the necessary property rights in the 0.0555 acre tract of land deemed necessary for such purpose, as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land.

Section 4. The final offer heretofore made by the City Manager or his designee authorized by formal action of the City Council, for the purchase of the Land is in all things hereby ratified and confirmed.

Section 5. The City Attorney is hereby authorized to bring eminent domain proceedings on behalf of the City of Tomball under applicable provisions of law, whether provided by §251.001 of the Texas Local Government Code, as amended, Chapter 21 of the Texas Property Code, or by any other provision of law, against the owner or owners of the Land, to-wit: Frank Rhane Krzenski and Deanna Krzenski, or against the real and true owner, owners, claimant, or claimants if Frank Rhane Krzenski and Deanna Krzenski are said not to be the owners of the Land.

PASSED, APPROVED, AND RESOLVED this 20th day of May 2019.

____
Gretchen Fagan
Mayor

ATTEST:

____
Doris Speer
City Secretary

EXHIBIT "A"

METES & BOUNDS
0.0555 ACRE
CITY OF TOMBALL UTILITY EASEMENT

BEING A TRACT OF LAND CONTAINING 0.0555 ACRE (2,417 SQUARE FEET) LOCATED IN THE JOHN SOPER SMITH SURVEY, ABSTRACT NUMBER 730, HARRIS COUNTY, TEXAS, AND BEING PART OF AND OUT OF TRACT 4 OF THE DIVISION OF THE STOKLEY ESTATE TRACT ACCORDING TO THE MAP THEREOF RECORDED UNDER VOLUME 1163, PAGE 270 OF THE HARRIS COUNTY DEED RECORDS, AND BEING FURTHER OUT OF THAT CERTAIN CALLED 1.00 ACRE TRACT CONVEYED TO FRANK RHANE KRZENSKI AND WIFE, KEANNA KRZENSKI BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S FILE NUMBER T552731 OF THE HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, SAID 0.0555 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS IN THIS DESCRIPTION ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES ARE IN SURFACE. THE COORDINATES SHOWN HEREON ARE GRID COORDINATES AND MAY BE BROUGHT TO SURFACE BY DIVIDING BY THE COMBINED SCALE FACTOR OF 0.999955. ALSO, THE 5/8" IRON RODS WITH PLASTIC CAPS NOTED AS BEING SET IN THIS DESCRIPTION HAVE THE FOLLOWING STAMPED ON SAID CAPS: MGM, INC. RPLS #4743. SAID IRON RODS WILL BE SET AT A TIME AUTHORIZED BY THE CITY OF TOMBALL.)

BEGINNING at a point along the southeasterly line of East Hufsmith Road (called 50' wide), as occupied, for the common northwesterly corner of said Krzenski called 1.00 acre tract and the 0.0555 acre tract herein described, said point also being the northernmost northeasterly corner of that certain called 4.275 acre tract conveyed to Houston Lighting and Power Company, a Texas corporation of Harris County, Texas, by General Warranty Deed recorded under County Clerk's File Number G962832 of the Harris County Official Public Records of Real Property, said point bearing N 53° 43' 35" E a distance of 271.62' from a 5/8" iron rod found along said southeasterly line for the common northwesterly corner of said called 4.275 acre tract and the aforementioned Tract 4 of the division of the Stokley Estate tract, said point also bearing S 65° 26' 20" W a distance of 0.83' from a 1/2" iron rod with cap stamped "O'Malley", said point possessing Texas State Plane Coordinates of X=3,043,303.35 and Y=13,968,240.72;

THENCE, N 53° 43' 35" E, along said occupied southeasterly line of East Hufsmith Road and the common northerly line of said Tract 4 and said Krzenski called 1.00 acre tract, a distance of 120.83' to a point for the common northeasterly corner of said Tract 4, said Krzenski called 1.00 acre tract and the 0.0555 acre tract herein described, said point bearing S 02° 26' 11" E a distance of 0.88' from a found 9" diameter timber fence post;

THENCE, S 02° 26' 11" E, leaving the occupied southeasterly line of said East Hufsmith Road and the common northerly line of said Tract 4 and said Krzenski called 1.00 acre tract along the common east line of said called 1.00 acre tract and said Tract 4, said east line also being the west line of Tract 5 of said division of the Stokley Estate tract, a distance of 24.08' to a 5/8" iron rod with plastic cap set for the southeasterly corner of the 0.0555 acre tract herein described, said iron road bearing N 02° 26' 11" W a distance of 798.39' from a 12" diameter timber fence corner post found for the common southeast corner of said Tract 4 and the aforementioned called 4.275 acre tract as per the General Warranty Deed recorded under County Clerk's File Number G962832 of the Harris County Official Public Records of Real Property;

THENCE, S 53° 43' 35" W, leaving the common east line of said called 1.00 acre tract and said Tract 4 of the division of the Stokley Estate tract along a line 20' from and parallel with the occupied southeasterly line of East Hufsmith Road and the common northerly line of said called 1.00 acre tract and said Tract 4, a distance of 120.83' to a 5/8" iron rod with plastic cap set along the west line of said called 1.00 acre tract and the westernmost east line of said Houston Lighting and Power Company called 4.275 acre tract for the southwesterly corner of the 0.0555 acre tract herein described, said iron rod bearing N 02° 26' 11" W a distance of 410.18' from a found 5" diameter timber fence corner post;

THENCE, N 02° 26' 11" W, along the west line of said called 1.00 acre tract and the westernmost east line of said called 4.275 acre tract, at a distance of 23.13' pass a found 7" diameter timber fence corner post, and continuing in all a total distance of 24.08' to the **POINT OF BEGINNING** and containing 0.0555 acre (2,417 square feet) of land.

This metes and bounds description is based on an actual survey made on the ground under the supervision of Steven L. Guy, R.P.L.S. An Exhibit of this easement of like date has been issued separately in conjunction with this metes and bounds description.

Steven L. Guy

STATE OF TEXAS
REGISTERED
STEVEN L. GUY
4743
PROFESSIONAL
LAND SURVEYOR

2/27/2019

Regular City Council Agenda Item Data Sheet

Meeting Date: May 20, 2019

Topic:

Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2019-16, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed to Install Public Utilities along Hufsmith Road, Specifically a Tract of Land Containing 0.1107 Acres Believed to be Owned by James A. Johnson and Dorothy Johnson, in the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

Background:

The Hufsmith Utility Project was approved by City Council. This project will provide water and gas utilities along East Hufsmith, generally east of Snook Lane and south of Zion Road. The City has negotiated with the owner for the purchase of the property and has been unable to agree with the owner as to a fair market value thereof and damages, if any. The offer to the owner of the land was made based upon its appraised value. Staff is requesting Council approval to proceed with eminent domain proceedings.

When making the motion please state ***"I move that the City of Tomball, Texas adopt this resolution authorizing the use of the power of eminent domain to acquire the property described in this resolution for public utility purposes."***

Origination:

City Attorney

Recommendation:

City Attorney recommends approval.

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

City Attorney/City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2019-16 - Johnson

RESOLUTION NO. 2019-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT LAND IS NEEDED TO INSTALL UTILITIES ALONG HUFSMITH ROAD, SPECIFICALLY A TRACT OF LAND CONTAINING 0.1107 ACRES BELIEVED TO BE OWNED BY JAMES A. JOHNSON AND DOROTHY JOHNSON, IN THE CITY OF TOMBALL, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

* * * * *

WHEREAS, the City Council of the City of Tomball now finds and determines that public convenience and necessity requires the City of Tomball to acquire a utility easement over and across a tract of land containing 0.1107 acres along Hufsmith Road for installation of public utilities in the City of Tomball, Texas, a more specific description of said 0.1107 acre tract of land is attached hereto as Exhibit "A" and made a part thereof, (herein after the "Land"); and

WHEREAS, the City of Tomball, through its duly authorized representatives, has negotiated with the owners of the Land for the purchase of same for the purpose stated herein and has been unable to agree with such owners as to the fair cash market value thereof and damages, if any; and

WHEREAS, the City Council of the City of Tomball has authorized the City Manager or his designee to make a final offer to the owners of the Land for the purchase of same based upon its appraised value, and such final offer has been made and the owner has refused to accept such final offer; now therefore,

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

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

Section 2. The City Council of the City of Tomball finds that a bona fide offer has been made by duly authorized representatives of the City for the acquisition of a utility easement over and across the herein described tract of the Land, and that said offer was not accepted, and that the only way

for the City of Tomball to acquire such interest in said tract of land is through the filing of eminent domain proceedings.

Section 3. The City Council hereby finds and determines that a public use and necessity exists for the City of Tomball to install utilities along Hufsmith Road, and to acquire the necessary property rights in the 0.1107 acre tract of land deemed necessary for such purpose, as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land.

Section 4. The final offer heretofore made by the City Manager or his designee authorized by formal action of the City Council, for the purchase of the Land is in all things hereby ratified and confirmed.

Section 5. The City Attorney is hereby authorized to bring eminent domain proceedings on behalf of the City of Tomball under applicable provisions of law, whether provided by §251.001 of the Texas Local Government Code, as amended, Chapter 21 of the Texas Property Code, or by any other provision of law, against the owner or owners of the Land, to-wit: James A. Johnson and Dorothy Johnson, or against the real and true owner, owners, claimant, or claimants if James A. Johnson and Dorothy Johnson are said not to be the owners of the Land.

PASSED, APPROVED, AND RESOLVED this 20th day of May 2019.

Gretchen Fagan
Mayor

ATTEST:

Doris Speer
City Secretary

EXHIBIT “A”

METES & BOUNDS
0.1107 ACRE
CITY OF TOMBALL UTILITY EASEMENT

BEING A TRACT OF LAND CONTAINING 0.1107 ACRE (4,822 SQUARE FEET) LOCATED IN THE JOHN SOPER SMITH SURVEY, ABSTRACT NUMBER 730, HARRIS COUNTY, TEXAS, AND BEING PART OF AND OUT OF TRACT 1 OF THE DIVISION OF THE STOKLEY ESTATE TRACT ACCORDING TO THE MAP THEREOF RECORDED UNDER VOLUME 1163, PAGE 270 OF THE HARRIS COUNTY DEED RECORDS, AND BEING FURTHER OUT OF THAT CERTAIN CALLED 1.25 ACRE TRACT CONVEYED TO JAMES A. JOHNSON AND WIFE, DOROTHY JOHNSON BY DEED RECORDED UNDER VOLUME 7302, PAGE 523 OF THE HARRIS COUNTY DEED RECORDS, SAID 0.1107 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS IN THIS DESCRIPTION ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES ARE IN SURFACE. THE COORDINATES SHOWN HEREON ARE GRID COORDINATES AND MAY BE BROUGHT TO SURFACE BY DIVIDING BY THE COMBINED SCALE FACTOR OF 0.999955. ALSO, THE 5/8″ IRON RODS WITH PLASTIC CAPS NOTED AS BEING SET IN THIS DESCRIPTION HAVE THE FOLLOWING STAMPED ON SAID CAPS: MGM, INC. RPLS #4743. SAID IRON RODS WILL BE SET AT A TIME AUTHORIZED BY THE CITY OF TOMBALL.)

BEGINNING at a point along the west line of the aforementioned Tract 1 of the division of the Stokley Estate tract for the intersection of the occupied southeasterly line of East Hufsmith Road, called 50′ wide, and the east line of Snook Lane, called 60′ wide, said point also marking the common northwesterly corner of said Johnson called 1.25 acre tract and the 0.1107 acre tract herein described, said point bearing N 53° 20' 30" E a distance of 75.74′ from a 1/2" iron rod with cap stamped “O′Malley” found for the intersection of said southeasterly line of East Hufsmith Road and the occupied west line of said Snook Lane, said point possessing Texas State Plane Coordinates of X=3,042,505.07 and Y=13,967,652.43;

THENCE, N 53° 20′ 30" E, along said occupied southeasterly line of East Hufsmith Road and the northerly line of said Johnson called 1.25 acre tract, at a distance of 6.59′ pass a found 4″ square steel fence post, and continuing in all for a total distance of 241.08′ to a point along the east line of said Tract 1 of the division of the Stokley Estate tract for the common northeasterly corner of said called 1.25 acre tract and the 0.1107 acre tract herein described, said point bearing S 16° 44' 20" W a distance of 2.88′ from a found 5/8″ iron rod with cap stamped “E.I.C.” and N 39° 39' W a distance of 1.65′ from a 12″ diameter timber fence post, said point also bearing S 53° 20' 30" W a distance of 239.43′ from the location of a 5/8″ iron rod along the southeasterly line of East Hufsmith Road referenced in the General Warranty Deed recorded under County Clerk′s File Number 20100382818 of the Official Public Records of Real Property of Harris County, Texas, said 5/8″ iron rod having since been destroyed;

THENCE, S 02° 33' 48" E, leaving the occupied southeasterly line of said East Hufsmith Road and the northerly line of said Johnson called 1.25 acre tract along the common east line of said called 1.25 acre tract and said Tract 1, said east line also being the west line of Tract 2 of said division of the Stokley Estate tract, a distance of 24.15′ to a 5/8″ iron rod with plastic cap set for the southeasterly corner of the 0.1107 acre tract herein described, said iron road bearing N 02° 33' 48" W a distance of 320.65′ from the previous location of a 1/2" iron pipe referenced in that certain General Warranty Deed that conveyed a called 0.9986 acre tract to Willie Mae Green, said deed being recorded under County Clerk′s File Number N797769 of the Official Public Records of Real Property of Harris County, Texas, said 1/2" iron pipe location being accepted this survey as the apparent common southeast corner of said called 1.25 acre tract and said Tract 1 of the division of the Stokley Estate tract, said iron pipe having since been destroyed;

THENCE, S 53° 20' 30" W, leaving the common east line of said called 1.25 acre tract and said Tract 1 of the division of the Stokley Estate tract along a line 20′ from and parallel with the occupied southeasterly line of East Hufsmith Road and the northerly line of said called 1.25 acre tract, a distance of 241.08′ to a 5/8″ iron rod with plastic cap set along the common west line of said called 1.25 acre tract and said Tract 1 and the east line of Snook Lane, called 60′ wide, for the southwesterly corner of the 0.1107 acre tract herein described, said iron rod bearing N 02° 33' 48" W a distance of 183.90′ from a 1-1/2″ pinched top pipe found for the common southwest corner of said Tract 1 and said called 1.25 acre tract, said pinched top pipe bearing S 87° 53' 58" W distances of 199.65′ and 235.99′ from the aforementioned location of the 1/2″ iron pipe marking the apparent common southeast corner of said called 1.25 acre tract and said Tract 1 and from a found 3/4" iron pipe marking the northeast corner of the aforementioned Green called 0.9986 acre tract, respectively;

THENCE, N 02° 33' 48" W, along the common west line of said called 1.25 acre tract and said Tract 1 and the east line of Snook Lane, called 60′ wide, a distance of 24.15′ to the **POINT OF BEGINNING** and containing 0.1107 acre (4,822 square feet) of land.

This metes and bounds description is based on an actual survey made on the ground under the supervision of Steven L. Guy, R.P.L.S. An Exhibit of this easement of like date has been issued separately in conjunction with this metes and bounds description.

STATE OF TEXAS
REGISTERED
STEVEN L. GUY
4743
PROFESSIONAL
LAND SURVEYOR

2/27/2019

Regular City Council
Agenda Item
Data Sheet

Meeting Date: May 20, 2019

Topic:
Consideration and Possible Action Regarding the Use of Eminent Domain Authority to Condemn the Property as Follows:

Approve Resolution No. 2019-17, a Resolution of the City Council of the City of Tomball, Texas, Determining that Land is Needed to Install Public Utilities along Hufsmith Road, Specifically a Tract of Land Containing 0.1268 Acres Believed to be Owned by Brenda Ann Reiland and Alan Matthew Suhonen, in the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

Background:
The Hufsmith Utility Project was approved by City Council. This project will provide water and gas utilities along East Hufsmith, generally east of Snook Lane and south of Zion Road. The City has negotiated with the owner for the purchase of the property and has been unable to agree with the owner as to a fair market value thereof and damages, if any. The offer to the owner of the land was made based upon its appraised value. Staff is requesting Council approval to proceed with eminent domain proceedings.

When making the motion please state ***"I move that the City of Tomball, Texas adopt this resolution authorizing the use of the power of eminent domain to acquire the property described in this resolution for public utility purposes."***

Origination:
City Attorney

Recommendation:
City Attorney recommends approval.

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

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2019-17 - Reiland and Suhonen

RESOLUTION NO. 2019-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT LAND IS NEEDED TO INSTALL PUBLIC UTILITIES ALONG HUFSMITH ROAD, SPECIFICALLY A TRACT OF LAND CONTAINING 0.1268 ACRES BELIEVED TO BE OWNED BY BRENDA ANN REILAND AND ALAN MATTHEW SUHONEN, IN THE CITY OF TOMBALL, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

* * * * *

WHEREAS, the City Council of the City of Tomball now finds and determines that public convenience and necessity requires the City of Tomball to acquire a utility easement over and across a tract of land containing 0.1268 acres along Hufsmith Road for installation of public utilities in the City of Tomball, Texas, a more specific description of said 0.1268 acre tract of land is attached hereto as Exhibit "A" and made a part thereof, (herein after the "Land"); and

WHEREAS, the City of Tomball, through its duly authorized representatives, has negotiated with the owners of the Land for the purchase of same for the purpose stated herein and has been unable to agree with such owners as to the fair cash market value thereof and damages, if any; and

WHEREAS, the City Council of the City of Tomball has authorized the City Manager or his designee to make a final offer to the owners of the Land for the purchase of same based upon its appraised value, and such final offer has been made and the owner has refused to accept such final offer; now therefore,

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

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

Section 2. The City Council of the City of Tomball finds that a bona fide offer has been made by duly authorized representatives of the City for the acquisition of a utility easement over and across the herein described tract of the Land, and that said offer was not accepted, and that the only way

for the City of Tomball to acquire such interest in said tract of land is through the filing of eminent domain proceedings.

Section 3. The City Council hereby finds and determines that a public use and necessity exists for the City of Tomball to install utilities along Hufsmith Road, and to acquire the necessary property rights in the 0.1268 acre tract of land deemed necessary for such purpose, as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land.

Section 4. The final offer heretofore made by the City Manager or his designee authorized by formal action of the City Council, for the purchase of the Land is in all things hereby ratified and confirmed.

Section 5. The City Attorney is hereby authorized to bring eminent domain proceedings on behalf of the City of Tomball under applicable provisions of law, whether provided by §251.001 of the Texas Local Government Code, as amended, Chapter 21 of the Texas Property Code, or by any other provision of law, against the owner or owners of the Land, to-wit: Brenda Ann Reiland and Alan Matthew Suhonen, or against the real and true owner, owners, claimant, or claimants if Brenda Ann Reiland and Alan Matthew Suhonen are said not to be the owners of the Land.

PASSED, APPROVED, AND RESOLVED this 20th day of May 2019.

____
Gretchen Fagan
Mayor

ATTEST:

____
Doris Speer
City Secretary

EXHIBIT "A"

WINDROSE
LAND SURVEYING | PLATTING

DESCRIPTION OF
0.1268 ACRE OR 5,522 SQUARE FEET

A TRACT OR PARCEL OF LAND CONTAINING 0.1268 ACRE, OR 5,522 SQUARE FEET SITUATED IN THE RALPH HUBBARD SURVEY, ABSTRACT NUMBER 181, HARRIS COUNTY, TEXAS, BEING OUT OF LOT 71 OF TOMBALL TOWNSITES, MAP OR PLAT THEREOF RECORDED IN VOLUME (VOL.) 2, PAGE (PG.) 65, HARRIS COUNTY MAP RECORDS (H.C.M.R.), AND BEING OUT OF AND A PART OF A CALLED 1.95788 ACRE TRACT, CONVEYED TO OLIVER M. SUHONEN AND JEANNETTE SUHONEN, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER (H.C.C.F. NO.) P738549, WITH SAID 0.1268 ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83;

BEGINNING AT A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" FOUND ON THE SOUTHEASTERLY RIGHT-OF-WAY (R.O.W.) LINE OF TOMBALL - HUFFSMITH ROAD (50' R.O.W.), SAME BEING THE NORTHEAST CORNER OF A CALLED 12.707 ACRE TRACT OF LAND, CONVEYED TO TOMBALL GRAND JUNCTION, LLC., RECORDED IN H.C.C.F. NO. RP-2018-247147, THE NORTHWEST CORNER OF SAID 1.95788 ACRE TRACT AND OF THE HEREIN DESCRIBED EASEMENT;

THENCE, NORTH 53 DEG. 46 MIN. 32 SEC. EAST, ALONG THE SOUTH R.O.W. LINE OF SAID TOMBALL – HUFFSMITH ROAD, A DISTANCE OF 261.87 FEET TO THE NORTHWEST END OF A CUT-BACK CORNER OF THE INTERSECTION OF THE SOUTHEASTERLY R.O.W. LINE OF SAID TOMBALL – HUFFSMITH ROAD AND THE WEST R.O.W. LINE OF LOVETT STREET MARKING THE MOST NORTHERLY NORTHEAST CORNER OF SAID LOT 1.95788 ACRE TRACT, AND THE NORTH CORNER THE HEREIN DESCRIBED EASEMENT;

THENCE, SOUTH 72 DEG. 19 MIN. 04 SEC. EAST, ALONG SAID CUT-BACK CORNER A DISTANCE OF 24.75 FEET TO THE EAST CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE, SOUTH 53 DEG. 46 MIN. 32 SEC. WEST, OVER AND ACROSS SAID 1.95788 ACRE TRACT, A DISTANCE OF 290.37 FEET TO THE EAST LINE OF SAID 12.707 ACRE TRACT AND MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED EASEMENT, FROM WHICH A CAPPED 5/8 INCH IRON ROD FOUND, BEARS SOUTH 01 DEG. 22 MIN. 53 SEC EAST, A DISTANCE OF 301.23 FEET;

THENCE, NORTH 01 DEG. 22 MIN. 53 SEC. EAST, ALONG THE EAST LINE OF SAID12.707 ACRE TRACT, A DISTANCE OF 24.37 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.1268 ACRE OR 5,522 SQUARE FEET OF LAND, AS SHOWN ON SURVEY JOB NO. 53896-UE-2.

Kevin M Reidy

KEVIN M. REIDY
R.P.L.S. NO. 6450
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800

STATE OF TEXAS
REGISTERED
KEVIN M. REIDY
6450
PROFESSIONAL
LAND SURVEYOR

12-20-18
DATE

Regular City Council Agenda Item Data Sheet

Meeting Date: May 20, 2019

Topic:

Approve Resolution No. 2019-18, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 47th Annual Tomball Night and Parade, to be Held in Tomball on Friday, August 2, 2019

Background:

The Greater Tomball Area Chamber of Commerce requests the support and endorsement of the City of Tomball for the Chamber's 47th Annual Tomball Night and Parade, to be held on Friday, August 2, 2019. The estimated number of attendees is 10,000 visitors.

The Chamber requests the assistance of the Tomball Fire, Police, and Public Works Department personnel; furnishing of electric service from the Tax office on Walnut Street, by the Depot, at the 100 and 200 blocks of Market Street, the alley on the south side of Main between Cherry and Oak, and at 200 South Walnut, and closure of the following streets on Friday night only:

- from 12:00 p.m. until 11:00 p.m. – the 100, 200, and 300 blocks of Market Street and the 100 block of South Elm;
- from 3:00 p.m. until 11:00 p.m. – the 100 block of North Walnut, between Commerce and Main Streets, and the 100 block of Commerce Street; and
- from 5:00 p.m. until 11:00 p.m. – South Walnut, between Market and Main Streets, and Sycamore, from Main Street south.

Tomball Night will begin at 2:00 p.m. on Friday with a night parade, fireworks, and other festivities on Friday night and extended shopping sales events through Sunday. The Health and Wellness Fair continues this year, in the Tomball Community Center, from 4:00 p.m. to 8:00 p.m. on August 2.

The Chamber also requests permission from the City of Tomball to ignite fireworks out of season, under the insurance and guidance of Illumination Fireworks, LLC, and approval for the use, with waiver of fees, of the Tomball Community Center, both as a "cool zone" and for the Health and Wellness Fair.

The Chamber's request, a map of the requested street closures, Illumination Fireworks' permit, and GTACC's insurance certificate are presented, along with Resolution No. 2019-18.

Fire Department expenses are minimal, approximately $100 in fuel and support provided by volunteer firefighters. Public Works expenses to support Tomball Night include personnel time, refuse management, and fuel, approximately $1,300. Waiver of the rental fee and personnel expenses for the use of the Community Center for the Health and Wellness Fair and as a "cool zone" after hours is approximately $500-$600, depending on the number of hours the Chambers uses the facility. Police Department expenses should also be minimal.

This project aligns with the City's Strategic Plan goals of building our economy through partnerships with tourism and marketing organizations, such as the GTACC.

Origination:

Greater Tomball Area Chamber of Commerce

Recommendation:
Approval of Resolution No. 2019-18

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

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2019-18
GTACC Request to City
GTACC - Parade Event Application
GTACC - Map
GTACC Certificate of Insurance
Illumination Fireworks Permit

RESOLUTION NO. 2019-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, SUPPORTING THE *47TH ANNUAL TOMBALL NIGHT* AND PARADE, TO BE HELD IN TOMBALL ON FRIDAY, AUGUST 2, 2019.

*　　*　　*　　*　　*　　*　　*

WHEREAS the Greater Tomball Area Chamber of Commerce will present the ***47th Annual Tomball Night*** on Friday, August 2, 2019, beginning at 2:00 p.m., including a Health and Wellness Fair and "cool zone" in the Tomball Community Center, and ending with a night parade and fireworks display under the direction of Illumination Fireworks' highly trained and licensed pyrotechnicians; and

WHEREAS ***Tomball Night*** is a unique way to showcase Tomball's many attractions and an opportune time to encourage citizens to shop Tomball throughout the rest of the year; and

WHEREAS ***Tomball Night*** has become Tomball's biggest shopping night, drawing shoppers from surrounding areas including Magnolia, Spring, Houston and The Woodlands to enjoy the sales, discounts, other great values and many planned activities sponsored by Tomball's retail community; and

WHEREAS ***Tomball Night*** includes many cash and merchandise prizes from participating Tomball businesses for *Tomball Night* shoppers; and

WHEREAS the Greater Tomball Area Chamber of Commerce desires and requests the support and endorsement of the City of Tomball in this city-wide effort, through the assistance of the Tomball Fire, Tomball Police, and Tomball Public Works Department personnel; furnishing of electrical service from the Harris County Tax Assessor-Collector's office on Walnut Street, by the Depot, at the 100 and 200 blocks of Market Street, the alley on the south side of Main between Cherry and Oak, and at 200 South Walnut; and the closure of the following streets on Friday night only:

- from 12:00 p.m. until 11:00 p.m. – the 100, 200, and 300 blocks of Market Street and the 100 block of South Elm Street;

- from 3:00 p.m. until 11:00 p.m. – adding the 100 block of North Walnut, between Commerce and Main Streets, and the 100 block of Commerce Street; and

* from 5:00 p.m. until 11:00 p.m. – adding South Walnut, between Market and Main Streets, and Sycamore Street, from Main Street south; and

WHEREAS the Chamber also requests permission from the City of Tomball to ignite fireworks out of season, under the insurance and guidance of Illumination Fireworks, and use of electricity on Walnut Street, by the Depot, the 100 and 200 blocks of Market Street, the alley on the south side of Main between Cherry and Oak, and at 200 South Walnut; and

WHEREAS the Chamber also requests the use of the Tomball Community Center, both as a "cool zone" to offset some of the heat-related issues of past years and for the annual Health and Wellness Fair, to be held from 4 p.m. to 8 p.m., and requests waiver of the rental fee;

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 *47th Annual Tomball Night* and pledges to encourage this effort to showcase Tomball;

PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE __20TH___ DAY OF __MAY__ 2019.

____
GRETCHEN FAGAN, Mayor

ATTEST:

____
Doris Speer, City Secretary

Greater Tomball Area Chamber of Commerce

May 10, 2017

City of Tomball
401 Market Street
Tomball, Texas 77375

RE: Tomball Night Street Closures, Electricity and Community Center Usage

Dear Rob,

We are anticipating a fabulous 47th Annual Tomball Night, Friday, August 2, 2019 with help from our city, police and fire departments, as well as from numerous volunteers. The popular attraction of a night parade with a fireworks display ending the night's festivities has been met with overwhelming enthusiasm over the past several years. This year we are planning to add a Health and Wellness Fair to the festivities. We are looking forward again to the expertise of the Tomball Police Department for crowd control and as visual deterrents from any negative activity.

The Greater Tomball Area Chamber of Commerce is requesting permission from the City of Tomball to ignite fireworks out of season, under the insurance and guidance of Illumination Fireworks, a highly trained and licensed pyrotechnician.

To insure the safety of the many visitors that will be in Tomball on Friday, August 2, 2019 and the multiple number of vendors we are expecting, we are asking for street closures for the following streets on Friday night only from

12:00 p.m. until 11:00 p.m.

- Market St. – 100, 200 and 300 blocks
- S. Elm – 100 Block

From 3:00 p.m. until 11:00 p.m.

- 100 N. Walnut – between Commerce and Main St.
- 100 block Commerce St.

And from 5:00 p.m. until 11:00 p.m.

- S. Walnut – between Market and Main
- Sycamore from Main St. South

Enclosed is a map for your review. We are also requesting permission for the use of electricity on Walnut Street, by the Depot, 100 & 200 blocks of Market Street, the alley on south side of Main between Cherry and Oak and at 200 S. Walnut.

Finally, we would like to use the Tomball Community Center as a “cool zone” and for the Health and Wellness Fair. The Health and Wellness Fair would take place from 4pm to 8pm. The Chamber’s committee, the Health and Wellness Alliance, will be working in conjunction with the Tomball Community Center staff, Chamber staff and the Tomball Night committee to coordinate both events. Any proceeds received from the Health & Wellness Fair will go to the Chamber to continue its mission.

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

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 ___

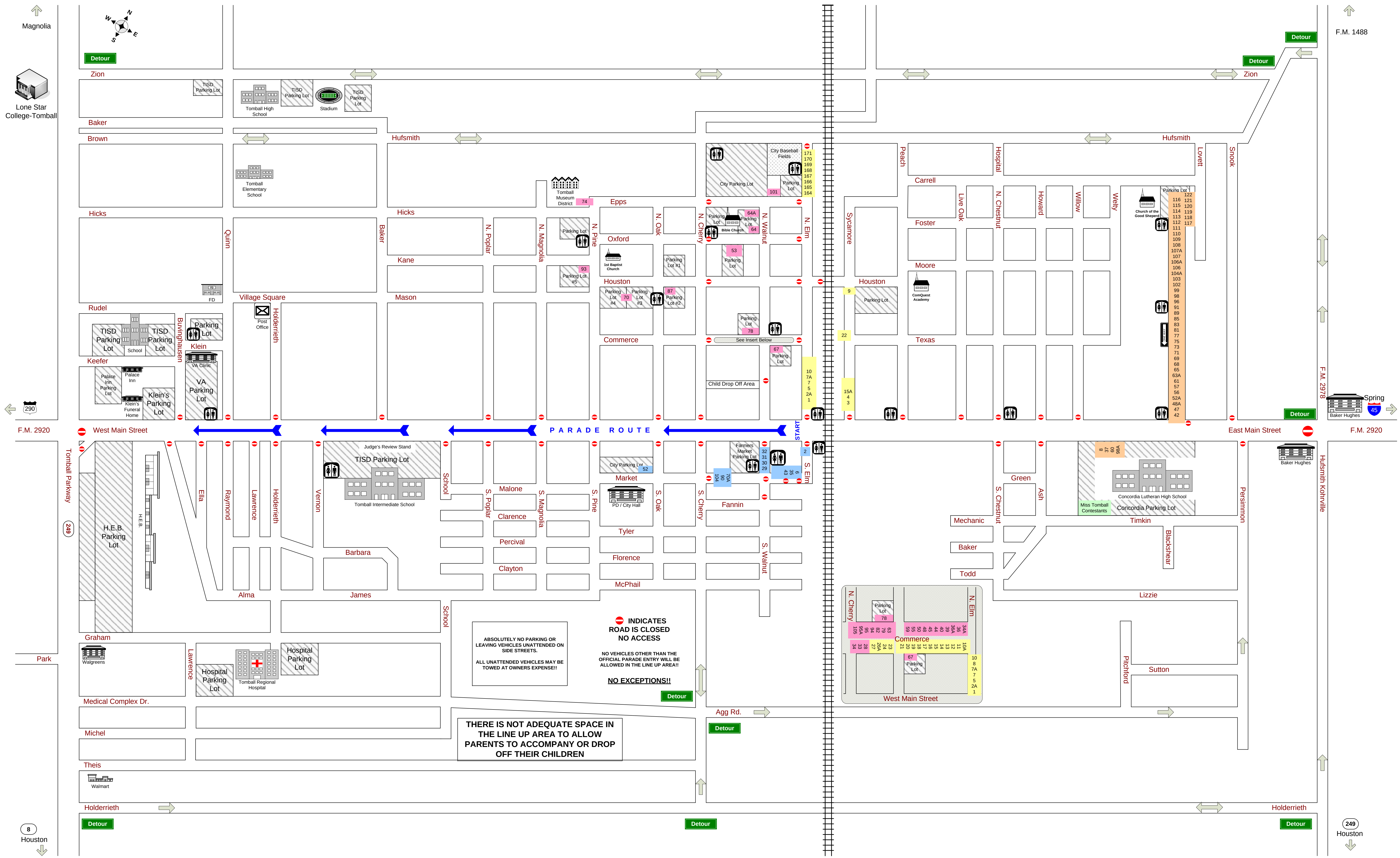
Request for permission to use a public venue for the following type of event (please check one):
Festival ___ Community Event _x__ Arts & Crafts Event ___ Music Event ___ Other (specify) ____

---

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:__[signature]____

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


Magnolia
Lone Star College-Tomball
Detour
Zion
Baker
Brown
Hufsmith
Hicks
Kane
Mason
Village Square
Rudel
Keefer
Klein
Epps
Oxford
Houston
Commerce
Carrell
Foster
Moore
Texas
F.M. 1488
F.M. 2920
West Main Street
P A R A D E   R O U T E
START
East Main Street
F.M. 2978
Spring
Baker Hughes
Tomball High School
Stadium
TISD Parking Lot
Tomball Elementary School
Tomball Museum District
City Baseball Fields
City Parking Lot
Bible Church
1st Baptist Church
Church of the Good Sheperd
ComQuest Academy
Post Office
VA Clinic
VA Parking Lot
Palace Inn
Klein's Funeral Home
Klein's Parking Lot
Child Drop Off Area
See Insert Below
Judge's Review Stand
TISD Parking Lot
Tomball Intermediate School
Farmers Market Parking Lot
PD / City Hall
Market
Fannin
Tyler
Florence
McPhail
Malone
Clarence
Percival
Clayton
Barbara
James
Alma
Graham
Green
Mechanic
Baker
Todd
Timkin
Lizzie
Sutton
Concordia Lutheran High School
Concordia Parking Lot
Miss Tomball Contestants
H.E.B. Parking Lot
Walgreens
Hospital Parking Lot
Tomball Regional Hospital
Medical Complex Dr.
Michel
Theis
Walmart
Holderrieth
Park
Agg Rd.
West Main Street
INDICATES ROAD IS CLOSED NO ACCESS
NO VEHICLES OTHER THAN THE OFFICIAL PARADE ENTRY WILL BE ALLOWED IN THE LINE UP AREA!!
NO EXCEPTIONS!!
ABSOLUTELY NO PARKING OR LEAVING VEHICLES UNATTENDED ON SIDE STREETS.
ALL UNATTENDED VEHICLES MAY BE TOWED AT OWNERS EXPENSE!!
THERE IS NOT ADEQUATE SPACE IN THE LINE UP AREA TO ALLOW PARENTS TO ACCOMPANY OR DROP OFF THEIR CHILDREN
Houston
Hufsmith Kohrville
Tomball Parkway

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 SUBROGATIONIS 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	CONTACT NAME:	
HIGGINBOTHAM INS AGENCY INC/PHS 61611737 The Hartford Business Service Center 3600 Wiseman Blvd San Antonio, TX 78265	PHONE (A/C, No, Ext): (866) 467-8730	FAX (A/C, No): (888) 443-6112
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC#
INSURED	INSURER A : Hartford Lloyd's Ins Co	39608
GREATER TOMBALL AREA CHAMBE OF COMMERCE 292201 QUINN STEB TOMBALL TX 77375	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 YYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / X OCCUR X General Liability GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / X LOC OTHER:	X		61 SBA VM8139	12/20/2018	12/20/2019	EACH OCCURRENCE	$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$300,000
							MED EXP (Any one person)	$10,000
							PERSONAL & ADV INJURY	$1,000,000
							GENERAL AGGREGATE	$2,000,000
							PRODUCTS - COMP/OP AGG	$2,000,000
A	**AUTOMOBILE LIABILITY** ANY AUTO ALL OWNED AUTOS / SCHEDULED AUTOS X HIRED AUTOS / X NON-OWNED AUTOS	X		61 SBA VM8139	12/20/2018	12/20/2019	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
	UMBRELLA LIAB / **EXCESS LIAB** — OCCUR / CLAIMS-MADE DED / RETENTION $						EACH OCCURRENCE	
							AGGREGATE	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? **(Mandatory in NH)** If yes, describe under DESCRIPTION OF OPERATIONS below	N/ A					PER STATUTE / OTH-ER	
							E.L. EACH ACCIDENT	
							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	CANCELLATION
City of Tomball 401 MARKET ST TOMBALL TX 77375-4645	**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

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Federal Explosives License/Permit
(18 U.S.C. Chapter 40)

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To	ATF - Chief, FELC 244 Needy Road Martinsburg, WV 25405-9431	License/Permit Number	**5-TX-113-50-9J-01710**
Chief, Federal Explosives Licensing Center (FELC) Christopher R. Reeves		Expiration Date	**September 1, 2019**

Name
ILLUMINATION FIREWORKS LLC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)
1605 CRESCENT CIRCLE
CARROLLTON, TX 75006-

Type of License or Permit
50-MANUFACTURER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Licensee/Permittee Responsible Person Signature

President
Position/Title

David Rosenbaum
Printed Name

11-21-16
Date

Mailing Address (Changes? Notify the FELC of any changes.)
ILLUMINATION FIREWORKS LLC
1605 CRESCENT CIRCLE
CARROLLTON, TX 75006-

ATF Form 5400.14/5400.15 Part I
Revised October 2011

Previous Edition is Obsolete ILLUMINATION FIREWORKS LLC:1605 CRESCENT CIRCLE:75006:5-TX-113-50-9J-01710:September 1, 2019:50-MANUFACTURER OF EXPLOSIVES

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address *(27 CFR 555.54(a)(1))*. Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession *(27 CFR 555.59)*. (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: ILLUMINATION FIREWORKS LLC

Business Name:

License/Permit Number: 5-TX-113-50-9J-01710

License/Permit Type: 50-MANUFACTURER OF EXPLOSIVES

Expiration: **September 1, 2019**

Please Note: Not Valid for the Sale or Other Disposition of Explosives.