

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



MONDAY, NOVEMBER 5, 2018

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, November 5, 2018 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Pastor Bryan Donahoo, Graceview Baptist Church

3.0 Pledges to U.S. and Texas Flags

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

5.0 Presentations:

- Presentation by the Texas Fire Marshal's Association to the City of Tomball Fire Marshal's Office – 2018 Achievement of Excellence – Silver Award

6.0 Reports and Announcements

- November 10, 2018 – **"Depot Day"**, a National Model Railroad Month Celebration at the Depot-Tomball; 10:00 a.m.-5:00 p.m.
- November 12, 2018 – Special Planning & Zoning Commission Meeting – 5:00 p.m.; Possible Quorum of Council
- November 16, 2018 – **Christmas Tree Lighting at the Depot** – 7:00 p.m.
- November 17, 2018 – **Tomball Holiday Parade**
- November 22-23, 2018 – **Thanksgiving Holidays** – City offices closed
- December 1, 2018 – **"Christmas on Commerce" – a 2nd Saturday at the Depot Event**
- December 7-9, 2018 – **Tomball German Christmas Market**
- December 24-25, 2018 – **Christmas Holidays** – City offices closed
- January 1, 2019 – **New Year's Day Holidays** – City offices closed
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Lisa Coe – Report on the success of the **4th "Annual Paces for Pink" 5K Run**

7.0 Approve the Minutes of the October 15, 2018 Special Tomball City Council Meeting and the October 15, 2018 Regular Tomball City Council Meeting

8.0 Old Business:

8.1 Adopt, on Second Reading, Ordinance No. 2018-34, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-82(B) ("Use Charts") by Creating a Land Use for "Coffee Roasting"; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

8.2 Adopt, on Second Reading, Ordinance No. 2018-35, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Persimmon Global Logistics to Operate a "Coffee Roasting" Facility; Said Property being Approximately 4.0230 Acres, and being Legally Described as Lot 1 Block 1 Vasquez-Phoenix, Harris County, Texas, Generally Located at the Southwest Corner of Lizzie Lane and South Persimmon Road and Zoned Commercial; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability

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

9.1 Approve Request by the Spring/Woodlands-based Rumble Cats Classic Car Club for Use of the Depot Festival Area for Its Third Annual Rumble Cats Classic Car Club Show - The "Rally in the Alley" Car Show, to be held on Saturday, March 2, 2019, from 10 a.m. to 5 p.m.

- 9.2 Approve Request by The Houston Repertoire Ballet (HRB) for Financial Support for Eight Performances and Two Dress Rehearsals of "The Nutcracker" Ballet, to be held December 7-9, 2018 at the Tomball High School Theatre, in the Amount of \$15,500.00
 - 9.3 Approve Spring Creek County Historical Association Request for \$30,000.00 for Fiscal 2018-2019 Annual Operations
 - 9.4 Approve Tomball Sister City Organization Request for Support, Funding, and Road Closures, in the Amount of \$160,000.00, for the 2018 Tomball German Christmas Market, to be held December 7-9, 2018, and the 2019 Tomball German Heritage Festival, to be held March 29-31, 2019
- 10.0 New Business:
- 10.1 Adopt, on First Reading, Ordinance No. 2018-36, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Amending Section 8-122, Definitions, and Section 8-124, Keeping Restricted, of Article III, Livestock, of Chapter 8, Animals, to Add a Definition of Agricultural Science Project Center, and to Exclude the Regulations of Section 8-124 From Applying to Agricultural Science Project Centers; 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
 - 10.2 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 8 – Timber Trail Subdivision)
 - 10.3 Approve Resolution No. 2018-28, a Resolution Making Findings in Connection with the Proposed Public Improvement District Number Eight, 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 8 - Timber Trail Subdivision)
 - 10.4 Approve Resolution No. 2018-29, a Resolution Authorizing the Establishment of the Public Improvement District Number Eight 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 (TPID 8 - Timber Trail Subdivision)
 - 10.5 Approve Development Agreement between the City of Tomball and Tomball Grand Junction, LLC for the Construction of Improvements in Tomball Public Improvement District Number Eight (TPID 8), Timber Trail Subdivision
 - 10.6 Approve Resolution No. 2018-31, a Resolution of the City Council of the City of Tomball, Texas, authorizing the City Manager or the Assistant City Manager to Commit Additional Funds in Accordance with the Agreement for the Community Development Block Grant for Drainage Improvements in the Most-Impacted Areas

- 10.7 Approve Amendment to the ESD #15 Service Contract to reimburse the City for, in addition to the provisions of the Amended Agreement dated October 1, 2017, an additional three full-time firefighter positions at Station 5
- 10.8 Award the Purchase of Three (3) Chevrolet Colorado Extended Cab (2WD), One (1) Chevrolet Colorado Crew (4x4), One (1) Multi-Passenger Van, One (1) PD SUV (Civilian), Four (4) Police Interceptors, and One (1) Mini-Excavator through the State Buyboard Cooperative Purchasing Contract, in the Amount of \$271,521.00
- 10.9 Reject Bids received for Project No. 2018-19, City of Tomball Broussard Community Park Site Improvements Phase II, and Authorize Rebidding the Project
- 10.10 Approve Execution of a Professional Service Agreement for E&P Project No. 2018-10028 with Randall Scott Architects to Provide a Comprehensive Facility Needs Assessment and Facility Master Planning for the City, for an Amount of \$75,000.00
- 11.0 Adjournment

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 1st day of November 2018 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Doris Speer

Doris Speer
City Secretary, TRMC

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

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: November 5, 2018

Topic:

- Led by Pastor Bryan Donahoo, Graceview Baptist Church

Background:

Origination:

Recommendation:

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

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: November 5, 2018

Topic:

- Presentation by the Texas Fire Marshal’s Association to the City of Tomball Fire Marshal’s Office – 2018 Achievement of Excellence – Silver Award

Background:

Origination:

Recommendation:

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

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

ATTACHMENTS:

Presentation by the Texas Fire Marshal’s Association to the City of Tomball Fire Marshal’s Office



T • E • X • A • S

Fire Marshal's Association



Chapter 9

PRESS RELEASE

Texas Fire Marshals Association

Contact: Laurie Christensen, President llc@txfma.org

Or Rachel Moreno P.I.O. rachel.moreno@fmo.hctx.net

FOR IMMEDIATE RELEASE

City of Tomball Fire Department /Fire Marshal's Office Awarded 2018 Achievement of Excellence – Silver Award

AUSTIN, TEXAS - October 18, 2018 – Today at the Annual Texas Fire Marshals Association Conference and Awards Banquet the City of Tomball Fire Marshal's Office was awarded the 2018 Achievement of Excellence Silver Level Award. TxFMA President Laurie Christensen Stated: "I am very excited and proud to present this Silver Level Award to the City of Tomball Fire Marshal's Office whose hard work in fire prevention activities has earned such a prestigious award through their dedication and professionalism which is the cornerstone of this award, association and its members".

The Achievement of Excellence in Fire Prevention Award ("AEFP Award") is an annual award to recognize organizations for performance excellence in fire prevention. Established in 2008, the AEFP Award is administered by the Texas Fire Marshal's Association (TxFMA"), the official state chapter of the International Fire Marshal's Association.

To successfully receive the "Achievement of Excellence in Fire Prevention" award, the applicant must obtain a total of at least 125 points for Bronze Level / 150 points for Silver / 175 points for Gold out of a possible 200 points.

Scoring Categories

1. Authority, organization, and ethics 25 possible points
2. Fire and Life safety programs 50 possible points
3. Performance metrics and CQI program 25 possible points
4. Web-based communications and automation 25 possible points
5. Certification, education, and development 25 possible points
6. Professional organizations 25 possible points
7. Fire prevention legislation or ordinances 15 possible points
8. Task force and other cooperative programs 10 possible points

Total possible points 200 possible points

#####

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

- November 10, 2018 – **"Depot Day"**, a National Model Railroad Month Celebration at the Depot-Tomball; 10:00 a.m.-5:00 p.m.
- November 12, 2018 – Special Planning & Zoning Commission Meeting – 5:00 p.m.; Possible Quorum of Council
- November 16, 2018 – **Christmas Tree Lighting at the Depot** – 7:00 p.m.
- November 17, 2018 – **Tomball Holiday Parade**
- November 22-23, 2018 – **Thanksgiving Holidays – City offices closed**
- December 1, 2018 – **"Christmas on Commerce" – a 2nd Saturday at the Depot Event**
- December 7-9, 2018 – **Tomball German Christmas Market**
- December 24-25, 2018 – **Christmas Holidays** – City offices closed
- January 1, 2019 – **New Year's Day Holidays** – City offices closed
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Lisa Coe – Report on the success of the **4th "Annual Paces for Pink" 5K Run**

Background:

Origination:

Various

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

November 12, 2018 – Special Planning & Zoning Commission Meeting – 5:00 p.m.; Possible Quorum of Council

**NOTICE OF POSSIBLE QUORUM OF THE
TOMBALL CITY COUNCIL
AT A CITY OF TOMBALL PLANNING AND ZONING COMMISSION
SPECIAL MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, NOVEMBER 12, 2018



6:00 P.M.

Notice is hereby given of a City of Tomball Planning and Zoning Commission Special Meeting, to be held on Monday, November 12, 2018 at 6:00 p.m., at the Tomball City Hall, 401 Market Street, Tomball, Texas 77375.

**A quorum of the Tomball City Council Members may or
may not be present during the
City of Tomball Planning and Zoning Commission
Special Meeting;
however, no action will be taken by members of the
Tomball City Council.**

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 1st day of November 2018 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Doris Speer

Doris Speer
City Secretary, TRMC

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve the Minutes of the October 15, 2018 Special Tomball City Council Meeting and the October 15, 2018 Regular 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 ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
---	---	--------------

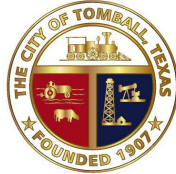
ATTACHMENTS:

Draft Minutes of the October 15, 2018 Special Tomball City Council Meeting

Draft Minutes of the October 15, 2018 Regular Tomball City Council Meeting

**MINUTES OF SPECIAL JOINT MEETING
OF THE
TOMBALL CITY COUNCIL
AND THE
TOMBALL PLANNING AND ZONING COMMISSION
CITY OF TOMBALL, TEXAS**

MONDAY, OCTOBER 15, 2018



5:00 P.M.

- 1.0 The Tomball City Council Meeting was called to order by Mayor Fagan. Other members present:

Councilman Ford
Councilman Stoll
Councilman Townsend

Members absent:

Councilman Degges – Excused
Councilman Klein Quinn – Excused

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
IT Manager – Doug Tippet
HR Director – Lisa Coe
Director of Community Development – Craig Meyers
Director of Public Works – Beth Jones
Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia

The Tomball Planning and Zoning Commission Meeting was called to order by Chair Barbara Tague. Other members present:

Commissioner Darrell Roquemore
Commissioner Will Benson
Commissioner Richard Anderson

Members absent:

Commissioner Dane Dunagin - Excused

2.0 No public comments were received.

3.0 Workshop Session:

3.1 The Tomball City Council and the Tomball Planning and Zoning Commission entered into a Workshop Session regarding the City of Tomball Comprehensive Plan.

4.0 Chair Barbara Tague adjourned the Planning and Zoning Commission meeting.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn the Council meeting.

Motion carried unanimously.

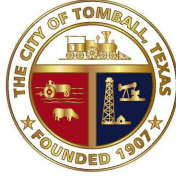
Meeting adjourned.

PASSED AND APPROVED this the 5th day of November 2018.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

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



**MONDAY, OCTOBER 15, 2018
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
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
IT Manager – Doug Tippet
HR Director – Lisa Coe
Director of Community Development – Craig Meyers
Director of Public Works – Beth Jones
Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
Events Coordinator – Denise Fiore
Community Center Manager – Rosalie Dillon
Senior Accountant – Christine Brookshire
Police Officer-Investigations – Jimmy Harral

2.0 The invocation was led by Pastor Tim Niekerk, Salem Lutheran Church.

3.0 The pledges to the U. S. and Texas Flags were led by Randy Parr.

4.0 No public comments were received.

5.0 Mayor Fagan made the following presentation:

- Birth Proclamation – Jason and Hollyann Apel, Parents of **Charlie Wayne Apel**

6.0 Reports and Announcements:

- October 20, 2018 – **Freight Train Food Truck Festival** at the Depot
- October 24, 2018 – Planning and Zoning Commission Special Meeting – 6:00 p.m.; possible quorum of City Council
- October 27, 2018 – **8th Annual Tomball Bluegrass Festival**, 12:00 p.m.-6:00 p.m.
- November 10, 2018 – **“Depot Day”**, a National Model Railroad Month Celebration at the Depot-Tomball; 10:00 a.m.-5:00 p.m.
- November 16, 2018 – **Christmas Tree Lighting** at the Depot – 7:00 p.m.
- November 17, 2018 – **Tomball Holiday Parade**
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - Denise Fiore reported on the success of **“Zomball in Tomball”**.

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the October 1, 2018 Regular Tomball City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

8.1 Motion was made by Councilman Ford, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2018-33, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.341455/\$100 Value Assessed for the Year 2018 on All Taxable Real and Personal Property Located in the City of Tomball, Texas; Providing for Penalty, Interest, and Additional Penalty on Taxes Not Timely Paid; and Providing Other Matters Relating to the Subject. Vote was as follows:

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

Motion carried unanimously.

9.0 New Business:

- 9.1 TRHF Chair Vicki Clark and TRHF Attorney Kevin Reed presented the report from Tomball Regional Health Foundation.

No action necessary.

- 9.2 Consideration to Approve **Zoning Case P18-147**: Request by the City of Tomball to amend Section 50-82 (b) ("Use Charts") of the Tomball Code of Ordinances by creating a land use for "Coffee Roasting"

- Mayor Fagan opened the Public Hearing on **Zoning Case P18-147** at 6:26 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:27 p.m.

- Motion was made by Councilman Townsend, second by Councilman Degges, to read Ordinance No. 2018-34 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. 2018-34, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-82(B) ("Use Charts") by Creating a Land Use for "Coffee Roasting"; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

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

Motion carried unanimously.

- 9.3 Consideration to Approve **Zoning Case P18-151**: Request by Persimmon Global Logistics for a Conditional Use Permit to operate a coffee roasting facility on approximately 4.0230 acres of land legally described as Lot 1 Block 1 Vasquez-

Phoenix, generally located at the southwest corner of Lizzie Lane and South Persimmon Road and zoned Commercial District.

- Mayor Fagan opened the Public Hearing on **Zoning Case P18-151** at 6:37 p.m.
- Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:37 p.m.
- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2018-35 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. 2018-35, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Persimmon Global Logistics to Operate a “Coffee Roasting” Facility; Said Property being Approximately 4.0230 Acres, and being Legally Described as Lot 1 Block 1 Vasquez-Phoenix, Harris County, Texas, Generally Located at the Southwest Corner of Lizzie Lane and South Persimmon Road and Zoned Commercial; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability
- Motion to **AMEND** was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance 2018-35, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Persimmon Global Logistics to Operate a “Coffee Roasting” Facility; Said Property being Approximately 4.0230 Acres, and being Legally Described as Lot 1 Block 1 Vasquez-Phoenix, Harris County, Texas, Generally Located at the Southwest Corner of Lizzie Lane and South Persimmon Road and Zoned Commercial; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability, and to include the provision that, if the afterburners malfunction, operations will be shut down until repairs are completed. Vote was as follows:

Councilman Ford
Councilman Stoll

Aye
Aye

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

Motion, as **AMENDED**, carried unanimously.

- 9.3 Executive Session: The City Council recessed at 6:49 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. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

Upon reconvening into regular session at 7:04 p.m., the following action was taken:

- 9.4 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the purchase, in the amount of \$265,000.00, from David and Jessica Sottolare, of the property located at 215 West Main Street and to authorize the Mayor or City Manager to execute the appropriate deed and associated documents.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 5th day of November 2018.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Adopt, on Second Reading, Ordinance No. 2018-34, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-82(B) ("Use Charts") by Creating a Land Use for "Coffee Roasting"; 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, October 8, 2018, after conducting a public hearing, the Planning and Zoning Commission voted to recommend approval of the Text Amendment with the condition that the proposed land use be allowed with a Conditional Use Permit in the Commercial and Light Industrial Zoning Districts.

Origination:

Community Development Department

Recommendation:

Adopt Ordinance No. 2018-34 on Second Reading

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

City Secretary

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

ATTACHMENTS:

Ordinance No 2018-34

P18-147 Staff Report

P18-147 Notice of Public Hearing

ORDINANCE NO. 2018-34

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE CODE OF ORDINANCES BY AMENDING SECTION 50-82(B) (“USE CHARTS”) BY CREATING A LAND USE FOR “COFFEE ROASTING”; 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, the City of Tomball has requested that Chapter 50 (Zoning) of the Code of Ordinances be amended;

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Tomball, Texas, have published notice and conducted public hearings regarding the request to amend Chapter 50 (Zoning) of the Code of Ordinances;

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve amendments to Chapter 50 (Zoning) of the Code of Ordinances; and

Whereas, the City Council deems it appropriate to grant the amendment to Chapter 50 (Zoning) of the Code of Ordinances.

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. Section 50-82(b) (Use Charts) of the Code of Ordinances is hereby amended by adding the following:

Land Use Type	Residential Zoning Districts							Nonresidential Zoning Districts				OT&MU	Parking Ratio
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Retail													
Coffee roasting										C	P		1 space per 1,000 square feet

Section 3. Chapter 50 (Zoning) of the Code of Ordinances shall be revised and amended as indicated above.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any other provision of Chapter 50 (Zoning) of the Code of Ordinances except as indicated above.

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

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 15th DAY OF OCTOBER 2018.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN QUINN	<u>ABSENT</u>

SECOND READING:

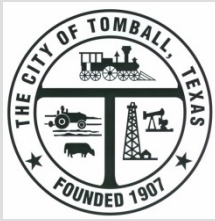
READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 5TH DAY OF NOVEMBER 2018.

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

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



Text Amendment Staff Report

Planning and Zoning Commission Hearing Date: October 8, 2018

City Council Public Hearing Date: October 15, 2018

Zoning Case P18-147: Request by the City of Tomball to amend Section 50-82 (b) (“Use Charts”) of the Tomball Code of Ordinances by creating a land use for “Coffee Roasting”.

BACKGROUND

City Staff has recently been approached with a request for a coffee roasting establishment in the City. Chapter 50 (Zoning) of the Tomball Code of Ordinances does not list coffee roasting as an allowed use within the City limits. City Staff has proposed the amendments to Chapter 50 outlined below.

PROPOSED AMENDMENT

Section 50-82 (b) (*Use Charts*)

Land Use Type	Residential Zoning Districts							Nonresidential Zoning Districts				OT&MU	Parking Ratio
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Retail													
Coffee roasting										C	P		1 space per 1,000 square feet

The proposed amendment would add the *Coffee roasting* land use and allow it with the approval of a Conditional Use Permit (CUP) in the Commercial Zoning District and by-right in the Light Industrial Zoning District. The CUP process allows the Planning & Zoning Commission and City Council to place certain restrictions or regulations to the development as they see fit. The proposed parking ratio for a *Coffee roasting* facility is one parking space per 1,000 square feet of building area.

PUBLIC COMMENT

A public hearing notice was published in the Potpourri on September 26, 2018. Any public comment forms received by City Staff will be presenting in the agenda packets or during the scheduled meeting.

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
OCTOBER 8, 2018
&
CITY COUNCIL
OCTOBER 15, 2018**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, October 8, 2018, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, October 15, 2018, 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 P18-147: Request by the City of Tomball to amend Section 50-82 (b) (“Use Charts”) of the Tomball Code of Ordinances by creating a land use for “Coffee Roasting”.

Zoning Case P18-151: Request by Persimmon Global Logistics for a Conditional Use Permit to operate a *coffee roasting* facility on approximately 4.0230 acres of land legally described as Lot 1 Block 1 Vasquez-Phoenix, generally located at the southwest corner of Lizzie Lane and South Persimmon Road and zoned 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 **October 2018** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Elizabeth Jones

Elizabeth Jones
Administrative Assistant

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Adopt, on Second Reading, Ordinance No. 2018-35, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Persimmon Global Logistics to Operate a “Coffee Roasting” Facility; Said Property being Approximately 4.0230 Acres, and being Legally Described as Lot 1 Block 1 Vasquez-Phoenix, Harris County, Texas, Generally Located at the Southwest Corner of Lizzie Lane and South Persimmon Road and Zoned Commercial; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability

Background:

On Monday, October 8, 2018, after conducting a public hearing, the Planning and Zoning Commission recommended approval of the Conditional Use Permit.

Amendment, as requested by Council, has been incorporated into Ordinance No. 2018-35, Section 6, Item 3.

Origination:

Persimmon Global Logistics

Recommendation:

Adopt Ordinance No. 2018-35 on Second Reading

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2018-35 (Amended)
P18-151 Notice of Public Hearing
P18-151 Property Owner Notification
P18-151 Response Forms
P18-151 Staff Report

ORDINANCE NO. 2018-35

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY GRANTING A CONDITIONAL USE PERMIT (CUP) TO PERSIMMON GLOBAL LOGISTICS TO OPERATE A “COFFEE ROASTING” FACILITY; SAID PROPERTY BEING APPROXIMATELY 4.0230 ACRES, AND BEING LEGALLY DESCRIBED AS LOT 1 BLOCK 1 VASQUEZ-PHOENIX, HARRIS COUNTY, TEXAS, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LIZZIE LANE AND SOUTH PERSIMMON ROAD AND ZONED COMMERCIAL; PROVIDING REQUIREMENTS AND CONDITIONS FOR THIS CUP; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATIONS HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

Whereas, Persimmon Global Logistics, has requested a CUP to operate a “coffee roasting” facility on approximately 4.0230 acres of land, legally described as Lot 1 Block 1 Vasquez-Phoenix, generally located at the southwest corner of Lizzie Lane and South Persimmon Road, in the City of Tomball, Harris County, Texas, (the "Property"), and

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

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

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

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

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

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

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

Section 2. A CUP to operate a “coffee roasting” facility at the Property and subject to the terms and conditions set forth below is hereby granted to Persimmon Global Logistics.

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

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

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

Section 6. The CUP authorized hereby shall be, and is, subject to the following additional limitations, restrictions and conditions:

- 1) The site shall be developed and operated in substantial compliance with Exhibit “A”.
- 2) The business shall install devices, such as afterburners, to mitigate any effects on the environment.
- 3) If the afterburners malfunction, coffee roasting operations shall immediately cease until repaired and in proper working condition.

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

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

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 15TH DAY OF OCTOBER 2018.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN QUINN	<u>ABSENT</u>

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 5TH DAY OF NOVEMBER 2018.

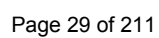
COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

© 2008 Sweet's, Inc. L7120. The Property is used under license from the copyright owner. All rights reserved. No part of this publication may be reproduced without the written permission of the copyright owner. For more information, contact the copyright owner at 1-800-393-6343 or visit the copyright owner's website at www.sweets.com.



**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
OCTOBER 8, 2018
&
CITY COUNCIL
OCTOBER 15, 2018**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, October 8, 2018, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, October 15, 2018, 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 P18-147: Request by the City of Tomball to amend Section 50-82 (b) (“Use Charts”) of the Tomball Code of Ordinances by creating a land use for “Coffee Roasting”.

Zoning Case P18-151: Request by Persimmon Global Logistics for a Conditional Use Permit to operate a *coffee roasting* facility on approximately 4.0230 acres of land legally described as Lot 1 Block 1 Vasquez-Phoenix, generally located at the southwest corner of Lizzie Lane and South Persimmon Road and zoned 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.

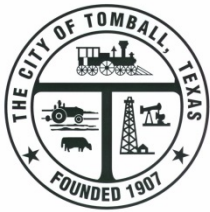
C E R T I F I C A T I O N

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 **October 2018** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Elizabeth Jones

Elizabeth Jones
Administrative Assistant

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



Notice of Public Hearing

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

CASE NUMBER: P18-151

APPLICANT/OWNER: Request by Persimmon Global Logistics

LOCATION: Generally located at the southwest corner of Lizzie Lane and South Persimmon Road

PROPOSAL: Conditional Use Permit to operate a *coffee roasting* facility on approximately 4.0230 acres of land legally described as Lot 1 Block 1 Vasquez-Phoenix and zoned Commercial District.

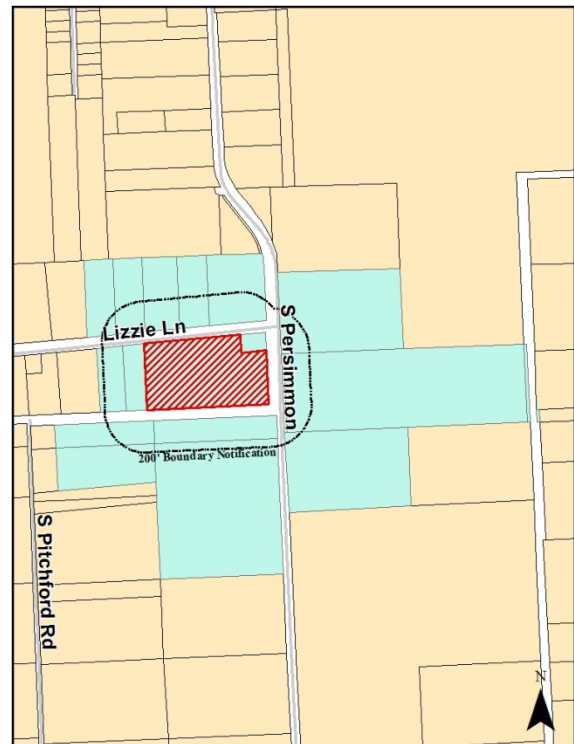
CONTACT: Amelia Lindley

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

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

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll. Interested parties may appear and speak on the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.

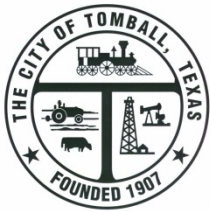


**Planning & Zoning Commission
Public Hearing:
Monday, October 8, 2018, 6:00 PM**

**City Council Public Hearing:
*Monday, October 15, 2018, 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.



Public Comment Form

(Please type or use black ink)

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

Please return to:

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

Name:

(please print)

Address:

Signature:

Date:

_____ I am **FOR** the requested Conditional Use Permit as explained on the attached public notice for **Zoning Case P18-151. (Please state reasons below)**

_____ I am **AGAINST** the requested Conditional Use Permit as explained on the attached public notice for **Zoning Case P18-151. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, October 8, 2018, 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, October 15, 2018 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to ALindley@tomballtx.gov

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Public Comment Form

(Please type or use black ink)

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

Please return to:

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

Name:

(please print)

Address:

Signature:

Date:

Gregory Smith (MICO GROUP LTD)
1028 Lizzie Lane
Tomball, TX 77375
Gregory T Smith
10/1/18



I am **FOR** the requested Conditional Use Permit as explained on the attached public notice for Zoning Case P18-151. (Please state reasons below)



I am **AGAINST** the requested Conditional Use Permit as explained on the attached public notice for Zoning Case P18-151. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, October 8, 2018, 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, October 15, 2018 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

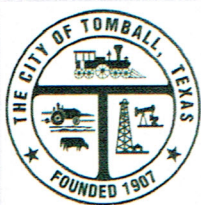
COMMENTS:

I'm concerned about the traffic flow and entrances into the business. Is Lizzie Lane or Persimmon going to widen?

You may also comment via email to ALindley@tomballtx.gov

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Address
931 Lizzie Lane
Tomball TX 77375
Lot 3 Block 2
Lizzie Persimmon
Subdivision

Community Development Department

Notice of Public Hearing

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

CASE NUMBER: P18-151

APPLICANT/OWNER: Request by Persimmon Global Logistics

LOCATION: Generally located at the southwest corner of Lizzie Lane and South Persimmon Road

PROPOSAL: Conditional Use Permit to operate a *coffee roasting* facility on approximately 4.0230 acres of land legally described as Lot 1 Block 1 Vasquez-Phoenix and zoned Commercial District.

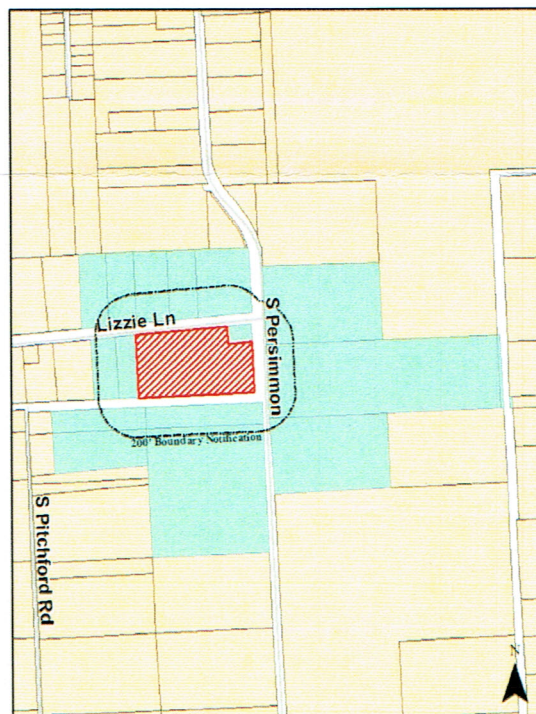
CONTACT: Amelia Lindley

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

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

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll. Interested parties may appear and speak on the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.

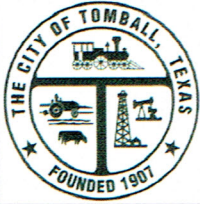


**Planning & Zoning Commission
Public Hearing:
Monday, October 8, 2018, 6:00 PM**

**City Council Public Hearing:
*Monday, October 15, 2018, 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.



Public Comment Form

(Please type or use black ink)

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

Please return to:

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

Name:

(please print)

Address:

Int. Mechanical Equipment Company (Tanig. B. Shams)
Sadaf T. Shams
931 Lizzie Lane Tomball TX
77375

Signature:

Date:

10/1/2018
[Signature]



I am **FOR** the requested Conditional Use Permit as explained on the attached public notice for Zoning Case P18-151. (Please state reasons below)



I am **AGAINST** the requested Conditional Use Permit as explained on the attached public notice for Zoning Case P18-151. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, October 8, 2018, 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, October 15, 2018 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

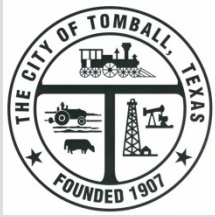
COMMENTS:

We do not have any objection. This business
will increase Tomball economy and employment.

You may also comment via email to ALindley@tomballtx.gov

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: October 8, 2018

City Council Public Hearing Date: October 15, 2018

Rezoning Case: P18-151
Property Owner(s): Jose and Estela R. Vasquez
Applicant(s): Persimmon Global Logistics
Legal Description: Lot 1 Block 1 Vasquez-Phoenix
Location: Southwest corner of Lizzie Lane and South Persimmon Road (Exhibit "A")
Area: 4.0230 acres
Comp Plan Designation: Employment/Office (Exhibit "B")
Present Zoning and Use: Commercial (Exhibit "C") / Undeveloped property (Exhibit "D")
Proposed Use(s): Copan Trade LLC
Request: Conditional Use Permit (CUP) to allow for the operation of a "coffee roasting" facility

Adjacent Zoning & Land Uses:

North: Commercial / Office/warehouse

South: Light Industrial / City of Tomball drainage channel

West: Single-Family 6 / Undeveloped property

East: Single-Family 6, Commercial, and Light Industrial / Office/warehouse

BACKGROUND

City Staff met with the applicant's representative in August 2018 to discuss the proposed development of a coffee roasting facility. The proposed business, Copan Trade LLC, currently operates within the City limits along Hufsmith-Kohrville Road and is looking to relocate for an expanded facility.

After discussing the proposed use, City Staff determined a new land use would need to be created for *coffee roasting* and the proposed land use should be allowed in the Commercial Zoning District with the approval of a Conditional Use Permit through the Planning & Zoning Commission and City Council.

ANALYSIS

According to Section 50-81 (f) of the Chapter 50 (Zoning), when considering applications for a CUP, the City shall, on the basis of the concept plan and other information submitted, evaluate

the impact of the conditional use on and the compatibility of the use with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. Specific considerations shall include the extent to which:

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

The Comprehensive Plan Future Land Use Map identifies the subject site as Employment / Office. The Comprehensive Plan indicates the Employment / Office category includes “office and employment uses that include corporate headquarters, regional offices, professional offices, light enclosed manufacturing or assembly facilities, office/showrooms, and small business office suites”. According to the applicant, the proposed development will include “a new warehouse and office building to serve Copan Trade, LTD as well as future office warehouse lease space” (Exhibit “E”). The proposed use meets the purpose of the Future Land Use Map.

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

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

According to Section 50-77 (Commercial District), the Commercial District “is intended to provide a location for commercial and service-related establishments, such as wholesale product sales, welding/contractors shops, automotive repair services, upholstery shops, and other similar commercial uses. Some light manufacturing may also be allowed with certain conditions.” It appears the proposed use is consistent with the purpose and intent of the Commercial district regulations.

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

Should the CUP application be approved by City Council, the applicant will be required to submit site and building plan applications and supporting documents to the City for review and approval. Specific details of site modifications will be shown at the time of plan review. It appears the proposed use will meet all supplemental standards.

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

The proposed use appears to be compatible with the adjacent developments. Properties in the immediate area are operating as office/warehouses. Another new office/warehouse is proposed on the east side of South Persimmon Road. Remaining properties are undeveloped. Chapter 50 (Zoning) outlines enhanced requirements for nonresidential uses that abut residential zoning districts. These include increased setbacks for buildings, landscape buffers and opaque screening.

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

In addition to the City of Tomball, the proposed facility will need to meet any other regulatory requirements as it pertains to its operation.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on September 21, 2018. A sign was placed on the property and Notice of Public Hearing was published in the paper on September 26, 2018. Any public comment forms received by City Staff will be presented in the Planning & Zoning Commission and City Council packets or delivered during the time of the public meeting.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P18-151 for the following reasons:

1. The proposed use is appropriate for the location and surrounding uses;
2. The proposed use meets the intent of the Commercial Zoning District;
3. The proposed use meets the goals of the Comprehensive Plan.

City Staff also recommends the following conditions:

1. The site shall be constructed in accordance with the concept plan (Exhibit “F”);
2. The business shall install devices to mitigate any effects on the environment.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

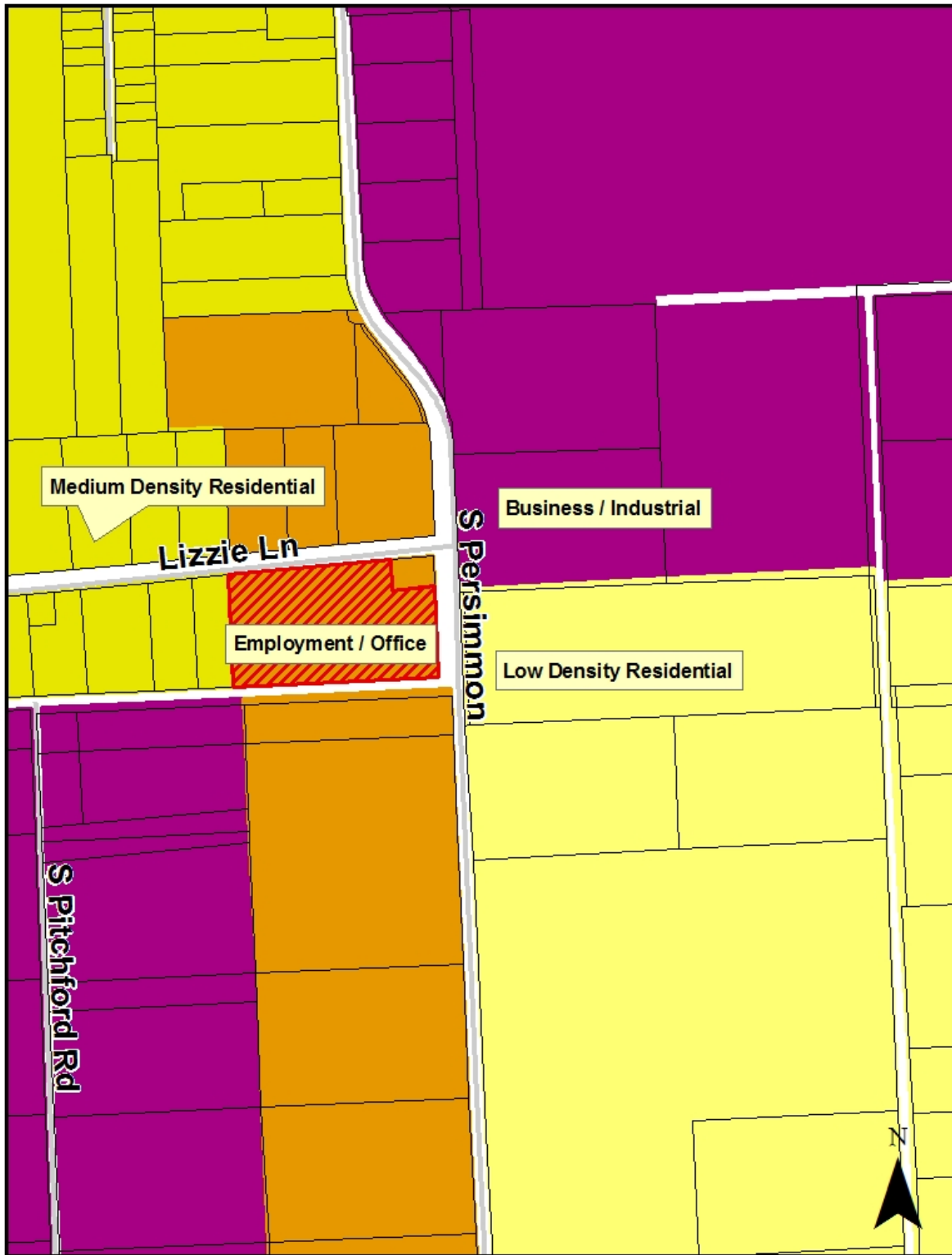
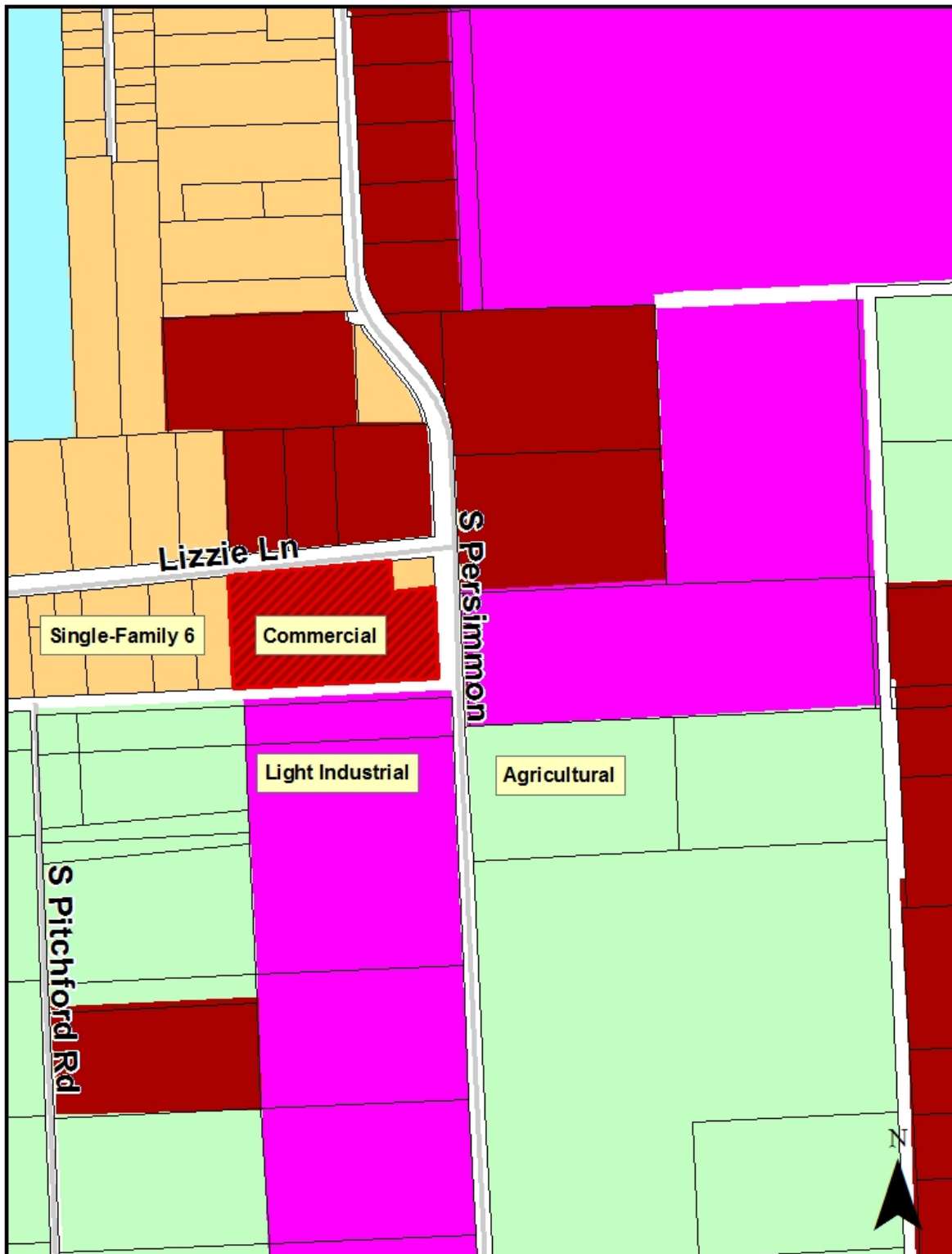


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
CUP Application

Revised 5/19/15



APPLICATION FOR
CONDITIONAL USE PERMIT

Community Development Department
Planning Division

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

No conditional use shall be established and no building permit shall be issued for any use designated as a conditional use within any zoning district until a conditional use permit (CUP) is approved and issued in accordance with the provisions of Section 50-34 of the Code of Ordinances.

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: Persimmon Global Logistics Title: general manager
Mailing Address: 2211 Hufsmith-Kohrville City: Tomball State: TX
Zip: 77375
Phone: (832) 515-7100 Fax: () Email: Sales@copantrade.com

Owner

Name: Vasquez Jose + Estela R. Title: owner
Mailing Address: 20304 CR 510 B City: Brazoria State: TX
Zip: 77422
Phone: () Fax: () Email:

Engineer/Surveyor (if applicable)

Name: Sergio Van Dusen Title: President
Mailing Address: 2203 Timberloch Pl, Suite 124 City: Spring State: TX
Zip: 77380
Phone: (281) 651-2972 Fax: () Email: svandusen@vogtengineering.com

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405

www.tomballtx.gov

Description of Proposed Project: Construction of Warehouse and Office Building with parking and detention.

Physical Location of Property: At the corner of Lizzie Lane and S Persimmon Street (30.092597 degrees latitude and -95.600295 degrees longitude)

[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: Vazquez-Phoenix Subdivision Lot 1 Block 1

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

HCAD Identification Number: 1287940010001 Acreage: 4.0230

Current Use of Property: Wooded Area

Proposed Use of Property: Proposed Warehouse and Office for Copan Trade, LTD

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  Sept 14, 2018
Signature of Applicant Date
Persimmon Global Logistics

X  9-17-2018
Signature of Owner Date
Jose Vasquez

CITY OF TOMBALL
281-351-5484

REC#: 01045028 9/17/2018 3:24 PM
OPER: RP TERM: 005
REF#: W 7705

TRAN: 130.0000 PLANNING AND ZONING
COFFEE ROasting COMPANY
22111 HUFSMITH KOHRVILLE RD
100-5442
CONDITIONAL USE PER 600.00CR

City of Tomball, Texas 501 Jame

www.tomballtx.gov

TENDERED: 600.00 CHECK
APPLIED: 600.00-
CHANGE: 0.00



Page 12 of 17
Page 23 of 28

 National Independent School Districts
DIVISION OF THE TIA COLLECTION
P.O. BOX 10 • CHAMPAIGN, ILLINOIS 61824-0010
www.nisdist.org

August 1, 2006

This is confirmed from the "Letter of Transfer," indicating that we are no longer an account number 11017000000 by National Independent Schools District for the 2004-05 year but has been collected by the donor date.

Dale Hoyer
Dale Hoyer
Library Collections Manager

[illegible]

1994-1995

As of today for the United States, approximately 100 million are connected to a city or financial hub (2009). The 2006 census, on average, 110,131,000 (000) and 119,231,600 (000) live in cities. In the national 119,327,000 (000), 119,147,000 (000), 115,117,000 (000), 115,157,000 (000), 118,273,000 (000) and 119,231,600 (000). The 2009 census are not listed. The 2006 was the first census conducted by the City of Portland.

Signature

800.827.22 • TORRANCE, COLORADO • www.800.827.22

[illegible]

1275 4844076
981-201-01
Department of Chemical Engineering
174 Bldg. 3
Tallahassee, FL 32310-3000

0000-0001-9111-1111

TOTALS		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409	2410	2411	2412	2413	2414	2415	2416	2417	2418	2419	2420	2421	2422	2423	2424	2425	2426	2427	2428	2429	2430	2431	2432	2433	2434	2435	2436	2437	2438	2439	2440	2441	2442	2443	2444	2445	2446	2447	2448	2449	2450	2451	2452	2453	2454	2455	2456	2457	2458	2459	2460	2461	2462	2463	2464	2465	2466	2467	2468	2469	2470	2471	2472	2473	2474	2475	2476	2477	2478	2479	2480	2481	2482	2483	2484	2485	2486	2487	2488	2489	2490	2491	2492	2493	2494	2495	2496	2497	2498	2499	2500	2501	2502	2503	2504	2505	2506	2507	2508	2509	2510	2511	2512	2513	2514	2515	2516	2517	2518	2519	2520	2521	2522	2523	2524	2525	2526	2527	2528	2529	2530	2531	2532	2533	2534	2535	2536	2537	2538	2539	2540	2541	2542	2543	2544	2545	2546	2547	2548	2549	2550	2551	2552	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562	2563	2564	2565	2566	2567	2568	2569	2570	2571	2572	2573	2574	2575	2576	2577	2578	2579	2580	2581	2582	2583	2584	2585	2586	2587	2588	2589	2590	2591	2592	2593	2594	2595	2596	2597	2598	2599	2600	2601	2602	2603	2604	2605	2606	2607	2608	2609	2610	2611	2612	2613	2614	2615	2616	2617	2618	2619	2620	2621	2622	2623	2624	2625	2626	2627	2628	2629	2630	2631	2632	2633	2634	2635	2636	2637	2638	2639	2640	2641	2642	2643	2644	2645	2646	2647	2648	2649	2650	2651	2652	2653	2654	2655	2656	2657	2658	2659	2660	2661	2662	2663	2664	2665	2666	2667	2668	2669	2670	2671	2672	2673	2674	2675	2676	2677	2678	2679	2680	2681	2682	2683	2684	2685	2686	2687	2688	2689	2690	2691	2692	2693	2694	2695	2696	2697	2698	2699	2700	2701	2702	2703	2704	2705	2706	2707	2708	2709	2710	2711	2712	2713	2714	2715	2716	2717	2718	2719	2720	2721	2722	2723	2724	2725	2726	2727	2728	2729	2730	2731	2732	2733	2734	2735	2736	2737	2738	2739	2740	2741	2742	2743	2744	2745	2746	2747	2748	2749	2750	2751	2752	2753	2754	2755	2756	2757	2758	2759	2760	2761	2762	2763	2764	2765	2766	2767	2768	2769	2770	2771	2772	2773	2774	2775	2776	2777	2778	2779	2780	2781	2782	2783	2784	2785	2786	2787	2788	2789	2790	2791	2792	2793	2794	2795	2796	2797	2798	2799	2800	2801	2802	2803	2804	2805	2806	2807	2808	2809	2810	2811	2812	2813	2814	2815	2816	2817	2818	2819	2820	2821	2822	2823	2824	2825	2826	2827	2828	2829	2830	2831	2832	2833	2834	2835	2836	2837	2838	2839	2840	2841	2842	2843	2844	2845	2846	2847	2848	2849	2850	2851	2852	2853	2854	2855	2856	2857	2858	2859	2860	2861	2862	2863	2864	2865	2866	2867	2868	2869	2870	2871	2872	2873	2874	2875	2876	2877	2878	2879	2880	2881	2882	2883	2884	2885	2886	2887	2888	2889	2890	2891	2892	2893	2894	2895	2896	2897	2898	2899	2900	2901	2902	2903	2904	2905	2906	2907	2908	2909	2910	2911	2912	2913	2914	2915	2916	2917	2918	2919	2920	2921	2922	2923	2924	2925	2926	2927	2928	2929	2930	2931	2932	2933	2934	2935	2936	2937	2938	2939	2940	2941	2942	2943	2944	2945	2946	2947	2948	2949	2950	2951	2952	2953	2954	2955	2956	2957	2958	2959	2960	2961	2962	2963	2964	2965	2966	2967	2968	2969	2970	2971	2972	2973	2974	2975	2976	2977	2978	2979	2980	2981	2982	2983	2984	2985	2986	2987	2988	2989	2990	2991	2992	2993	2994	2995	2996	2997	2998	2999	3000
--------	--	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------

© 2004 by John Wiley & Sons, Inc.

DATE: 10/10/2014 BY: K. V. K. (Signature)

THE UNIVERSITY OF TEXAS AT AUSTIN
 DEPARTMENT OF BIOLOGY
 78712-7750
 AUSTIN, TEXAS 78712-7750
 TEL: 512/495-5700
 FAX: 512/495-5700
 WWW: WWW.BIOLOGY.UTEXAS.EDU

1991-1992
 1993-1994
 1995-1996
 1997-1998
 1999-2000
 2001-2002
 2003-2004
 2005-2006
 2007-2008
 2009-2010
 2011-2012
 2013-2014
 2015-2016
 2017-2018
 2019-2020
 2021-2022
 2023-2024
 2025-2026
 2027-2028
 2029-2030
 2031-2032
 2033-2034
 2035-2036
 2037-2038
 2039-2040
 2041-2042
 2043-2044
 2045-2046
 2047-2048
 2049-2050
 2051-2052
 2053-2054
 2055-2056
 2057-2058
 2059-2060
 2061-2062
 2063-2064
 2065-2066
 2067-2068
 2069-2070
 2071-2072
 2073-2074
 2075-2076
 2077-2078
 2079-2080
 2081-2082
 2083-2084
 2085-2086
 2087-2088
 2089-2090
 2091-2092
 2093-2094
 2095-2096
 2097-2098
 2099-2100
 2101-2102
 2103-2104
 2105-2106
 2107-2108
 2109-2110
 2111-2112
 2113-2114
 2115-2116
 2117-2118
 2119-2120
 2121-2122
 2123-2124
 2125-2126
 2127-2128
 2129-2130
 2131-2132
 2133-2134
 2135-2136
 2137-2138
 2139-2140
 2141-2142
 2143-2144
 2145-2146
 2147-2148
 2149-2150
 2151-2152
 2153-2154
 2155-2156
 2157-2158
 2159-2160
 2161-2162
 2163-2164
 2165-2166
 2167-2168
 2169-2170
 2171-2172
 2173-2174
 2175-2176
 2177-2178
 2179-2180
 2181-2182
 2183-2184
 2185-2186
 2187-2188
 2189-2190
 2191-2192
 2193-2194
 2195-2196
 2197-2198
 2199-2200
 2201-2202
 2203-2204
 2205-2206
 2207-2208
 2209-2210
 2211-2212
 2213-2214
 2215-2216
 2217-2218
 2219-2220
 2221-2222
 2223-2224
 2225-2226
 2227-2228
 2229-2230
 2231-2232
 2233-2234
 2235-2236
 2237-2238
 2239-2240
 2241-2242
 2243-2244
 2245-2246
 2247-2248
 2249-2250
 2251-2252
 2253-2254
 2255-2256
 2257-2258
 2259-2260
 2261-2262
 2263-2264
 2265-2266
 2267-2268
 2269-2270
 2271-2272
 2273-2274
 2275-2276
 2277-2278
 2279-2280
 2281-2282
 2283-2284
 2285-2286
 2287-2288
 2289-2290
 2291-2292
 2293-2294
 2295-2296
 2297-2298
 2299-2300
 2301-2302
 2303-2304
 2305-2306
 2307-2308
 2309-2310
 2311-2312
 2313-2314
 2315-2316
 2317-2318
 2319-2320
 2321-2322
 2323-2324
 2325-2326
 2327-2328
 2329-2330
 2331-2332
 2333-2334
 2335-2336
 2337-2338
 2339-2340
 2341-2342
 2343-2344
 2345-2346
 2347-2348
 2349-2350
 2351-2352
 2353-2354
 2355-2356
 2357-2358
 2359-2360
 2361-2362
 2363-2364
 2365-2366
 2367-2368
 2369-2370
 2371-2372
 2373-2374
 2375-2376
 2377-2378
 2379-2380
 2381-2382
 2383-2384
 2385-2386
 2387-2388
 2389-2390
 2391-2392
 2393-2394
 2395-2396
 2397-2398
 2399-2400
 2401-2402
 2403-2404
 2405-2406
 2407-2408
 2409-2410
 2411-2412
 2413-2414
 2415-2416
 2417-2418
 2419-2420
 2421-2422
 2423-2424
 2425-2426
 2427-2428
 2429-2430
 2431-2432
 2433-2434
 2435-2436
 2437-2438
 2439-2440
 2441-2442
 2443-2444
 2445-2446
 2447-2448
 2449-2450
 2451-2452
 2453-2454
 2455-2456
 2457-2458
 2459-2460
 2461-2462
 2463-2464
 2465-2466
 2467-2468
 2469-2470
 2471-2472
 2473-2474
 2475-2476
 2477-2478
 2479-2480
 2481-2482
 2483-2484
 2485-2486
 2487-2488
 2489-2490
 2491-2492
 2493-2494
 2495-2496
 2497-2498
 2499-2500
 2501-2502
 2503-2504
 2505-2506
 2507-2508
 2509-2510
 2511-2512
 2513-2514
 2515-2516
 2517-2518
 2519-2520
 2521-2522
 2523-2524
 2525-2526
 2527-2528
 2529-2530
 2531-2532
 2533-2534
 2535-2536
 2537-2538
 2539-2540
 2541-2542
 2543-2544
 2545-2546
 2547-2548
 2549-2550
 2551-2552
 2553-2554
 2555-2556
 2557-2558
 2559-2560
 2561-2562
 2563-2564
 2565-2566
 2567-2568
 2569-2570
 2571-2572
 2573-2574
 257

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
155 E. 42ND STREET
NEW YORK, N.Y. 10017-2454

[illegible][illegible]

Author's address: Department of Mathematics,
University of Illinois at Chicago,
Chicago, IL 60607-7143,
USA.
E-mail: shen@uic.edu

[illegible]

2000-2001	1	100
2001-2002	1	100
2002-2003	1	100
2003-2004	1	100
2004-2005	1	100
2005-2006	1	100
2006-2007	1	100
2007-2008	1	100
2008-2009	1	100
2009-2010	1	100
2010-2011	1	100
2011-2012	1	100
2012-2013	1	100
2013-2014	1	100
2014-2015	1	100
2015-2016	1	100
2016-2017	1	100
2017-2018	1	100
2018-2019	1	100
2019-2020	1	100
2020-2021	1	100
2021-2022	1	100
2022-2023	1	100
2023-2024	1	100
2024-2025	1	100
2025-2026	1	100
2026-2027	1	100
2027-2028	1	100
2028-2029	1	100
2029-2030	1	100
2030-2031	1	100
2031-2032	1	100
2032-2033	1	100
2033-2034	1	100
2034-2035	1	100
2035-2036	1	100
2036-2037	1	100
2037-2038	1	100
2038-2039	1	100
2039-2040	1	100
2040-2041	1	100
2041-2042	1	100
2042-2043	1	100
2043-2044	1	100
2044-2045	1	100
2045-2046	1	100
2046-2047	1	100
2047-2048	1	100
2048-2049	1	100
2049-2050	1	100
2050-2051	1	100
2051-2052	1	100
2052-2053	1	100
2053-2054	1	100
2054-2055	1	100
2055-2056	1	100
2056-2057	1	100
2057-2058	1	100
2058-2059	1	100
2059-2060	1	100
2060-2061	1	100
2061-2062	1	100
2062-2063	1	100
2063-2064	1	100
2064-2065	1	100
2065-2066	1	100
2066-2067	1	100
2067-2068	1	100
2068-2069	1	100
2069-2070	1	100
2070-2071	1	100
2071-2072	1	100
2072-2073	1	100
2073-2074	1	100
2074-2075	1	100
2075-2076	1	100
2076-2077	1	100
2077-2078	1	100
2078-2079	1	100
2079-2080	1	100
2080-2081	1	100
2081-2082	1	100
2082-2083	1	100
2083-2084	1	100
2084-2085	1	100
2085-2086	1	100
2086-2087	1	100
2087-2088	1	100
2088-2089	1	100
2089-2090	1	100
2090-2091	1	100
2091-2092	1	100
2092-2093	1	100
2093-2094	1	100
2094-2095	1	100
2095-2096	1	100
2096-2097	1	100
2097-2098	1	100
2098-2099	1	100
2099-2100	1	100
2100-2101	1	100
2101-2102	1	100
2102-2103	1	100
2103-2104	1	100
2104-2105	1	100
2105-2106	1	100
2106-2107	1	100
2107-2108	1	

DATE: 10/10/2019 BY: K. K. K.

DEPARTMENT OF THE ARMY									
UNIT NAME		UNIT ADDRESS		UNIT PHONE		UNIT FAX		UNIT E-MAIL	
1	101st Airborne Division	2	101st Airborne Division	3	101st Airborne Division	4	101st Airborne Division	5	101st Airborne Division
6	101st Airborne Division	7	101st Airborne Division	8	101st Airborne Division	9	101st Airborne Division	10	101st Airborne Division
11	101st Airborne Division	12	101st Airborne Division	13	101st Airborne Division	14	101st Airborne Division	15	101st Airborne Division
16	101st Airborne Division	17	101st Airborne Division	18	101st Airborne Division	19	101st Airborne Division	20	101st Airborne Division
21	101st Airborne Division	22	101st Airborne Division	23	101st Airborne Division	24	101st Airborne Division	25	101st Airborne Division
26	101st Airborne Division	27	101st Airborne Division	28	101st Airborne Division	29	101st Airborne Division	30	101st Airborne Division
31	101st Airborne Division	32	101st Airborne Division	33	101st Airborne Division	34	101st Airborne Division	35	101st Airborne Division
36	101st Airborne Division	37	101st Airborne Division	38	101st Airborne Division	39	101st Airborne Division	40	101st Airborne Division
41	101st Airborne Division	42	101st Airborne Division	43	101st Airborne Division	44	101st Airborne Division	45	101st Airborne Division
46	101st Airborne Division	47	101st Airborne Division	48	101st Airborne Division	49	101st Airborne Division	50	101st Airborne Division
51	101st Airborne Division	52	101st Airborne Division	53	101st Airborne Division	54	101st Airborne Division	55	101st Airborne Division
56	101st Airborne Division	57	101st Airborne Division	58	101st Airborne Division	59	101st Airborne Division	60	101st Airborne Division
61	101st Airborne Division	62	101st Airborne Division	63	101st Airborne Division	64	101st Airborne Division	65	101st Airborne Division
66	101st Airborne Division	67	101st Airborne Division	68	101st Airborne Division	69	101st Airborne Division	70	101st Airborne Division
71	101st Airborne Division	72	101st Airborne Division	73	101st Airborne Division	74	101st Airborne Division	75	101st Airborne Division
76	101st Airborne Division	77	101st Airborne Division	78	101st Airborne Division	79	101st Airborne Division	80	101st Airborne Division
81	101st Airborne Division	82	101st Airborne Division	83	101st Airborne Division	84	101st Airborne Division	85	101st Airborne Division
86	101st Airborne Division	87	101st Airborne Division	88	101st Airborne Division	89	101st Airborne Division	90	101st Airborne Division
91	101st Airborne Division	92	101st Airborne Division	93	101st Airborne Division	94	101st Airborne Division	95	101st Airborne Division
96	101st Airborne Division	97	101st Airborne Division	98	101st Airborne Division	99	101st Airborne Division	100	101st Airborne Division

© 2005 Blackwell Publishing Ltd
Journal of Internal Medicine 257: 105–112

DATE: 10/10/2018
BY: [Signature]
OFFICIAL: [Signature]

[illegible]

Form completed by and name	8-1-20
Printed name	8-1-20
Signature	8-1-20

Signature: Kay V. Allen Date of Birth: _____
 District Representative _____

THE UNIVERSITY OF TEXAS AT AUSTIN
 78712-7700
 TEL: 512/475-1000
 FAX: 512/475-1000
 WWW: WWW.UTEXAS.EDU

[illegible][illegible]

Spring, 2008/2009 Year Book 2008-2009

King, Victor
Delaware / California

OFFICE OF
RECORDS & MANAGEMENT
COUNTY CLERK, HARRIS COUNTY, TEXAS
MAP RECORDING OF COUNTY FILER
(NOTED)
FILED FOR
VALUATION PURPOSES IN HARRIS COUNTY
THIS IS TO BE A COPY OF THE
OF THE RECORDS

September 14, 2018

City of Tomball
c/o Ms. Amelia Lindley
Planner
Community Development Department
401 Market Street
Tomball, TX 77375

RE: Letter Stating Reason for Request of a Conditional Use Permit to Roast Coffee within the
Vazquez-Pheonix Subdivision Lot 1 Block 1

To Whom It May Concern,

We are requesting a Conditional Use Permit (CUP) to allow for coffee roasting within the above referenced property. The property is located at the corner of Lizzie Lane and S Persimmon Street. This site is the proposed location for a new warehouse and office building to serve Copan Trade, LTD as well as future office warehouse lease space. It is our understanding that the City of Tomball will allow for a coffee roasting land use in a Commercial District with an approved CUP.

The reason for the request is because roasting coffee is an integral component of the Copan Trade, LTD business plan. Without the ability to roast coffee on the property, Copan Trade, LTD cannot successfully operate on the property. Copan Trade, LTD has been a proud City of Tomball business and it is the desire of Copan Trade, LTD to remain a City of Tomball business.

Please do not hesitate to contact us should you have any questions.

Sincerely,


Sheri Dunaway

Board >

(45) Pinterest

9/14/2018

Site plan showing the proposed site layout. The plan includes a large rectangular lot with a building footprint, parking areas, and surrounding streets including S. PERKINS ST. and LIZZIE LN. A north arrow and scale bar are included.

Key features and dimensions:

- Lot dimensions: 12,000 sq ft, 11,000 sq ft, 11,000 sq ft, 11,000 sq ft.
- Building footprint: 12,000 sq ft.
- Parking areas: 12,000 sq ft, 11,000 sq ft, 11,000 sq ft, 11,000 sq ft.
- Streets: S. PERKINS ST., LIZZIE LN.
- Scale: 1" = 100'
- North Arrow: N

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Request by the Spring/Woodlands-based Rumble Cats Classic Car Club for Use of the Depot Festival Area for Its Third Annual Rumble Cats Classic Car Club Show - The “Rally in the Alley” Car Show, to be held on Saturday, March 2, 2019, from 10 a.m. to 5 p.m.

Background:

The Spring/Woodlands based Rumble Cats Classic Car Club is asking for the City of Tomball to again approve use of the Depot festival area for its annual “Rally in the Alley” car show on March 2nd, 2019, from 10 a.m. to 5 p.m.

The show is for pre-1964 model cars and trucks, with a family friendly “Rockabilly” theme. Many of the participants dress in the style of the 1940s and 1950s while on-site. Live Rockabilly and Oldies music would be played on-site throughout the afternoon.

The car show site would be the standard footprint covering South Elm to Market, Market from the Depot to Cherry, and South Walnut from Main to Fannin.

Approximately 150 vehicles and vendors are expected, with an estimated 1,000 spectators, not including those already in Tomball who might visit the show. There will also be food and beverage vendors.

This is not an in-kind request. The Rumble Cats Car Club will pay a standard usage fee to cover the cost of public works staff, street closures, and other incidentals involved on-site. They will also hire a minimum of two Tomball Police officers to work the car show site throughout the day.

A portion of the registration and vendor fees will be donated to a local Tomball non-profit organization.

Origination:

Denise Fiore

Recommendation:

Approve

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

Denise Fiore

ACTION TAKEN

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

ATTACHMENTS:

Car Show Application



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: 9-23-18 Is this event Co-City sponsored? Yes ☐ No ☒

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

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

1. Event title: Rally in the Alley
2. Sponsoring entity: The Rumble Cats car club
3. Is this organization based in Tomball: Yes ☐ No ☒
4. Is this organization *non-profit* ☒ or *for-profit* ☐ *Attach 501 (c) (3) tax exemption if applicable
5. Contact: _____ Phone: _____
6. Contact address: 16610 Creeksouth Rd
7. Contact email: Houstonrumblecats@gmail.com
8. Event date: 9-3-2-19
9. Event times: Start 11 am Finish 5 pm Set-up 9 am Breakdown 5:30 pm
10. Is this event for charity? Yes ☐ No ☒
11. If yes, what charity? _____ Tax ID _____
12. If yes, what percentage of net proceeds will be donated to the charity? _____
13. On-site contact: 832-942-4625 Mobile Phone: _____
14. Estimated number of attendees: 1,000
15. Detailed site map in attached: Yes ☒ No ☐
16. Is this event open to the public: Yes ☒ No ☐
17. Admission fee: \$ _____ Free ☒
18. Time at which event staff will begin to arrive: 9 am
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 M.A.
20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured.
Initial M.A.
21. Name of insurance carrier: Farmer Insurance
22. Organization has secured date with the Public Works Dept. and has paid deposit. yes

Signature: Moses Amiga

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Request by The Houston Repertoire Ballet (HRB) for Financial Support for Eight Performances and Two Dress Rehearsals of "The Nutcracker" Ballet, to be held December 7-9, 2018 at the Tomball High School Theatre, in the Amount of \$15,500.00

Background:

The Tourism Advisory Committee will meet at 5:00 p.m., November 5, 2018, prior to the City Council meeting.

Recommendation will be provided to City Council by the City Manager.

Origination:

The Houston Repertoire Ballet (HRB)

Recommendation:

n/a

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

HRB Board-Grants and Corporate Giving

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

ATTACHMENTS:

Application
Narrative Questions
2017 Nutcracker
Other required docs.



CITY OF TOMBALL
APPLICATION FOR USE OF HOTEL OCCUPANCY TAX
(Must be submitted no less than 45 days prior to the event)

Applications may be mailed or hand delivered to:

Director of Finance
City of Tomball
501 James Street
Tomball, TX 77375

Applicant Organization: Houston Repertoire Ballet

Organization Director: Victoria Vittum, Artistic Director and Founder

Project or Event for which funding is requested: "The Nutcracker" performance series with the Cypress Philharmonic

Date of Event: December 7-9, 2018 - 8 performances, 2 dress rehearsals

Description of project or event for which funding is requested: HRB's "The Nutcracker is a classic holiday ballet enjoyed by all ages at affordable prices (\$12-\$23) bringing approx. 3,500 patrons and artists annually to Tomball's easily accessible venue. The performance series features live orchestra, professional guest artists, elaborate costumes and sets along with exquisite dancing in a professionally staged performance drawing an audience from Houston and neighboring communities, and includes 3 free shows for TISD's 3rd graders, with an outreach program to include 2 TISD elementary schools, an Arts & Education performance and 4 full length performances to meet demand.

Location of project or event: _____

Tomball High School Theatre, Leonard Chambers Fine Arts Wing

330 Quinn Road Tomball, TX 77375

GRANT AMOUNTS:

Amount Requested for Current Fiscal Year:	<u>2018</u>	<u>\$ 15,500</u>
Amount Received for Previous Fiscal Year:	<u>2017</u>	<u>\$ 12,500</u>
% increase requested over last year's grant:	<u>24</u> %	

Organization Budget Summary for Previous Fiscal Year 2017

	City Funds	Other Funds	Total
Personnel		\$22,640 artistic staff; \$250 stage crew	\$22,890
Contracted Services	\$683 security	\$23,000 orchestra; \$14,600 guest art.	\$38,283
Travel		\$165	\$165
Rental Expense	\$15,053 Tomball ISD	\$5,910 studio; \$740 Trucks	\$21,703
Depreciation/Mortgage	N/A		
Advertising	\$791 A&E booklets	\$5,744 programs, fliers, pr, adv	\$6,535
Insurance		\$4,110	\$4,110
Other Expenses	\$1,047 food, \$1,500 Stage Mngn, \$645 Mother Ginger TISD outreach	\$1,393 costumes/props/sets	\$4,585
Volunteer Time	N/A		
Donated Goods/Services	N/A		
Total	\$19,719*	\$78,552	\$98,271

Grants to an organization will not exceed 35% of the organization's adopted budget for the fiscal year shown above. *\$12,500 from City of Tomball received in 2017 - exceeded grant amount in Tomball spending

FUNDS FROM SOURCES OTHER THAN THE CITY OF TOMBALL

Government

Local
County
State
Federal

Amount of Funds

Other Investors/Contributors

Individual
Corporate
Foundations

\$4,000 _____

Fees

Admissions
Applications
Vendors
Tuition

\$64,547 _____

\$660 silent auction

Concessions

\$8,000 (boutique & flowers)

Memberships

\$4,240 non-member fees

Subscriptions

Other

Total

\$81,447 LOSS OF \$16,824

How many people do you expect will visit Tomball from out-of-town as a result of this project or event?

Explain the basis for your answer to the preceding question: HRB anticipates more than 3,200 patrons to attend "The Nutcracker," in addition to the more than 160 artists. This is based on historical 95% attendance data as well as zip code data. In 2017, only 6% - 8% of the audience was from Tomball which demonstrates "The Nutcracker's" draw to the Tomball community as a holiday tradition which in turn increases revenue in the area.

Are attendees for this event or users of this project expected to stay overnight in Tomball hotels or motels? If you answer to this question is Yes, state the basis for your answer: Yes. The long days associated with 2 days of dress rehearsals and 8 performances (2018) mandates that some of HRB's company members stay in the area (some members live as far as Bryan, College Station, Waller, etc). Feedback from HRB families following 2017 Nutcracker indicated that rooms from multiple hotels were rented in Tomball that week. In addition, HRB patrons and members shop and dine in Tomball during the Nutcracker performance series.

Organization Contact Name, Title, Address and Phone Number: _____

Tina Pidgeon, HRB Board Member - Grants and Corporate Giving

15822 Fern Basin Dr., Houston, TX 77084

281-507-1821

Contact's Signature: 

Date: 6/21/18



VALIDATION OF APPLICATION

The signatory declares that he/she is an authorized official of the applicant, is authorized to make this application, and certifies that the information in this application is true and correct to the best of his/her knowledge. Signatory further declares that applicant, if previously funded by the City of Tomball, has successfully fulfilled all prior Grant contract obligations.

Kelly Behrens
Signature of Authorizing Official

6/21/18
Date

Kelly Behrens
Typed Name

HRB Board President
Title within Organization

832-439-9931
Telephone

kelly@airinnovationsllc.com
Email address



NARRATIVE QUESTIONS

Please look at the criteria in the grant guidelines when you answer the following questions. **Be specific and give examples.** Answers to individual questions should be as brief as possible and should in no case exceed one page.

1. Describe the history and purpose of the organization.
2. Describe how any grant funds will be used.
3. List the programs and activities for the grant year.
4. Show evidence of growth in community support prior to the grant year. Include the number of performances, exhibitions, audience sizes, services or enrollment. Be sure to include specific information as to the percent of activities taking place within the City of Tomball.
5. How does your project/event qualify for use of Municipal Hotel Occupancy Tax funds as defined in the Hotel Occupancy Tax Guidelines?
6. How do you publicize your activities? How do you evaluate these efforts and what have you done to increase the effectiveness of your marketing efforts?
7. Explain the public benefits to the City of Tomball that will result from your organization's efforts.
8. What is your organization doing to bring visitors to Tomball, to stay in local hotels and otherwise support the hospitality industry?

NARRATIVE QUESTIONS

1. Describe the history and purpose of the organization.

The Houston Repertoire Ballet (HRB) is a non-profit 501(c)(3) dance organization. The ballet, composed of youth, was conceptualized in 1994 and received non-profit status in 1995. It arose from the need and desire to provide North Harris County communities with the highest quality of dance education and performance experiences. HRB has grown to become the premier pre-professional company in the area requiring discipline and commitment from the dancers and providing two major productions as well as a choreography production with recital for the community each season. In 2017, there were 66 dancers accepted into the company, with 70-80 dancers expected to be accepted into the company for the upcoming 2018-2019 season. The dancers accepted into the company train and rehearse 15-20 hours weekly.

Beginning in 1998, HRB began performing one act of "The Nutcracker" in Tomball. It has grown to an 8 show performance series (the 8th performance to be added December 2018), featuring the Cypress Philharmonic's 39 piece orchestra at Tomball High School's Theatre thus bringing an affordable and accessible professionally staged production with beautiful sets and elaborate costumes as well as talented dancers and musicians to Tomball drawing in patrons to support the community and enrich the residents.

The mission of Houston Repertoire Ballet is:

"HRB is dedicated to the pursuit of excellence in the art of classical ballet, providing a program of the highest quality to local dancers through professional instruction, education and performance experience. To ensure quality, acceptance into the company is limited and by invitation only. The company gives you, talented, dedicated dancers the serious training needed for them to enter the professional world of dance, while providing cultural education and community service to surrounding cities."

2. Describe how any grant funds will be used.

The city of Tomball Hotel Occupancy Funds are earmarked to stay directly in the Tomball Community, either by expense or by enrichment. The Facility Rental expenses (approximately \$15,000) goes directly to Tomball ISD supporting Tomball's public school system. In addition, two free shows (with a third to be added in December 2018) that HRB performs for Tomball ISD's 3rd graders fulfills the arts component of their curriculum and brings a live theatre production directly to the students, many for the very first time. Depending on enrollment numbers, high school special needs students and dance students are also invited.

The Stage Crew is comprised of Tomball Stage students and director (along with HRB volunteers and stage manager). The Tomball students are paid for their work while gaining valuable technical experience related to a live production. In addition, HRB provides two \$750 scholarships annually to support graduating Tomball Stage students.

The balance of the funds are used for Tomball security, flowers, and to provide food for the dancers, orchestra, backstage crew and volunteers between the shows. (This is of course in addition to the food purchased by people involved in the production and patrons before and after the shows). Food is typically ordered from local Tomball establishments as well as paper products purchased from local discount stores. Historically, some places have included, Chilis, Starbucks, Chik Fil A, Pizza Hut, Kroger, Wal-Mart, and Target. In addition, the grant funds will go towards supporting the expansion of our Mother Ginger Experience (successful outreach program implemented in 2017) to be expanded to include the new Nutcracker Experience in 2018. The program is for Tomball Elementary 3rd graders attending Tomball Elementary and Decker Prairie Elementary schools.

The city of Tomball grant funds are dedicated to support the Tomball community while supporting bringing the arts and patrons directly to Tomball. If there are any remaining funds, they will be directed towards publicity expenses which bring awareness and patrons to the event in Tomball.

3. List the Programs and activities for the grant year.

The grant is used entirely to support bringing "The Nutcracker" to Tomball to enrich their arts community while bringing in patrons from other areas.

HRB begins their presence in Tomball following "move-in" at the beginning of the week with dress rehearsals on Wednesday, December 5 and Thursday, December 6, 2018.

On Thursday, December 6, HRB performs 1 free show for Tomball ISD 3rd grade students. On Friday, December 7, HRB performs 2 additional free shows for Tomball ISD 3rd grade students. All 3 performances for Tomball ISD 3rd grade students fulfill the arts component of their curriculum and is an abbreviated performance that includes an educational talk as well as an information booklet. *A sample of one of these is included with supplemental information.*

Friday evening HRB also performs a reduced price Arts & Education performance for a younger audience drawing in girl scout groups, etc. The Arts & Education performances do not include the orchestra, but do include professional guest artists.

The cost of printing the Arts & Education booklets is approximately \$800-\$900.

Saturday and Sunday both include 2 full length performances with the live orchestra.

The lobby is set and decorated for the Holidays extending the feel of festivity to the Tomball area including a large Christmas tree, boutique, silent auction and refreshments provided by Tomball High School's Jr ROTC as their own fundraiser.

HRB's season is also comprised of a spring performance series, "A Celebration of Dance" and a "Choreography Project" as a season finale, also held at Tomball High School Theatre. HRB brings the arts to the Tomball area to delight area residents with affordable and accessible live performances while bringing in outside visitors.

Arts & Education abbreviated performance for Tomball ISD

(Times are determined by TISD)

Thursday, Dec 6, 9:45a.m.

Friday, Dec 7 @ 9:45 a.m. and 12:15 p.m.

Free

Arts & Education abbreviated performance:

Friday Dec 7, 7p.m.

A& E Tickets \$12

Full performances with live orchestra:

Saturday Dec 8 @ 2p.m. and 7p.m.

Sunday Dec 9 @ 1 p.m. and 4:30p.m.

Tickets \$18 - \$23 (\$15 obstructed view)

4. Show evidence of growth in community support prior to the grant year. Include the number of performances, exhibitions, audience sizes, services or enrollment. Be sure to include specific information as to the percent of activities taking place within the City of Tomball.

In 2017, HRB launched an outreach program with Tomball Elementary, "The Mother Ginger Experience." The program was developed with Tomball ISD's Fine Arts Director, JD Janda, and supported by the school principal, Chad Shmidt. Although no prior dance experience was required, an audition was held and a group of boys and girls were selected to participate in the program. Rehearsals, costumes, shoes, and tights were provided free for all of the participants. The students learned simplified choreography and experienced being part of HRB's "The Nutcracker" on stage performing in one of the two free 2017 Arts & Education performances with attendance based on enrollment. Due to the success of the program, and with much enthusiasm and encouragement from JD Janda and the elementary Principals involved, HRB will expand the outreach program to include Decker Prairie Elementary for an additional program, "The Nutcracker Experience" in 2018 to compliment the existing program, "The Mother Ginger Experience. The after school program will be set up like "The Mother Ginger Experience," but will include the children from Decker Prairie Elementary as small angels in Act II of HRB's "The Nutcracker" free Arts & Education performances. Students will audition without prior dance experience being required. Rehearsals with simplified choreography will be taught after school on a weekly basis with costumes, tights, shoes, leotards and other materials to be included free of charge. HRB will be adding a third free Arts & Education performance for Tomball ISD 3rd graders in 2018, which the student participants in the outreach program will perform in.

In addition, HRB's outreach program will expand further during the spring semester with the addition of a weekly after school ballet program to be taught at Tomball Intermediate School, to last the duration of the spring semester and will give opportunity for participants to perform in "The Choreography Project" which is also performed at Tomball High School Theatre in May 2019. Participants in the spring outreach project will also receive costumes, tights, shoes, leotards and other necessary materials free of charge. HRB is thrilled to extend their outreach and hopes that this will enrich the lives of many as this continued investment into the city of Tomball's youth outreach programs develops.

For "The Nutcracker" 2017, 95-100% of seats for the 5 ticketed performances was sold, and the expectation for 2018 is the same. The seating capacity is approximately 3,600 for the 5 ticketed shows (reserve handicapped seats and blocks for videographer). HRB's "The Nutcracker" continues to exceed their patrons expectation as its continued growth supports the need for high quality arts productions in northwest Houston bringing patrons into Tomball.

In 2013, HRB was joined by a live orchestra, The Cypress Philharmonic. This has elevated the production to one that would mirror almost any nutcracker and has additionally increased attendance drawing in a new audience. HRB's audience has steadily increased from 85% in 2010 with 3 full performances and one abbreviated show to near capacity with 4 full and 1 abbreviated show for 2016 and 2017. In 2015, HRB had to add a 5th ticketed performance to meet demand, a Friday evening abbreviated Arts & Education performance, and has continued to be a success in 2016 and 2017. In fact, when tickets went on sale October 1, 2017, within the first week 22% of tickets for this performance had already sold.

5. How does your project/event qualify for use of Municipal Hotel Occupancy Tax funds as defined in the Hotel Occupancy Tax Guidelines?

HRB bringing "The Nutcracker" with the Cypress Philharmonic to Tomball directly satisfies "The Guidelines for Expenditures, Requests for Funding, and Reporting" published by the City of Tomball City Council on October 5, 2009 in article #4: "the encouragement, promotion, improvement and application of the arts, including....dance... and other arts related to the presentation, performance, execution and exhibition of these major art forms."

6. How do you publicize your activities? How do you evaluate these efforts and what have you done to increase the effectiveness of your marketing efforts?

HRB has an extensive marketing campaign including poster and flyer distribution, print advertisements and press releases as well as a strong campaign on Facebook and Instagram to promote name recognition and awareness of "The Nutcracker" in Tomball. The reputation and quality of HRB's "The Nutcracker" has developed into a staple of Tomball's Holiday Season. HRB's extensive flyer and poster campaign is supported by a team of dedicated HRB volunteers. Houston businesses are historically mapped, targeted and tracked to increase effectiveness.

HRB utilizes a publicity liaison to ensure local media sources, neighborhood newsletters and family event locators are targeted and extend notices via the internet and direct email to previous patrons.

Beginning in 2014 HRB also began a direct marketing campaign by gifting the younger, non-company dancers, 53 dancers in 2017, with a season t-shirt for them to wear to promote the events.

As every publicity dollar spent is crucial, HRB does evaluate its marketing, with every ticket order the patron is either asked or prompted on the internet as to how they learned about HRB's "The Nutcracker" in Tomball. There are also optional audience surveys available at each performance.

Unique to 2017, Houston Ballet cancelled school performances (due to flooding) that are frequented each year by many public, private and home education groups. Feedback from audience members indicated that the situation produced a draw for HRB as demand from such groups was met by HRB's Arts & Education performance which may influence future ticket sales as new patrons continue to seek out HRB's performance series.

HRB's publicity campaign brings patrons to Tomball as 92-94% of tickets sold are from outside of tomball zip codes.

7. Explain the public benefits to the City of Tomball that will result from your organization's efforts.

The City of Tomball will experience increased revenues in areas of shopping and dining as well as hotel occupancy directly related to hosting HRB's "The Nutcracker." It will also bring cultural enrichment to Tomball residents, the students of Tomball ISD as well as elevating Tomball's artistic landscape.

With a direct partnership with JD Janda, TISD's Fine Arts Director, HRB will once again present free matinee programs, with the addition of a third free matinee program in 2018, to all of TISD's 3rd grade students fulfilling the arts component of their curriculum. With educational budget cuts as well as constraints on missing curriculum time, it would be impossible to bring the students to a venue outside of Tomball. HRB does these performances at no cost to TISD. Simply put, it is part of their community engagement serving others while allowing their dancers valuable performance experience. Furthermore, HRB supports two \$750 scholarships to Tomball Stage members to continue their education after graduation, which builds community relationships as well as being another investment into Tomball.

Tomball High School's JR ROTC also benefits from HRB's "The Nutcracker" as they serve refreshments during the performances as a fundraiser for their own organization.

8. What is your organization doing to bring visitors to Tomball, to stay in local hotels and otherwise support the hospitality industry?

"The Nutcracker" brings annually more than 3000 patrons as well as more than 200 artists and volunteers to Tomball during the busy shopping holiday season. Approximately 92-94% of ticketed patrons come from outside of Tomball. *Please see the attached pie charts demonstrating ticket sales for the full length performances and abbreviated Arts & Education performance by zip code.* This directly puts an out of town population in the Tomball vicinity to shop, dine, run errands and enjoy Tomball. This impact will be felt Wednesday, December 5 – Sunday, December 9.

"The Nutcracker" is a unique event to Northwest Houston as it brings a professionally staged live theatre production complete with professional guest artists and a live orchestra to Northwest Houston, which elevates Tomball as a destination for the patrons to enjoy this holiday classic close to home at an easily accessible and affordable venue. This performance series compliments the city's other enrichment efforts.

Several HRB dancers live too far away (Bryan, College Station, Waller, etc) to commute for the performances, so as an option they choose to stay in Tomball at area hotels. In order to encourage other families to stay in Tomball as well, HRB has coordinated with the General Managers of Tomball area hotels the past two seasons to negotiate a discount for patrons and dancers alike during Nutcracker weekend. These hotels include Holiday Inn, Hampton Inn and Suites, America's Best Value Inn and Suites, Comfort Inn and Suites, and La Quinta. The information is also shared with patrons who call to inquire about area hotels. *Please find an attached copy of the email sent to HRB company members in 2017. We plan to coordinate with the General Managers of Tomball area hotels to negotiate a discount rate for patrons and dancers again in the fall 2018.* In 2017, HRB dancers and their families stayed at Holiday Inn (2 rooms/3 nights), Hampton Inn and Suites (5 rooms/8 nights), Residents Inn (2 rooms/8 nights), Comfort Inn and Suites (1 room/2 nights), La Quinta (3 rooms/3 nights), and Corral RV Park (4 days). Please note other families stayed as well, but used other discounts such as points, AARP, etc.

The Nutcracker 2017

Hello all -

HRB has arranged for reduced rates for *The Nutcracker* for those of you (or family) who would like to stay in Tomball during the busy weekend.

To book a room with the group price listed, call the hotel directly and ask to reserve a room under **Houston Repertoire's Ballet's Nutcracker price**. Only the Holiday Inn has asked us to reference "Tomball Festival Events" instead.

All are based on normal availability. No block of rooms secured. Reduced prices are available only

Dec.1 - Dec. 3

There is one additional hotel (not listed) that I'm currently waiting for a confirmation from regarding reduced rate. I'll send an update to the yahoo group (hopefully) this week with that hotel information once confirmed.

1. Holiday Inn - 20% discount. Rooms need to be reserved by referencing **"Tomball Festival Events."**

14055 Park Dr.
Tomball
832--639-4900

2. Hampton Inn and Suites - \$109 Rate for 2 doubles or King.

14100 Medical Complex Dr.
Tomball
281-357-1500

3. America's Best Value Inn and Suites - \$85 King, \$75 2 Queens.

24420 Park Road
Tomball
281-255-9030

4. Comfort Inn and Suites - \$84.99 Double Queen or King. Reference:

13636 Michel Road
Tomball
281-290-7070

5. Tomball - Rosehill RV Park - 15% discount: \$30/night.

19611 FM 2920
Tomball
832-728-9905



OTHER REQUIRED DOCUMENTATION

The following information is required to process the grant application:

1. Articles of Incorporation, if applicable
2. Constitution and/or By-Laws
3. If your organization's budget exceeds \$100,000 (exclusive of in-kind) attach a copy of the last independent audit of financial records. If no audit was completed, explain why.
4. Schedule of Board of Directors meetings for the period of October 1 of the current year through September 30 of the following year. Board of Directors meetings must occur at least once per quarter.
5. Resumes of principal staff and artists or relevant job descriptions.
6. Depending on the nature of the project or event for which grant funding is requested, the organization will obtain a Certificate of Insurance for liability coverage as outlined in the attached Exhibit A. The City of Tomball requires each grantee having an event in the City aimed to attract both residents and tourists to have liability insurance to protect the public for acts by the grantee. This mandated coverage does not cover the grantee or any of its members. We encourage the grantee to acquire insurance to cover itself and its members as it deems fit. Please see your insurance agent for the local government endorsement. The cost of the local government endorsement may be included as part of your budget to be considered for a grant.

OPTIONAL SUPPORTING DOCUMENTATION

This should be additional material that you wish to attach that further explains the activities of your organization such as:

1. Long Range Plan – 3-5 years
2. One labeled videotape of performance(s), exhibits, workshops, capital project and /or other activities for which City of Tomball grant funds will be utilized.
3. Programs, publicity, articles, reviews, etc.
4. Letters of support from patrons or other organizations in the community.

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

1. Article of Incorporation

Houston Repertoire Ballet - *The Nutcracker 2018*

Please see the attached 501(c)(3) letter.
HRB is a non profit organization - dance.

DEPARTMENT OF THE TREASURY

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

Date: JUN 30 2000

HOUSTON REPERTOIRE BALLET
8590 HWY 6N
HOUSTON, TX 77095

Employer Identification Number:

76-0479345

DLN:

17053092751010

Contact Person:

JOHN J MCGEE

ID# 31169

Contact Telephone Number:

(877) 829-5500

Our Letter Dated:

May 1997

Addendum Applies:

No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(2).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(2) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(2) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Letter 1050 (DO/CG)

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

2. Constitution or By-Laws

Houston Repertoire Ballet - *The Nutcracker 2018*

Please see HRB's attached by-laws

BY-LAWS
of the
HOUSTON REPERTOIRE BALLET

Article 1 – Name

The name of this organization shall be Houston Repertoire Ballet hereafter referred to as HRB.

Article 2 – Location and Agent

The registered office of HRB shall be at the Studio of Dance located at 16668 Champions Forest Drive, Houston, Texas, 77379. Any current officer of the Board of Directors may act as registered agent for HRB.

Article 3 – Purpose

HRB is a company organized exclusively for providing a program of the highest quality to local dancers in the art of classical ballet. The program provides training, education, and experience for the company dancers while providing cultural education and community service for the surrounding region consistent with HRB's non-profit and educational purposes under the HRB Articles of Incorporation as approved by the State of Texas on May 31, 1995.

Article 4 – Membership

1. The membership of HRB shall consist of the parents who have paid dues for current HRB dancers and the current members of the Board of Directors. Additional members from the community at large may be accepted by an affirmative vote of the Board.
2. Membership period shall be from the date of joining (or rejoining) until three (3) months following the end of that fiscal year of HRB.
3. Each member shall be entitled to one vote on each matter submitted to a vote of the membership. Parents of HRB dancers are jointly entitled to one vote for each of their dancers currently active in HRB.

Article 5 – Meetings

1. In consultation with the Board, the President shall determine the dates, times, locations, agenda, and formats of meetings. Notice shall be given at least two (2) weeks in advance by postings, mail outs, e-mail, or a combination of such means.
2. The membership shall meet at least one time early in each fiscal year. Up to two (2) days in advance, any member may request in writing to the Board additional items or voting issues to be included on the agenda. In order to achieve a desired or required quorum, a physical "meeting" may be held over a defined period of more than one day.

3. A quorum to transact business at membership meetings shall consist of at least twenty (20) members in good standing. An affirmative vote of greater than fifty percent (50%) of those in attendance is required to approve an action or decision.
4. At any duly called meeting, a member may vote by a proxy executed in writing.
5. An annual vote of the members is required to approve the officers of the Board and a broad performance plan for the year.

Article 6 – Board of Directors

1. A Board of Directors shall be maintained with sole authority and responsibility for management and business affairs of HRB.
2. The Board shall be comprised of at least six (6) and no more than twelve (12) Directors.
3. Directors shall be elected or removed by the affirmative vote of a majority of the then current Directors at a duly held meeting of the Board. Directors shall serve for a minimum term of two (2) years which may be extended without limit by a majority vote of the other Board members.
4. Any vote for removal of a Director must be preceded by written notice to all Directors of the scheduled vote. Should a Director resign or be removed, the Board may elect a replacement Director to begin a two (2) year term upon election.
5. A coordinating representative for Board approved committees such as the Partners Guild, the Children's Guild, and special events may attend all Board meetings in a non-voting capacity. With the approval of the presiding officer, any other guests may attend the beginning of any Board meeting to address the Board with proposals or questions to bring comments on behalf of a Director who cannot attend. Such guests will then leave the meeting prior to remaining agenda items that may be discussed and debated privately by the Board to ensure candid discussions.
6. Artistic management of HRB shall be vested solely in the Artistic Director(s) who shall serve as members of the Board of Directors. The Artistic Director(s) may be removed only by a two-thirds (2/3) vote of the entire HRB membership.
7. Regular Board meetings shall be held on a monthly basis. Special meetings of the Board may be called at any time upon the request of the President, the Artistic Director(s), or any two Directors. Notice of such a meeting must be given to each Director at least 24 hours before the meeting.
8. For any Board meeting, at least fifty percent (50%) of the Directors currently on the Board shall constitute a quorum. Unless otherwise specified here, an affirmative vote of greater than fifty percent (50%) of the Directors in attendance shall be sufficient to approve all actions.
9. For any duly called meeting of the Board, a Director may vote by proxy or direct his/her attendance and vote to another Director in writing.
10. No salary, fee, or compensation shall be paid to any Director or member except by resolution of the Board.

Article 7 – Officers of the Board

1. The officers of the Board of Directors of HRB shall consist of a President, a Vice-President, a Secretary, and a Treasurer authorized to conduct business on behalf of HRB. As necessary, officers may designate other HRB members or staff to perform specific duties.

2. Officers of the Board shall be determined by the Board in a manner suitable to the needs of the Board at that time. By the end of July each year, the Board shall determine the slate of officers for the following fiscal year.
3. Should an officer resign or be removed, the President shall be responsible for promptly securing Board approval of a replacement except that a vacancy of the office of President shall be automatically filled by the Vice President.
4. Officers may be removed from office by a vote of the Board at a duly called meeting for which all Directors have been notified.
5. **The President**, or in his/her absence **the Vice President**, shall preside at all meetings of the Board as well as be responsible for maintaining long-term goals and ensuring that Board decisions are implemented. The President shall also establish committees as necessary and steward areas of responsibilities for Board members to ensure the efficient pursuit of activities. Key areas will include Productions, Fund Raising, Publicity, and Volunteers.
6. **The Treasurer** shall have charge of the funds of HRB and ensure the following: detailed records, payment of all fees and bills, preparation monthly reports for the Board, development of an annual budget, filing of tax forms, and audits as directed by the Board.
7. **The Secretary** shall record minutes and maintain files of HRB, give notice to meetings, handle Board correspondence, and keep records of HRB and Board membership.

Article 8 – Special Rules

1. The fiscal year of HRB shall begin on August 1 and end on the following July 31.
2. No Director, officer, or member at large may incur an expense or obligation on behalf of HRB except as authorized by the Board of Directors.
3. Any member is entitled to inspect the books, minutes, or other records of HRB if so requested in writing and if such inspection does not disrupt HRB activities.
4. All officers of the Board and other Directors as well as any other individuals authorized to act on behalf of HRB shall at all times act under the highest standards of personal, business, legal, and ethical conduct when representing HRB. As such, HRB will defend any member from any individual liability from actions taken on behalf of HRB except in any case determined by the Board to be gross negligence or willful misconduct.
5. These by-laws supercede and replace those adopted by HRB on September 20, 1995 and may be amended or replaced by a vote of the Board of Directors.
6. HRB may be dissolved by an affirmative vote of two-thirds (2/3) of the full membership or a unanimous vote of the Board of Directors. Upon dissolution, any HRB assets remaining after payment of all debts shall be contributed to similar non-profit, artistic organizations as determined by the Board of Directors.

THESE BY-LAWS FOR THE HOUSTON REPERTOIRE BALLET ARE APPROVED BY THE
HRB BOARD OF DIRECTORS ON THIS 24th DAY OF March, 2002 BY:

[Signature]

Name

President

[Signature]

Name

Vice President

[Signature]

Name

Treasurer

[Signature]

Name

[Signature]

Name

[Signature]

Name

[Signature]

Name

[Signature]

Name

[Signature]

Name

[Signature]

Name

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

3. Financial Records

Houston Repertoire Ballet - *The Nutcracker* 2018

HRB's fiscal year mirrors our season and runs August 1 - July 31.
Attached please find a copy of HRB's most recent 990.
(*not sent electronically)

HRB does not conduct an independent audit of financial records.
HRB does not receive any government money that would require an audit.
Additionally, HRB does not have any bank loans or lines of credit.

Forms 990 / 990-EZ Return Summary

For calendar year 2016, or tax year beginning **08/01/16** , and ending **07/31/17**

76-0479345

Houston Repertoire Ballet

Net Asset / Fund Balance at Beginning of Year 58,610

Revenue

Contributions	<u>36,522</u>	
Program service revenue	<u>92,273</u>	
Investment income	<u>15</u>	
Capital gain / loss		
Fundraising / Gaming:		
Gross revenue	<u>7,028</u>	
Direct expenses	<u>1,636</u>	
Net income	<u>5,392</u>	
Other income	<u>6,320</u>	
Total revenue		<u>140,522</u>

Expenses

Program services		
Management and general		
Fundraising		
Total expenses		<u>162,784</u>
Excess / (deficit)		<u>-22,262</u>

Changes

Net Asset / Fund Balance at End of Year 36,348

Reconciliation of Revenue

Total revenue per financial statements	
Less:	
Unrealized gains	
Donated services	
Recoveries	
Other	
Plus:	
Investment expenses	
Other	
Total revenue per return	

Reconciliation of Expenses

Total expenses per financial statements	
Less:	
Donated services	
Prior year adjustments	
Losses	
Other	
Plus:	
Investment expenses	
Other	
Total expenses per return	

	Beginning	Ending	Differences
Assets	<u>58,610</u>	<u>36,348</u>	
Liabilities			
Net assets	<u>58,610</u>	<u>36,348</u>	<u>-22,262</u>

Miscellaneous Information

Amended return _____
 Return / extended due date 12/15/17
 Failure to file penalty _____

Short Form
Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

OMB No. 1545-1150

2016**Open to Public
Inspection**Department of the Treasury
Internal Revenue Service

▶ Do not enter social security numbers on this form as it may be made public.

▶ Information about Form 990-EZ and its instructions is at www.irs.gov/form990.**A** For the 2016 calendar year, or tax year beginning **08/01/16** and ending **07/31/17**

B Check if applicable: ☐ Address change ☐ Name change ☐ Initial return ☐ Final return/terminated ☐ Amended return ☐ Application pending	C Name of organization Houston Repertoire Ballet Number and street (or P.O. box, if mail is not delivered to street address) Room/suite 8515 Jackrabbit Road Ste F City or town, state or province, country, and ZIP or foreign postal code Houston TX 77095	D Employer identification number 76-0479345
		E Telephone number 281-940-4721
		F Group Exemption Number ▶

G Accounting Method: ☒ Cash ☐ Accrual Other (specify) ▶	H Check ☒ if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF).
I Website: ▶ HRBDance.org	
J Tax-exempt status (check only one) — ☒ 501(c)(3) ☐ 501(c) () (insert no.) ☐ 4947(a)(1) or ☐ 527	
K Form of organization: ☒ Corporation ☐ Trust ☐ Association ☐ Other	

L Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are \$200,000 or more, or if total assets (Part II, column (B) below) are \$500,000 or more, file Form 990 instead of Form 990-EZ. ▶ \$ **154,613****Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances** (see the instructions for Part I)Check if the organization used Schedule O to respond to any question in this Part I ☒

Revenue	1 Contributions, gifts, grants, and similar amounts received	1	36,522
	2 Program service revenue including government fees and contracts	2	62,588
	3 Membership dues and assessments	3	29,685
	4 Investment income	4	15
	5a Gross amount from sale of assets other than inventory	5a	
	b Less: cost or other basis and sales expenses	5b	
	c Gain or (loss) from sale of assets other than inventory (Subtract line 5b from line 5a)	5c	
	6 Gaming and fundraising events		
	a Gross income from gaming (attach Schedule G if greater than \$15,000)	6a	
b Gross income from fundraising events (not including \$ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds \$15,000)	6b	7,028	
c Less: direct expenses from gaming and fundraising events	6c	1,636	
d Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c)	6d	5,392	
7a Gross sales of inventory, less returns and allowances	7a	18,775	
b Less: cost of goods sold	7b	12,455	
c Gross profit or (loss) from sales of inventory (Subtract line 7b from line 7a)	7c	6,320	
8 Other revenue (describe in Schedule O)	8		
9 Total revenue. Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8	9	140,522	
Expenses	10 Grants and similar amounts paid (list in Schedule O)	10	6,125
	11 Benefits paid to or for members	11	
	12 Salaries, other compensation, and employee benefits	12	
	13 Professional fees and other payments to independent contractors	13	24,852
	14 Occupancy, rent, utilities, and maintenance	14	14,261
	15 Printing, publications, postage, and shipping	15	
	16 Other expenses (describe in Schedule O)	16	117,546
	17 Total expenses. Add lines 10 through 16	17	162,784
Net Assets	18 Excess or (deficit) for the year (Subtract line 17 from line 9)	18	-22,262
	19 Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)	19	58,610
	20 Other changes in net assets or fund balances (explain in Schedule O)	20	
	21 Net assets or fund balances at end of year. Combine lines 18 through 20	21	36,348

For Paperwork Reduction Act Notice, see the separate instructions.

Form **990-EZ** (2016)

Part V Other Information (Note the Schedule A and personal benefit contract statement requirements in the instructions for Part V) Check if the organization used Schedule O to respond to any question in this Part V ☐

	Yes	No
33 Did the organization engage in any significant activity not previously reported to the IRS? If "Yes," provide a detailed description of each activity in Schedule O		X
34 Were any significant changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the amended documents if they reflect a change to the organization's name. Otherwise, explain the change on Schedule O (see instructions)		X
35a Did the organization have unrelated business gross income of \$1,000 or more during the year from business activities (such as those reported on lines 2, 6a, and 7a, among others)?		X
b If "Yes," to line 35a, has the organization filed a Form 990-T for the year? If "No," provide an explanation in Schedule O		
c Was the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization subject to section 6033(e) notice, reporting, and proxy tax requirements during the year? If "Yes," complete Schedule C, Part III		X
36 Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N		X
37a Enter amount of political expenditures, direct or indirect, as described in the instructions		
b Did the organization file Form 1120-POL for this year?		X
38a Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee or were any such loans made in a prior year and still outstanding at the end of the tax year covered by this return?		X
b If "Yes," complete Schedule L, Part II and enter the total amount involved		
39a Section 501(c)(7) organizations. Enter:		
a Initiation fees and capital contributions included on line 9		
b Gross receipts, included on line 9, for public use of club facilities		
40a Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under: section 4911; section 4912; section 4955		
b Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year, or did it engage in an excess benefit transaction in a prior year that has not been reported on any of its prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I		X
c Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958		
d Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax on line 40c reimbursed by the organization		
e All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T		X
41 List the states with which a copy of this return is filed		None
42a The organization's books are in care of		Kelly Behrens
8515-F Jackrabbit Rd		
Located at		Houston TX
ZIP + 4		77095
b At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? If "Yes," enter the name of the foreign country:		X
See the instructions for exceptions and filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).		
c At any time during the calendar year, did the organization maintain an office outside the United States? If "Yes," enter the name of the foreign country:		X
43 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of Form 1041 — Check here and enter the amount of tax-exempt interest received or accrued during the tax year		43
44a Did the organization maintain any donor advised funds during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ		X
b Did the organization operate one or more hospital facilities during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ		X
c Did the organization receive any payments for indoor tanning services during the year?		X
d If "Yes" to line 44c, has the organization filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O		
45a Did the organization have a controlled entity within the meaning of section 512(b)(13)?		X
b Did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If "Yes," Form 990 and Schedule R may need to be completed instead of Form 990-EZ (see instructions)		X

SCHEDULE A
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

▶ **Attach to Form 990 or Form 990-EZ.**

▶ **Information about Schedule A (Form 990 or 990-EZ) and its instructions is at www.irs.gov/form990.**

OMB No. 1545-0047

2016

**Open to Public
Inspection**

Name of the organization

Houston Repertoire Ballet

Employer identification number

76-0479345

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 12, check only one box.)

- 1 ☐ A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i).**
- 2 ☐ A school described in **section 170(b)(1)(A)(ii).** (Attach Schedule E (Form 990 or 990-EZ).)
- 3 ☐ A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii).**
- 4 ☐ A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii).** Enter the hospital's name, city, and state:
- 5 ☐ An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv).** (Complete Part II.)
- 6 ☐ A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v).**
- 7 ☐ An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi).** (Complete Part II.)
- 8 ☐ A community trust described in **section 170(b)(1)(A)(vi).** (Complete Part II.)
- 9 ☐ An agricultural research organization described in **section 170(b)(1)(A)(ix)** operated in conjunction with a land-grant college or university or a non-land grant college of agriculture (see instructions). Enter the name, city, and state of the college or university:
- 10 ☒ An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2).** (Complete Part III.)
- 11 ☐ An organization organized and operated exclusively to test for public safety. See **section 509(a)(4).**
- 12 ☐ An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2).** See **section 509(a)(3).** Check the box in lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12g.
- a ☐ **Type I.** A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. **You must complete Part IV, Sections A and B.**
- b ☐ **Type II.** A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s). **You must complete Part IV, Sections A and C.**
- c ☐ **Type III functionally integrated.** A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). **You must complete Part IV, Sections A, D, and E.**
- d ☐ **Type III non-functionally integrated.** A supporting organization operated in connection with its supported organization(s) that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). **You must complete Part IV, Sections A and D, and Part V.**
- e ☐ Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization.
- f Enter the number of supported organizations:
- g Provide the following information about the supported organization(s).

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1–10 above (see instructions))	(iv) Is the organization listed in your governing document?		(v) Amount of monetary support (see instructions)	(vi) Amount of other support (see instructions)
			Yes	No		
(A)						
(B)						
(C)						
(D)						
(E)						
Total						

For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Schedule A (Form 990 or 990-EZ) 2016

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)
(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2012	(b) 2013	(c) 2014	(d) 2015	(e) 2016	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")						
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge						
4 Total. Add lines 1 through 3						
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						
6 Public support. Subtract line 5 from line 4.						

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2012	(b) 2013	(c) 2014	(d) 2015	(e) 2016	(f) Total
7 Amounts from line 4						
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)						
11 Total support. Add lines 7 through 10						
12 Gross receipts from related activities, etc. (see instructions)					12	
13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here						☐

Section C. Computation of Public Support Percentage

14 Public support percentage for 2016 (line 6, column (f) divided by line 11, column (f))	14	%
15 Public support percentage from 2015 Schedule A, Part II, line 14	15	%
16a 33 1/3% support test—2016. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization		☐
b 33 1/3% support test—2015. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization		☐
17a 10%-facts-and-circumstances test—2016. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization		☐
b 10%-facts-and-circumstances test—2015. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization		☐
18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions		☐

Part IV Supporting Organizations

(Complete only if you checked a box in line 12 on Part I. If you checked 12a of Part I, complete Sections A and B. If you checked 12b of Part I, complete Sections A and C. If you checked 12c of Part I, complete Sections A, D, and E. If you checked 12d of Part I, complete Sections A and D, and complete Part V.)

Section A. All Supporting Organizations

- 1 Are all of the organization's supported organizations listed by name in the organization's governing documents? If "No," describe in Part VI how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.
- 2 Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? If "Yes," explain in Part VI how the organization determined that the supported organization was described in section 509(a)(1) or (2).
- 3a Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? If "Yes," answer (b) and (c) below.
- b Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? If "Yes," describe in Part VI when and how the organization made the determination.
- c Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? If "Yes," explain in Part VI what controls the organization put in place to ensure such use.
- 4a Was any supported organization not organized in the United States ("foreign supported organization")? If "Yes," and if you checked 12a or 12b in Part I, answer (b) and (c) below.
- b Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? If "Yes," describe in Part VI how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.
- c Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? If "Yes," explain in Part VI what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.
- 5a Did the organization add, substitute, or remove any supported organizations during the tax year? If "Yes," answer (b) and (c) below (if applicable). Also, provide detail in Part VI, including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document).
- b **Type I or Type II only.** Was any added or substituted supported organization part of a class already designated in the organization's organizing document?
- c **Substitutions only.** Was the substitution the result of an event beyond the organization's control?
- 6 Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? If "Yes," provide detail in Part VI.
- 7 Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).
- 8 Did the organization make a loan to a disqualified person (as defined in section 4958) not described in line 7? If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).
- 9a Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? If "Yes," provide detail in Part VI.
- b Did one or more disqualified persons (as defined in line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? If "Yes," provide detail in Part VI.
- c Did a disqualified person (as defined in line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? If "Yes," provide detail in Part VI.
- 10a Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? If "Yes," answer 10b below.
- b Did the organization have any excess business holdings in the tax year? (Use Schedule C, Form 4720, to determine whether the organization had excess business holdings.)

	Yes	No
1		
2		
3a		
3b		
3c		
4a		
4b		
4c		
5a		
5b		
5c		
6		
7		
8		
9a		
9b		
9c		
10a		
10b		

Schedule A (Form 990 or 990-EZ) 2016

Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations

- 1 ☐ Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in Part VI). See instructions. All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

Section A - Adjusted Net Income		(A) Prior Year	(B) Current Year (optional)
1	Net short-term capital gain	1	
2	Recoveries of prior-year distributions	2	
3	Other gross income (see instructions)	3	
4	Add lines 1 through 3.	4	
5	Depreciation and depletion	5	
6	Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions)	6	
7	Other expenses (see instructions)	7	
8	Adjusted Net Income (subtract lines 5, 6 and 7 from line 4).	8	
Section B - Minimum Asset Amount		(A) Prior Year	(B) Current Year (optional)
1	Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year):		
a	Average monthly value of securities	1a	
b	Average monthly cash balances	1b	
c	Fair market value of other non-exempt-use assets	1c	
d	Total (add lines 1a, 1b, and 1c)	1d	
e	Discount claimed for blockage or other factors (explain in detail in Part VI):		
2	Acquisition indebtedness applicable to non-exempt-use assets	2	
3	Subtract line 2 from line 1d.	3	
4	Cash deemed held for exempt use. Enter 1-1/2% of line 3 (for greater amount, see instructions).	4	
5	Net value of non-exempt-use assets (subtract line 4 from line 3)	5	
6	Multiply line 5 by .035.	6	
7	Recoveries of prior-year distributions	7	
8	Minimum Asset Amount (add line 7 to line 6)	8	
Section C - Distributable Amount			Current Year
1	Adjusted net income for prior year (from Section A, line 8, Column A)	1	
2	Enter 85% of line 1.	2	
3	Minimum asset amount for prior year (from Section B, line 8, Column A)	3	
4	Enter greater of line 2 or line 3.	4	
5	Income tax imposed in prior year	5	
6	Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions).	6	
7	☐ Check here if the current year is the organization's first as a non-functionally integrated Type III supporting organization (see instructions).		

SCHEDULE O
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on
Form 990 or 990-EZ or to provide any additional information.

▶ Attach to Form 990 or 990-EZ.

▶ Information about Schedule O (Form 990 or 990-EZ) and its instructions is at www.irs.gov/form990.

OMB No. 1545-0047

2016

Open to Public
Inspection

Name of the organization

Houston Repertoire Ballet

Employer identification number

76-0479345

Form 990-EZ, Part I, Line 16 - Other Expenses

Description	Amount
Expenses	
Spring Production	\$ 26,637
Nutcracker Production	\$ 63,047
Choreography project	\$ 7,981
Advertising and Promotion	\$ 4,190
Office	\$ 968
Insurance	\$ 4,211
Bank Charges	\$ 66
Credit Card Fees	\$ 2,650
Ticket Sales	\$ 6,946
Non-investment Depreciation	\$ 850
Total	\$ 117,546

Form 990-EZ, Part II, Line 24 - Other Assets

Description	Beg. of Year	End of Year
	\$ 7,356	\$ 11,953
Less Accumulated Depreciation	\$ 2,396	\$ 3,246
Total	\$ 4,960	\$ 8,707

Form 990-EZ, Part III - Primary Exempt Purpose

Houston Repertoire Ballet (HRB) is the premier junior ballet company in Northwest Houston providing professional quality performances in Tomball and the surrounding areas. Our program attracts and develops some of the

Name of the organization

Houston Repertoire Ballet

Employer identification number

76-0479345

finest young dancers who pursue careers in professional ballet companies
across the country.

Form 990-EZ, Part III, Line 30 - Third Accomplishment

Choreography project 2017 - provided a venue for composing and arranging
the movements, steps, and patterns of dancers that led to an event;
provided planning level experience for dancers wishing to pursue a career
in dance/choreography.

Form 990-EZ, Part III, Line 31 - All Other Accomplishment

Depreciation on equipment used in performances.

TX Asset Report

Form 990, Page 1

Asset	Description	Date In Service	Cost	Basis for Depr	TX Prior	TX Current	Federal Current	Difference Fed - TX
Other Depreciation:								
1	Sewing Machine	4/15/13	609	609	203	61	61	0
2	Lighting Equipment	5/01/13	6,747	6,747	2,193	674	674	0
3	Lighting Equipment	4/24/17	4,597	4,597	0	115	115	0
Total Other Depreciation			<u>11,953</u>	<u>11,953</u>	<u>2,396</u>	<u>850</u>	<u>850</u>	<u>0</u>
Total ACRS and Other Depreciation			<u>11,953</u>	<u>11,953</u>	<u>2,396</u>	<u>850</u>	<u>850</u>	<u>0</u>
Grand Totals			11,953	11,953	2,396	850	850	0
Less: Dispositions			0	0	0	0	0	0
Less: Start-up/Org Expense			0	0	0	0	0	0
Net Grand Totals			<u>11,953</u>	<u>11,953</u>	<u>2,396</u>	<u>850</u>	<u>850</u>	<u>0</u>

Depreciation Adjustment Report
All Business Activities

<u>Form</u>	<u>Unit</u>	<u>Asset</u>	<u>Description</u>	<u>Tax</u>	<u>AMT</u>	<u>AMT Adjustments/ Preferences</u>
There are no assets that meet the criteria of this report						

Future Depreciation Report FYE: 7/31/18
Form 990, Page 1

<u>Asset</u>	<u>Description</u>	<u>Date In Service</u>	<u>Cost</u>	<u>Tax</u>	<u>AMT</u>
<u>Other Depreciation:</u>					
1	Sewing Machine	4/15/13	609	61	0
2	Lighting Equipment	5/01/13	6,747	675	0
3	Lighting Equipment	4/24/17	4,597	460	0
Total Other Depreciation			<u>11,953</u>	<u>1,196</u>	<u>0</u>
Total ACRS and Other Depreciation			<u>11,953</u>	<u>1,196</u>	<u>0</u>
Grand Totals			<u>11,953</u>	<u>1,196</u>	<u>0</u>

Form **990T****Tax Return History****2016**

Name

Houston Repertoire Ballet

Employer Identification Number

76-0479345

	2012	2013	2014	2015	2016	2017
Other deductions						
Net operating loss deduction						
Specific deduction	1,000	1,000				
Income after expense and deductions	-1,000	-1,000				
Income tax (corporate or trust)						
Other taxes						
Total taxes						
General business credit						
Other credits						
Net tax after credits						
Estimated tax payments						
Other payments						
Balance due/Overpayment						

* Income shown net of expenses

Total Assets

\$30	
\$20	
\$10	
\$0	
2011	2012

Total Liabilities

\$30	
\$20	
\$10	
\$0	
2011	2012

Business Income (990T)

\$0	
-\$400	
-\$800	
-\$1,200	
2011	2012

Tax Due (990T)

\$30	
\$20	
\$10	
\$0	
2011	2012

Form 990-EZ, Part I, Line 3 - Membership Dues and Assessments

<u>Description</u>	<u>Amount</u>
Membership Dues	\$ 29,685
Total	<u>\$ 29,685</u>

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

**4. Board of Directors & Meetings Schedule
Houston Repertoire Ballet - *The Nutcracker 2018***

Please see the attached:
2018-2019 Board of Directors
Schedule of Board Meetings



Houston Repertoire Ballet

8515-F Jackrabbit Road
281-940-4721

Houston, TX 77095
www.hrbdance.org

2018 – 2019 Board of Directors Meeting Dates

HRB's meetings are held at 7:00pm, the third Thursday of the month, unless otherwise noted

2018 – 2019 Season

August 16, 2018
September 20, 2018
October 18, 2018
November 15, 2018
December 20, 2018
January 17, 2019
February 21, 2019
March 21, 2019
April 18, 2019
May 16, 2019
June 20, 2019
July 2019 no meeting

2019 – 2020 Season

August 15, 2019
September 19, 2019

Houston Repertoire Ballet is a registered Non-profit 501(c)(3) dance organization. Tax ID# 76.0479345



Houston Repertoire Ballet

8515-F Jackrabbit Road
281-940-4721

Houston, TX 77095
www.hrbdance.org

2018 – 2019 Board of Directors

President

Kelly Behrens
34328 Howell Rd
Waller, TX 77484
832-439-9931
kelly@airinnovationsllc.com

Publicity

Alexa Aldridge
10406 Comanche Springs Ct.
Houston, TX 77095
281-415-4187
alexandraadams@sbcglobal.net

Production

Robert Gonzalez
18307 Muley CT.
Cypress, TX 77433
713-829-7795
grobert@central.uh.edu

Grants / Fundraising

Tina Pidgeon
15822 Fern Basin Dr.
Houston, TX 77084
281-507-1821
thepidgeoncoop@att.net

Artistic Director

Victoria Vittum
909 W. 16th St.
Houston, TX 77008
713-628-6907
victoria@balletcenterofhouston.com

Founder & Emeritus

Gilbert Rome

Vice President

Julie Hacker
16414 Cornwall
Jersey Village, TX 77040
832-250-3066
hackerjulie@gmail.com

Secretary

Susan Wheelock
10602 Gt. Plains Ln
Houston, TX 77064
281-477-9270
someonenamedsusan@hotmail.com

Treasurer

Laurie Sanders
12910 Northpointe Bend Lane
Tomball, TX 77377
585-421-9642
home.sandersegmail.com

Volunteer Coord. Liaison / Fundraising

Kelly Behrens
34328 Howell Rd.
Waller, TX 77484
832-439-9931
kelly@airinnovationsllc.com

Childs Guild Liaison

Susan Wheelock
10602 Gt. Plains Ln.
Houston, TX 77064
281-477-9270
someonenamedsusan@hotmail.com

Board Member

Frank Newsom
1880 S. Dairy Ashford Rd. Ste. 606
Houston, TX 77077
281-528-1383
Frank.Newsom@EXP-eng-int.com

Houston Repertoire Ballet is a registered Non-profit 501(c)(3) dance organization. Tax ID# 76.0479345

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

**5. Resumes of Principal Staff and Guest Artists
Houston Repertoire Ballet - *The Nutcracker 2018***

(*Guest Artists for *The Nutcracker 2018* will be confirmed in September 2018. Guest Artist resumes listed are from *The Nutcracker 2017*).

Victoria Vittum – Founder and Artistic Director

Victoria Vittum is a nationally recognized teacher and choreographer. She received her early training from Julio de Bittencourt and also holds a B.A. in Dance Education from Lamar University. She has choreographed for professional and civic companies throughout the country as well as having her work presented at the Edinburgh Festival in Scotland.

Ms. Vittum has been the recipient of numerous awards, including two Monticello Choreography Awards, Illinois State University Choreography Competition Winner, and two nominations for the General Electric American Choreographer Awards. In addition, two of her original ballets have been placed on the National Choreography Plan. For over a decade she was on the faculty of Margo Marshall School of Ballet and served as Resident Choreographer and Associate Artistic Director of City Ballet of Houston.

Ms. Vittum has been a guest teacher for Chrysalis Repertory Dance Company, Home Stone, HSPVA, Houston Grand Opera and Ballet Prejocaj of France. She served as Resident Choreographer of Gwinett Ballet Theatre in Atlanta, GA and was on the guest faculty of the Washington School of Ballet's Summer Intensive Program in 2002 and 2003.

Ms. Vittum was with the Houston Ballet from 1998 – 2003 where she taught classes for the company as well as in the academy. She is the Director of the Ballet Center of Houston and Artistic Director of Houston Repertoire Ballet and is married to Julio de Bethencourt.

Barbara LeGault - Ballet Mistress

Barbara LeGault HRB's Ballet Mistress is a graduate of Houston's High School for the Performing and Visual Arts. Barbara Le Gault trained under Margo Marshall and was formerly with City Ballet of Houston. Since that time she has danced many leading roles with the Pittsburgh Ballet Theater and the Louisville Ballet. She was directed by Alun Jones and Helen Starr. In 1979 Jones paid Ms. Le Gault the ultimate compliment by creating his Cinderella especially for her. She also danced with Tennessee Festival Ballet directed by David and Anna Marie Holmes, and with the Summer Festival Ballet in Lisbon, Portugal. Her repertoire includes "Don Quixote", "Swan Lake", "Nutcracker", "Sleeping Beauty" and "Raymonda" just to name a few. Other credits include Houston Grand Opera productions of "Mefistofeles" and "Aida". Ms. LeGault was on the teaching staff of American Academy of Dance NHDH headquarters from 1987 to 2006. She has been on the faculty of Ballet Center of Houston since 2008 and is ballet mistress of Houston Repertoire Ballet.

Kristen Newsom – Tomball ISD Mother Ginger Outreach Coordinator and Rehearsal Assistant

Kristen Newsom is an alumna of *Ballet Center of Houston*, receiving her early dance training under the direction of Victoria Vittum de Bethencourt and Barbara LeGault. She was a *Houston Repertoire Ballet* company member from 2004 – 2011. Kristen received her Bachelors of Fine Arts from *Sam Houston State University* studying Ballet, Modern and Aerial Arts as well as serving as Secretary for the University's chapter of *Chi Tau Epsilon*. During her time at Sam Houston, Kristen studied under Jennifer Pontius, Dana Nicolay, Andy Noble, Alicia Carlin and many others. She recently performed works by Gerard Theoret of *Cirque du Soleil* and Dionne Sparkmann Noble of *NobleMotion Dance*, one of Houston's most up and coming modern companies. Since 2009, Kristen has danced with *Burklyn Ballet Theatre (BBT)* as a student and a counselor and is now the Assistant Director for the Intermediate Program of BBT, coaching young students in many dance forms as both a teacher and mentor. She has travelled with BBT to Edinburgh Scotland to dance in the *Edinburgh Fringe Festival* in 2009 and 2013.

In addition to pursuing her dance career, she has also had the opportunity to work behind the scenes doing technical theatre for companies such as *Dominic Walsh Dance Theater*, and has a deep passion for acting and all manner of stagecraft. Her choreography has been showcased in Huntsville, Texas with *Sam Houston State University*, Houston, Texas; and Johnson, Vermont and she was the recipient of the 2011 Choreography Award & Scholarship, hosted by *Burklyn Ballet Theatre*.

Kristy Nilsson – Rehearsal Assistant

Kristy Nilsson began her training with Victoria Vittum de Bethencourt and Gilbert Rome at Ballet Center of Houston. She was a Dance Pedagogy Honors student at University of Oklahoma, and graduated Cum Laude from Houston's High School for the Performing & Visual Arts. She later performed with Jill Eathrone Bahr's Charleston Ballet Theater and Atlanta Ballet under the direction of Joh McFall in over seventy performances.

Ms. Nilsson has choreographed more than 100 concert works (including 9 full-length/narrative ballets) which have been performed by 28 companies in 11 states in the U.S. & Canada. Her choreography has won recognition from Regional Dance America, the Southeastern Regional Ballet Association and Dance Canvas – and she has created 5 works on the professional company, The Georgia Ballet. "Miss Kristy" is a full-time ballet & modern dance instructor and has taught over 5,000 year-round students, with hundreds more at summer intensives and master classes.

Kristy is happily married to dance photographer, Scott Nilsson, a former dancer. She is delighted to be on faculty at Ballet Center of Houston, teaching alongside some of the very instructors who shaped her career and love for dance.

Glyness Lanthier – Cypress Philharmonic Music Director

Music has always been a focal point in Glynnesh Lanthier's life. She followed in the tradition of her mother and grandmother, beginning piano lessons when she was five. Upon entering junior high, she decided to follow in her brother's footsteps and play the violin. She quickly made the switch to cello, where she has happily stayed ever since.

Ms. Lanthier was active in school orchestras through college. After graduation, she played with Pasadena Philharmonic, Rapides Symphony Orchestra, and, most recently, Lake Charles Symphony. Ms. Lanthier also sang in school and college choirs and the Houston Symphony Chorus.

Ms. Lanthier has been teaching music in public schools for over ten years, many of those in Cypress-Fairbanks Independent School District. She currently directs the award-winning Salyards Middle School orchestras. Since the opening of Salyards in 2011, the school orchestras have won top honors at UIL, the Galveston Isle Music Festival, and the Foundation for Music Education's Mark of Excellence contest. Ms. Lanthier has studied conducting at the Conductor's

Institute of South Carolina. Past coaches include Dr. Donald Portnoy (Brevard Philharmonic), Peter Jaffe (Stockton Symphony), Maurice Peress (former Assistant Conductor to Leonard Bernstein; currently faculty at the Aaron Copland School of Music at Queens College, City University of New York), and Paul Vermel (Northwest Symphony Orchestra).

**Jared Matthews – Guest Artist *The Nutcracker*, Cavalier
Houston Ballet Principal Dancer**

Jared Matthews was born in Houston and received his early ballet training there under the guidance of Victoria Vittum and Gilbert Rome. He was awarded a full scholarship to study at North Carolina School of the Arts summer program as well as the School of American Ballet and American Ballet Theatre. While attending American Ballet Theatre's Summer Intensive Program in 2001 as a Coca Cola Scholarship winner, he was invited to join ABT's Studio Company.

Mr. Matthews joined American Ballet Theatre (ABT) as an apprentice in 2002 and as a member of the corps de ballet in April 2003. He was appointed a Soloist in August 2007. His repertoire with ABT includes Franz in *Coppélia*; Lankendem in *Le Corsaire*; a Stepsister's Escort in *Cinderella*; Espada in *Don Quixote*; Lysander in *The Dream*; the Turning Boy in *Études*; Albrecht, Hilarion and the peasant pas de deux in *Giselle*; Gaston in *Lady of the Camellias*; Rakitin in *A Month in the Country*; Camille in *The Merry Widow*, the Nutcracker Prince in Alexei Ratmanský's *The Nutcracker*; Lensky in *Onegin*; Cassio in *Othello*; the Head Wrangler in *Rodeo*; Mercutio and Benvolio in *Romeo and Juliet*; the Bluebird in *The Sleeping Beauty*; Benno and von Rothbart (Ballroom) in *Swan Lake*; Gurn in *La Sylphide*; Aminta and Orion in *Sylvia*; Tchaikovsky Pas de Deux; Ferdinand in *The Tempest*; *Thaïs Pas de Deux* and leading roles in *Black Tuesday*, *Brief Fling*, *Dark Elegies*, *Désir*, *Drink To Me Only With Thine Eyes*, *Duets*, *Gong*, *In the Upper Room*, *The Leaves Are Fading*, *Overgrown Path*, *Petite Mort*, *Sechs Tänze*, *Seven Sonatas*, *Sinfonietta*, *Some Assembly Required*, *Symphonic Variations*, *Symphony #9*, *Symphony in C*, *Troika* and *workwithinwork*. He created the leading roles in *C. to C. (Close to Chuck)*, *Glow-Stop*, *One of Three* and *Thirteen Diversions*.

Since his arrival at Houston Ballet in June of 2014, Mr. Matthews has distinguished himself in several roles, including Solor in Stanton Welch's *La Bayadère*, Romeo and Mercutio in *Romeo and Juliet*, and the male lead in *Paquita*; the Prince in Ben Stevenson's *The Nutcracker* and Lysander in John Neumeier's *A Midsummer Night's Dream*. His repertoire highlights also include Albrecht and Hilarion in *Giselle*, Camille in *The Merry Widow*, Lensky in *Onegin*, as well as numerous other ballet classics.

As a guest artist, Mr. Matthews has appeared with the Royal Winnipeg Ballet and with both the Noriko Hara Ballet and the Kamakura Ballet Company in Japan. He has toured as a guest artist with Les Ballet GranDiva. He has also appeared in the 2008 Hopes and Prize Gala in Japan. In America, he has danced with Rochester City Ballet, Civic Ballet of Chicago, Houston Repertoire Ballet, New England Dance Ensemble, West Virginia Dance Festival and the 2007 and 2008 Chicago Dancing Festival. Mr. Matthews appeared on So You Think You Can Dance, performing the pas de deux from *Don Quixote*.

Mr. Matthews has taught technique and partnering classes for the David Howard Foundation's A Month of Sundays program, West Virginia Dance Festival, at workshops in Yokohama, Japan and at local dance studios in the United States.

Mr. Matthews joined Houston Ballet as a first soloist in 2014. Mr. Matthews was promoted to the rank of principal dancer after a well-received performance as Lucentio in John Cranko's production of *The Taming of the Shrew* on Saturday, June 20, 2015.

Yuriko Kajiya – Guest Artist The Nutcracker, Sugar Plum Fairy Houston Ballet Principal Dancer

Born in Aichi, Japan, Yuriko Kajiya began her training at the age of eight. At ten, she moved to China and became one of the first foreign students to study with and graduate from the Shanghai Ballet School on scholarship. During her stay in China, Kajiya performed many times on Chinese national television.

In 1997, at age 13, Ms. Kajiya won the Best Performance Award in the senior category at the Tao Li Bei National Ballet Competition. In 1999, she became one of the youngest finalists at the Third International Ballet Competition in Nagoya. In January 2000, she won the renowned Prix de Lausanne Scholarship which enabled her to study at the National Ballet of Canada School in Toronto.

Ms. Kajiya starred in the 2007 documentary *Passion Across a Continent* in Japan. She also appeared on the Tokyo Talk Show and presented the American Ballet Theatre documentary *Dancers*. She has performed as a guest in Japan dancing Odette in *Swan Lake*, Act II and *A Midsummer Night's Dream*, as well as appearing in galas at the West Virginia Dance Festival, Santa Fe Festival, Chicago Dancing Festival, Hope and Pride Gala of Japan, New National Ballet Gala and Prix de Lausanne. Most recently, she appeared in a 90-minute documentary entitled *Yuriko: Ballerina*.

Ms. Kajiya joined American Ballet Theatre's Studio Company in September 2001. She became an apprentice with the main Company in 2002 and was promoted to the corps de ballet in June. She was appointed a soloist with American Ballet Theatre (ABT) in August 2007.

Her repertoire includes Gamzatti and first and second Shades variations in *La Bayadère*; Blossom in *Cinderella*; Aurora in *Coppélia*; Gulnare and an Odalisque in *Le Corsaire*; Kitri, Amour and a Flower Girl in *Don Quixote*; Giselle, Zulma and the peasant pas de deux in *Giselle*; Valenciennne in *The Merry Widow*; Clara and the Grand Pas de Deux in Alexei Ratmansky's *The Nutcracker*; Clara in Kevin McKenzie's *The Nutcracker*; Olga in *Onegin*; Henrietta in *Raymonda*; Princess Florine, the Lilac Fairy, the Fairy of Joy and the Fairy of Fervor in *The Sleeping Beauty*; the pas de trois, cygnets, Polish Princess and Hungarian Princess in *Swan Lake*; the Waltz in *Les Sylphides*, *Tchaikovsky Pas de Deux*, Miranda in *The Tempest* and leading roles in *Baker's Dozen*, *Ballo della Regina*, *Birthday Offering*, *Brief Fling*, *Chamber Symphony*, *Dark Elegies*, *Désir*, *Diversion of Angels*, *Drink to Me Only With Thine Eyes*, *In the Upper Room*, *The Leaves Are Fading*, *Overgrown Path*, *Petite Mort*, *Rabbit and Rogue*, *Seven Sonatas*, *Sinfonietta*, *Symphony in C* and *Theme and Variations*. She created a leading role in Alexei Ratmansky's *Dumbarton*.

Ms. Kajiya joined Houston Ballet as a first soloist in 2014 and was promoted to principal dancer in November 2014 following her performance as the Sugar Plum Fairy in Ben Stevenson's *The Nutcracker*.

Andrew Taft – Guest Artist, The Nutcracker – Snow King and Russian Ballet Idaho, Principal Dancer

Andrew was born in Miami, Florida where he began his classical training at the age of nine with Ruth Wiesen at the Miami Conservatory. He studied also with Thomas Armour, Robert Pike, Nancy Raffa and other professional guest artists. He trained in both Limon and Graham technique at the New World School of the Arts. His ballet training continued in New York City with private coaching by Johan Renvall and David Howard.

Andrew has danced leading roles with Michael Uthoff Dance Theatre, Miami Ballet, Francis Owen/Cox Dance, Ballet Hawaii and Miami City Ballet. Notable roles include Franz in *Coppelia*, Soloist in *Theme and Variations*, Prince Charming in *Cinderella* and The Bluebird in *The Sleeping Beauty*. In 2011, Andrew had the honor to perform for Michelle Obama and her daughters in Ballet Hawaii's *The Nutcracker*. This is Andrew's fifth season with Ballet Idaho and his first as a Principal. He has danced leading roles in *Yes, Virginia*, *Another Piano Ballet*, *The Nutcracker*, *Romeo and Juliet*, *Pulcinella*, *A Midsummer Night's Dream*, *Piano Concerto in G*, *Firebird* and many others.



EXHIBIT A

Organization shall procure and maintain for the duration of the grant agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the services performed or to be performed hereunder by the Organization its agents, representatives, employees, volunteers, officers, directors or sub-contractors.

The organization shall maintain insurance with limits not less than \$500,000 per occurrence, \$1,000,000 aggregate and will be as broad as ISO Form Number GL 0002 (Ed 1/72) covering Comprehensive General Liability and ISO Form Number GL 0404 covering Broad Form Comprehensive General Liability, or ISO Commercial General Liability coverage ("occurrence for CG 0001). Coverage will include: A) Premises – Operations; B) Broad Form Contractual Liability, C) Broad Form Property Damage and D) Personal Injury.

The policy will be endorsed to contain the following provisions: The City, its officials, employees, volunteers, Boards and Commissions are to be added as "Additional Insured" in respect to liability arising out of any activities performed by or on behalf of the Organization. The policy shall contain no special limitations to the scope of coverage afforded to the City. The Organization's insurance shall be primary and any insurance or self-insurance shall be in excess of the Organization's insurance and shall not contribute with it. Certificate must include a waiver of subrogation as regards to the workers compensation policy. If your organization has no employees, and therefore does not carry workers compensation insurance, you must provide to the City of Tomball a letter stating that you have no employees and therefore do not carry workers compensation insurance.

Insurance shall be placed with insurers with an A.M. Best rating of no less than A:VI or a Standard & Poor rating of A or better.

The Organization shall furnish the City with a certificate of insurance which shows the coverage provided.

The insurance policy will be endorsed to state that coverage shall not be suspended, voided, canceled, non-renewed, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

6. Certificate of Insurance

Houston Repertoire Ballet - *The Nutcracker 2018*

Please see the attached.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/07/2018

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

PRODUCER Denise Wardwell(1960318) 810 Highway 6 S Ste 230 Houston TX 77079-4027		CONTACT NAME: PHONE (A/C, NO, EXT): 281-589-1348 FAX (A/C, NO): 281-497-7482 E-MAIL ADDRESS: dwardwell@farmersagent.com	
INSURED Ballet Center of Houston Inc 8515 Jackrabbit Rd Ste A Houston TX 77095		INSURER(S) AFFORDING COVERAGE INSURER A: Truck Insurance Exchange INSURER B: Farmers Insurance Exchange INSURER C: Mid Century Insurance Company INSURER D: INSURER E: INSURER F:	
		NAIC # 21709 21652 21687	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAME 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.

INSTR	TYPE OF INSURANCE	ADDTL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:	Y	N	606264688	02/23/2018	02/23/2019	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea Occurrence) \$ 75,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
	GENERAL AGGREGATE \$ 2,000,000						
	PRODUCTS - COMP/OP AGG \$ 1,000,000						
C	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY			606264688	02/23/2018	02/23/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	BODILY INJURY (Per person) \$						
	BODILY INJURY (Per accident) \$						
	PROPERTY DAMAGE (Per accident) \$						
	\$						
	\$						
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$						EACH OCCURRENCE \$
	AGGREGATE \$						
	\$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					PER STATUTE ☐ OTHER ☐ \$
	E.L. EACH ACCIDENT \$						
	E.L. DISEASE - EA EMPLOYEE \$						
	E.L. DISEASE - POLICY LIMIT \$						

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
8515 JACKRABBIT RD STE A, HOUSTON, TX 77095

CERTIFICATE HOLDER

TOMBALL ISD 1110 BAKER DR TOMBALL TX 77375
--

CANCELLATION

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

Digitally signed by Denise Wardwell
DN: cn=Denise Wardwell, o=WAL, ou=Farmers, email=dwardwell@farmersagent.com, c=US
Date: 2018.03.07 12:30:51 -0500

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Optional Supporting Documentation

1. Long Range Plan

Houston Repertoire Ballet - *The Nutcracker* 2018

Please find attached the following documents:

*HRB's Long Range Plans

*The Mother Ginger Experience and The Nutcracker Experience (new for 2018)

Copy of 2017 Letter to 3rd graders and parents

(*2018 letters will be similar for both outreach projects)

Copy of 2018 Audition Application for The Mother Ginger Experience
and The Nutcracker Experience

*HRB Alumnus

*HRB 2018 Accomplishments

Houston Repertoire Ballet's Long Range Plan

Houston Repertoire Ballet plans to continue their mission of providing excellence in dance training for their company members while providing high quality performance series for northwest Houston communities and community engagement in the arts.

HRB is thankful for their support and reputation in the Tomball community both enriching the artistic element of Tomball and bringing in other community members to enjoy the arts in Tomball.

HRB holds a conservative fiscal position and balances investments in costumes, sets and choreography with the ability to keep ticket prices affordable without sacrificing quality. These goals are made possible with volunteer support and community grants and giving.

In 2017 HRB initiated outreach directly to Tomball ISD with implementation of "The Mother Ginger Experience" which invited students from Tomball Elementary (identified by Tomball Fine Arts Director JD Janda) to receive weekly dance instruction for 12 weeks with rehearsals, the culmination of which was performing in two free Arts & Education performances in 2017 for TISD 3rd graders.

New in 2018, HRB plans to expand their outreach to include two additional TISD schools. Decker Prairie Elementary students will also be given opportunity to participate in HRB's free Arts & Education performances to TISD 3rd graders through implementation of "The Nutcracker Experience." Participants will receive weekly dance instruction with rehearsals and will perform along with student participants in "The Mother Ginger Experience" during the free Arts & Education performances for TISD 3rd graders.

New in 2018 is the addition of a third free Arts & Education performance for TISD 3rd graders, with plans for the performances to take place over the expanse of two days.

New in 2019, HRB plans to further expand its outreach program to Tomball Intermediate School. Participants will receive weekly after school formal ballet instruction from highly qualified instructors and will do so for the duration of the spring semester. Students will be given opportunity to perform with HRB during the "Choreography Project" in May.

All classes, rehearsals, cost of class attire, costumes and other performance supplies will be provided free of charge for participants at each participating school. All schools selected were identified by Tomball Fine Arts Director JD Janda. The program will be headed by HRB alum and dance major college graduate.

HRB invested in an updated ticketing system, Vendini, with newer technology and patron functionality and found good success upon implementing this system for the 2017 "The Nutcracker" and 2018 spring "Celebration of Dance." HRB looks forward to continued use of this system for future performances.

Dear Tomball ISD 2017-2018 3rd graders and parents,

For the last several years, Houston Repertoire Ballet has been proud to bring free productions of *The Nutcracker* ballet to Tomball ISD students. Our production - starting in 1999 with only the second act, rented sets, make-shift costumes, and taped music - has grown every year to become what it is today. For the past two years, we have presented 7 full-length performances to full houses, with world class guest artists, lavish sets and costumes, and a live orchestra for public performances. The Tomball community has been such a great support system for our organization, and we are always looking for new ways to reach out to the community and give back. As part of that desire to do more, we offer an annual scholarship contest for two Tomball High School theatre students, and our Board President Frank Newsom is currently teaching a stage set construction class at Tomball High School. However, our goal is to create even more mutually beneficial community engagement between both of our organizations. With that in mind, HRB is proud to embark on a new, free outreach program for Tomball ISD grade schoolers.

We will be holding an open audition for 24 children to participate in one of our two school-show performances of the 2017 *Nutcracker* ballet as Mother Ginger Children. Students must be enrolled in Tomball ISD and in 3rd grade for the 2017-2018 school year. Students that would like to participate in this exciting production and be introduced to dance in a fun and engaging way, come audition with us! Ideally we are looking for 12 boys and 12 girls. If you can count to 8, walk, jump, skip, and have a little rhythm you are qualified for our program - no previous ballet experience is necessary to participate!

The audition (approximately 1 hr in length) will be held on September 23, 2017 at 2:30pm at:
Houston Repertoire Ballet
8515 Jackrabbit Rd
Houston, TX 77095

Kristen Newsom, HRB's outreach chairperson for this event, will conduct rehearsals with the children selected. Rehearsals will also take place at Houston Repertoire Ballet, on Saturdays from 1:30-2:30pm from September 30 to November 18. Thanksgiving Saturday will be off, but there will be a studio rehearsal the Sunday after Thanksgiving, November 26, 2017, at 4:00pm. Thus, if your family plans a Thanksgiving trip and you would like to participate, you must make arrangements to be back by Sunday afternoon to attend this mandatory final studio rehearsal.

Dress Rehearsal will be held at Tomball High School Theatre on Wednesday November 29, 2017 at 4:00 pm. Performances are Friday December 1, 2017, at either 9:45am or 12:15pm, depending upon final casting.

Students chosen must commit to attend all rehearsals - no exceptions.

There is no cost for this program - just a commitment, from the student and the family, to attend and be on time. Shorts and t-shirts may be worn for the audition and rehearsals, and HRB will provide all of the costuming.

Attached is the audition form which can be filled out in advance and brought with the student to the audition. More specific performance information will be provided to the students selected by the audition process.

If you have any questions, please contact _____ at _____. We look forward to seeing you and your student in September!

Victoria Vittum, Artistic Director of Houston Repertoire Ballet



Houston Repertoire Ballet
The Nutcracker
Tomball ISD Student Audition

Audition Number:

Audition Form

Student Name: _____ Gender _____

School: _____

Grade: _____ (open to 2018-2019 3rd graders only)

Height(inches) _____

Parent name: _____ Phone #: _____

Parent signature: _____

Email: _____

HOUSTON REPERTOIRE BALLET ALUMNI

2018: Kaitlyn Blake Reilly Wiggins	Belhaven University - Dance Major Sam Houston State University - Dance Program
2017: Julia Gundzik Andreina Hurtado Kyla Patton	Nutmeg Conservatory University of Texas – Dance Major University of Texas – Dance Major
2016: Kendall Jackson	Belhaven University – Dance Program
2015: Emma Biondillo Chelsea Knipp Allison Lohr Rebecca Webb	Sam Houston State Univ – Dance Program Tulane – Dance Program Ballet Magnificat! - Trainee Program University of Utah - Dance Program
2014: Andrew Vecseri	Houston Ballet II
2013: Jessica Lohr Claire White	Ballet Magnificat! - Trainee Program Alabama Ballet
2011: Kristen Newsom Leah Slavens	Sam Houston State University, Dance Program The Suzanne Farrell Ballet, Grand Rapids Ballet
2010: Melissa Dooley Kaitlin Mouton Amaris Sharrat	Pittsburg Ballet Theatre, Alabama Ballet David Taylor Dance Theatre Nevada Ballet
2009: Regan Hand Nicole Plunkett Kate Simpson	Ballet Magnificat! University of Texas - Dance Major Louisville Ballet, Charleston Ballet Theater
2008: Amy Skipton	University of Texas - Dance/Phys. Therapy Major
2007: Morgan Buchanan Emily Dyson Allison Wardwell	Colorado Ballet - Soloist University of Oklahoma- Dance Major, Kaleidoscope Dance Company University of Texas - Dance Major
2006: Evelyn Monzalvo	Disney Productions
2005: Erin Goodman	University of Kansas Dance Company
2003: David Armendariz	David Taylor Dance Theatre, Havana Nights
2002: Emily Rupp	Dallas Contemporary Ballet - Director
2001: Dorothy Carter Kelly Coleman Jared Matthews Amanda Powell	Dayton Ballet Carolina Ballet, Harid Conservatory, Scholarship ABT, Houston Ballet - Principal Carnival Cruise Lines
2000: Catherine Busch Elizabeth Keller Patricia Monzalvo Anysley Stephenson Victoria Wadsworth	Chara Dance Company, teaches ballet & Pilates Miami City Ballet, Ballet Idaho - Principal Universal Studios & Disney Productions Pointe Park College, Pittsburg, PA, BFA in Jazz, Teaching in Denver, CO Texas Ballet Theatre
1999: Kasha Liggett	Southern Methodist University- Dance/Business Major, Pacific Northwest Ballet School
1998: Desiree Rausch	Pussy Cat Dolls, Back up dancer for Michael Jackson, Sandra Organ Dance Company
1997: Kristy Dawson-Nilsson	Atlanta Ballet, Charleston Ballet Choreographer and teacher.

HRB Company Member - 2018 Accomplishments

Bella Althaus	*Ballet Magnicat!, Ballet Arizona, Burklyn Ballet Theatre
Diana Basaldua	*The Rock School of Ballet, ABT-Texas, Ballet Arizona
Lillebeth Backes	Oklahoma City Ballet (partial scholarship), OU Summer Wind Program
Layla Behrens	*Ballet Magnicat!, Ballet Arizona, Joffrey Workshop-TX (partial scholarship)
Kaitlyn Blake	*Ballet Magnicat!, *Belhaven University, Cornish College of the Arts, Texas Ballet Theatre, Texas Christian University, University of Utah Dance Program, The Washington School of Ballet
Rebecca Blake	*Ballet Magnicat!, The Washington School of Ballet
Dannica Breazeale	*Ballet Arizona
Emily Brown	*Ballet Arizona
Mariah Cooper	*Texas Ballet Theatre, Burklyn Ballet Theatre, Joffrey Ballet School's Jazz and Ballet Summer Intensive, Joffrey Jazz Trainee Program
David Daniel Davila	*Ballet Magnicat!, Ballet Arizona, Houston Ballet - San Antonio
Eden Davila	*The Rock School of Ballet, Burklyn Ballet Theatre (partial scholarship), Tulsa Ballet Theatre
Elise Davila	*Ballet Magnicat!, Burklyn Ballet Theatre
Isabella DeCandido	*Joffrey Southwest Dallas, Boston Ballet, Gelsey Kirkland Ballet
Sophia Fadell	*Academy of Russian Ballet, Joffrey Workshop - TX
Paige Hacker	*ABT-California, ABT-NY, The Washington School of Ballet
Isaiah Lovato	*Houston Ballet
Viviane Lovato	*The Glenda Brown Choreography Project
Kelsey Malousek	*The Washington School of Ballet, Burklyn Ballet Theatre
Ruth McCarty	*The Washington School of Ballet, Ballet Arizona
Vanessa McCarty	*Joffrey Workshop - TX (partial scholarship), Burklyn Ballet Theatre (partial scholarship), Texas Ballet Theatre, The Washington School of Ballet
Catherine McCoy	*Kansas City Ballet, ABT-New York, Boston Ballet, The Washington School of Ballet
Zella McNichols	The Glenda Brown Choreography Project, Joffrey Workshop -TX
Andrew Medina	*Ballet Arizona (full scholarship), The Washington School of Ballet (partial scholarship)
Caítlín Nhan	*Houston Ballet
Katherine Oliver	Houston Ballet San Antonio Workshop
Hortense Pelletan	*Houston Ballet, Royal Ballet, The Washington School of Ballet
Hannah Pidgeon	Burklyn Ballet Theatre (partial scholarship), Orlando Ballet (partial scholarship), The Washington School of Ballet
Justin Pidgeon	*Houston Ballet, Burklyn Ballet Theatre (partial scholarship), The Washington School of Ballet (full scholarship)
Quinn Price	*Joffrey Ballet NYC, Oklahoma City Ballet, Pennsylvania Ballet
Gabriella Starlin	*Houston Ballet, Ballet Arizona
Abby Swearengin	Ballet Austin
Allison Wheelock	*Houston Ballet
Reilly Wiggins	*Sam Houston State University Dance Program (partial scholarship)

All were accepted by audition. / *Denotes summer program planning to attend

Congratulations to the Daisy Rome Scholarship recipients for 2018: Eden Davila, Paige Hacker, Hortense Pelletan

And to the Kathy & Frank Newsom Scholarship recipients for 2018: Lillebeth Backes, Hannah Pidgeon, Quinn Price, Isabella Wallace

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Optional Supporting Documentation

**2. “The Nutcracker” 2017 - Performace Video
Houston Repertoire Ballet - *The Nutcracker 2018***

You can access HRB’s 2017 “The Nutcracker” at the following link:

<https://drive.google.com/open?id=1DXqw1COgsIJXaoh-2g5kuETdGVjfnLcv>

**The City of Tomball
Hotel Occupancy Tax Grant Application**

**Optional Supporting Documentation
3. Publicity & Programs
Houston Repertoire Ballet - *The Nutcracker* 2018**

Please see the following:

- *2017 "The Nutcracker" Calendar Listing
- *2017 Publicity Synopsis
- *2017 Flyer and Program
- *Arts and Education Booklet

◆◆ CALENDAR LISTING ◆◆ CALENDAR LISTING ◆◆

For More Information:

Eileen Ansel Conery

Eileen.conery@att.net

713-856-8780/832-816-8780

HOUSTON REPERTOIRE BALLET'S 16TH ANNUAL PERFORMANCE OF THE HOLIDAY CLASSIC *THE NUTCRACKER*

MUSICAL PERFORMANCE BY THE CYPRESS PHILHARMONIC FOR SELL-OUT PERFORMANCES ON DECEMBER 1, 2, & 3

WHO: Houston Repertoire Ballet (HRB), Houston's premier pre-professional ballet company, celebrates its 22nd season, beginning with its 16th annual performance series of *The Nutcracker*, featuring professional guest artists Yuriko Kajiya, as the Sugar Plum Fairy, Jared Matthews as the Cavalier, Andrew Taft as the Snow King, and Joe Modlin as Herr Drosselmeyer, with the Cypress Philharmonic directed by Glynneth Lanthier.

WHAT: *The Nutcracker's* brilliant blend of beautiful costumes, lavish sets, and fresh choreography creates a magical storybook world enjoyed by children and adults alike. With a cast of more than 100 HRB dancers and area children, and musical performance by the Cypress Philharmonic, HRB's masterful production is the highlight of the holidays!

WHEN/WHERE: Friday, December 1 at 7 pm – *abbreviated Arts & Education performance perfect for young children – tickets for this performance only are \$12*
Saturday, December 2 at 2 pm & 7 pm
Sunday, December 3 at 1 pm & 4:30 pm

Tomball High School Theatre

30330 Quinn Road

Tomball, Texas 77375

TICKETS: Cost is \$23 for adults, \$18 for students & seniors. For ticket information, call 281-940-HRB1 (4721) or visit www.hrbdance.org.

OUTREACH: HRB dancers are committed to sharing the arts with the community. Community engagement events include costumed appearances at various nursing homes, group events, and at Arts & Education performances. HRB brings two matinee performances to Tomball ISD third grade students, fulfilling the arts component of their curriculum. To request an outreach event for your organization, call 281-940-HRB1 (4721).

GUEST BIOS: *Yuriko Kajiya – Principal, Houston Ballet*

Born in Aichi, Japan, Yuriko Kajiya began her training at the age of eight. At 10, she moved to China and became one of the first foreign students to study with and graduate from the Shanghai Ballet School on scholarship. During her stay in China, Kajiya performed many times on Chinese national television. In 1997, at age 13, Ms. Kajiya won the Best Performance Award in the senior category at the Tao Li Bei National Ballet Competition. In 1999, she became one of the youngest finalists at the Third International Ballet Competition in Nagoya. In January 2000, she won the renowned Prix de Lausanne Scholarship which enabled her to study at the National Ballet of Canada School in Toronto. Ms. Kajiya starred in the 2007 documentary *Passion Across a Continent* in Japan. She also appeared on the Tokyo Talk Show and

presented the American Ballet Theatre documentary *Dancers*. She has performed as a guest in Japan dancing Odette in *Swan Lake*, Act II and *A Midsummer Night's Dream*, as well as appearing in galas at the West Virginia Dance Festival, Santa Fe Festival, Chicago Dancing Festival, Hope and Pride Gala of Japan, New National Ballet Gala and Prix de Lausanne. Most recently, she appeared in a 90-minute documentary entitled *Yuriko: Ballerina*. Ms. Kajiya joined American Ballet Theatre's Studio Company in September 2001. She became an apprentice with the main Company in 2002 and was promoted to the corps de ballet in June. She was appointed a soloist with American Ballet Theatre (ABT) in August 2007. Ms. Kajiya joined Houston Ballet as a first soloist in 2014 and was promoted to principal dancer in November 2014 following her performance as the Sugar Plum Fairy in Ben Stevenson's *The Nutcracker*.

Jared Matthews – Principal, Houston Ballet

Jared Matthews was born in Houston and received his early ballet training there under the guidance of Victoria Vittum and Gilbert Rome. He was awarded a full scholarship to study at North Carolina School of the Arts summer program, as well as the School of American Ballet and American Ballet Theatre. While attending American Ballet Theatre's Summer Intensive Program in 2001 as a Coca Cola Scholarship winner, he was invited to join ABT's Studio Company. Mr. Matthews joined American Ballet Theatre (ABT) as an apprentice in 2002 and as a member of the corps de ballet in April 2003. He was appointed a Soloist in August 2007. He created the leading roles in *C. to C. (Close to Chuck)*, *Glow-Stop*, *One of Three* and *Thirteen Diversions*. Since his arrival at Houston Ballet in June of 2014, Mr. Matthews has distinguished himself in several roles, including Solor in Stanton Welch's *La Bayadère*, Romeo and Mercutio in *Romeo and Juliet*, and the male lead in *Paquita*; the Prince in Ben Stevenson's *The Nutcracker* and Lysander in John Neumeier's *A Midsummer Night's Dream*. As a guest artist, Mr. Matthews has appeared with the Royal Winnipeg Ballet and with both the Noriko Hara Ballet and the Kamakura Ballet Company in Japan. He has toured as a guest artist with Les Ballet GranDiva. He also has appeared in the 2008 Hopes and Prize Gala in Japan. In America, he has danced with Rochester City Ballet, Civic Ballet of Chicago, Houston Repertoire Ballet, New England Dance Ensemble, West Virginia Dance Festival and the 2007 and 2008 Chicago Dancing Festival. Mr. Matthews appeared on So You Think You Can Dance, performing the pas de deux from *Don Quixote*. Mr. Matthews has taught technique and partnering classes for the David Howard Foundation's A Month of Sundays program, West Virginia Dance Festival, at workshops in Yokohama, Japan and at local dance studios in the United States. Mr. Matthews joined Houston Ballet as a first soloist in 2014. Mr. Matthews was promoted to the rank of principal dancer after a well-received performance as Lucentio in John Cranko's production of *The Taming of the Shrew* on Saturday, June 20, 2015.

Andrew Taft – Principal, Ballet Idaho

Andrew was born in Miami, Florida where he began his classical training at the age of nine with Ruth Wiesen at the Miami Conservatory. He also studied with Thomas Armour, Robert Pike, Nancy Raffa and other professional guest artists. He trained in both Limon and Graham technique at the New World School of the Arts. His ballet training continued in New York City with private coaching by Johan Renvall and David Howard. Andrew has danced leading roles with Michael Uthoff Dance Theatre, Miami Ballet, Francis Owen/Cox Dance, Ballet Hawaii, and Miami City Ballet. Notable roles include Franz in *Coppelia*, Soloist in *Theme and Variations*, Prince Charming in *Cinderella* and *The Bluebird* in *The Sleeping Beauty*. In 2011, Andrew had the honor to perform for Michelle Obama and her daughters in Ballet Hawaii's *The Nutcracker*. Andrew joined Ballet Idaho in the 2008 season and has been a principal since 2012. He has danced leading roles in *Yes Virginia*, *Another Piano Ballet*; *The Nutcracker*; *Romeo and Juliet*; *Pulcinella*; *A Midsummer Night's Dream*; *Piano Concerto in G*; *Firebird*; and many others.

Joseph Modlin

In 1993, Joseph Modlin, an Indiana native, began training in classical and modern dance performance at Ball State University and performed with Anderson Young Ballet Theatre, both under the direction of Ms. LouAnn Young. Joe moved to Houston in 1997, and began a performance and teaching career that has spanned 19 years, seven professional companies, and continues extending to flourish in the Houston community and nationally. Joe has performed/worked with Hope Stone, Inc., Houston Repertoire Ballet, Chrysalis Dance Company, Houston Dance Theater, Allegro Ballet, Freneticore, and Woodlands Dance

Company. He has been invited to work as a guest artist with independent choreographers and performance artists such as Leslie Scates, Erin Reck, Amy Ell, Karen Stokes, Lindsey McGill, Toni Valle and Sara Draper.

ABOUT HRB: The Houston Repertoire Ballet (HRB) is a non-profit 501(c)(3), founded by Victoria Vittum and Gilbert Rome, both nationally acclaimed teachers and choreographers who served as its co-artistic directors. Today, Ms. Vittum oversees training and programming with an equal eye to serving the needs of the community. Since 1995, HRB has contributed to the cultural fabric of Harris and Montgomery Counties by providing excellent dance training to the area's young ballet stars and dance educators of tomorrow, while also presenting high-quality productions at affordable prices. *The Nutcracker* in December, and the *Celebration of Dance* in April introduce area children and their families to the world of classical and contemporary ballet. HRB closes its season in May with the *Choreography Project*, a free-admission program initiated to discover, mentor, and give artistic voice to our choreographers of tomorrow. Today, HRB is considered to be the premier pre-professional ballet company in the Houston region, and is recognized for sharing its gifts with the community and beyond. Many of HRB's dancers advance to professional ballet companies throughout the country. HRB graduates have danced with New York City Ballet, American Ballet Theatre, Miami City Ballet, Pacific Northwest Ballet, Atlanta Ballet, Pittsburgh Ballet Theatre, Houston Ballet, and other prestigious companies.

MISSION: HRB's mission is dedicated to providing the finest classical ballet instruction, education and performance experience to local gifted students, and to preparing them for a professional career in the world of dance. HRB is committed to serving the suburban Houston region with high-quality theatre productions that educate, engage, and entertain residents of all ages and perpetuate their appreciation of dance as an art form.

Major funding provided by the City of Tomball and Houston Endowment.

#



HRB The Nutcracker

**2017 Media Coverage
as of 12/5/17**

Online:

Culturemap

<http://houston.culturemap.com/eventdetail/houston-repertoire-ballet-presents-the-nutcracker/>

Yelp.com, December 1, 7 pm

<https://www.yelp.com/events/tomball-houston-repertoire-ballet-presents-its-16th-annual-performance-of-the-nutcracker-2>

Yelp.com, December 2, 2 pm

<https://www.yelp.com/events/tomball-houston-repertoire-ballet-presents-its-16th-annual-performance-of-the-nutcracker-3>

Yelp.com, December 2, 7 pm

<https://www.yelp.com/events/tomball-houston-repertoire-ballet-presents-its-16th-annual-performance-of-the-nutcracker-4>

Yelp.com, December 3, 1 pm

<https://www.yelp.com/events/tomball-houston-repertoire-ballet-presents-its-16th-annual-performance-of-the-nutcracker-5>

Yelp.com, December 3, 4:30 pm

<https://www.yelp.com/events/tomball-houston-repertoire-ballet-presents-its-16th-annual-performance-of-the-nutcracker-6>

Artshound

<http://www.artshound.com/event/houston-repertoire-ballets-16th-annual-performance-of-the-nutcracker/>

Houston Eventful, December 1, 7 pm

<http://houston.eventful.com/events/houston-repertoire-ballet-presents-its-16th-annual-/E0-001-107762642-8>

Houston Eventful, December 2, 2 pm

<http://houston.eventful.com/events/houston-repertoire-ballet-presents-its-16th-annual-/E0-001-107762726-9>

Houston Eventful, December 2, 7 pm

<http://houston.eventful.com/events/houston-repertoire-ballet-presents-its-16th-annual-/E0-001-107763317-2>

Houston Eventful, December 3, 1 pm

<http://houston.eventful.com/events/houston-repertoire-ballet-presents-its-16th-annual-/E0-001-107762905-4>

Houston Eventful, December 3, 4:30 pm

<http://houston.eventful.com/events/houston-repertoire-ballet-presents-its-16th-annual-/E0-001-107763007-8>

thedancecard

<http://dancesourcehouston.org/the-dance-card/>

Houston Press

<http://www.houstonpress.com/event/houston-repertoire-ballets-16th-annual-performance-of-the-nutcracker-9868221>

Tomball Chamber of Commerce

<http://www.tomballchamber.org/events/details/houston-repertoire-ballet-presents-its-16th-annual-performance-of-the-nutcracker-12-02-2017-23326>

Tomball Today

<http://tomballtoday.com/evps/evitem.cfm?evid=4174>

Elle Talk Blog

<https://www.elletalk.com/blog/houston-holiday-events-2017>

Click2HoustonEvents, December 1, 7 pm

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Presents-its-16th-Annual-Performance-of-The-Nutcracker/4137528/2017-12-01T19>

Click2HoustonEvents, December 2, 2 pm

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Presents-its-16th-Annual-Performance-of-The-Nutcracker/4137519/2017-12-02T14>

Click2HoustonEvents, December 2, 7 pm

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Presents-its-16th-Annual-Performance-of-The-Nutcracker/4137528/2017-12-02T19>

Click2HoustonEvents, December 3, 1 pm

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Presents-its-16th-Annual-Performance-of-The-Nutcracker/4137528/2017-12-03T13>

Click2HoustonEvents, December 3 4:30 pm

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Presents-its-16th-Annual-Performance-of-The-Nutcracker/4137528/2017-12-03T16>

Krenek: Aberdeen Green

<http://krenekprinting.com/Aberdeen-Green>

Krenek: Aberdeen Trails

<http://krenekprinting.com/Aberdeen-Trails>

Krenek: Barker

<http://krenekprinting.com/Barker>

Krenek: Bear Creek

<http://krenekprinting.com/Bear-Creek>

Krenek: Colonies

<http://krenekprinting.com/Colonies>

Krenek: Concord Bridge

<http://krenekprinting.com/Concord-Bridge>

Krenek: Copper Grove

<http://krenekprinting.com/Copper-Grove>

Krenek: Copper Lakes

<http://krenekprinting.com/Copper-Lakes>

Krenek: Copper Village

<http://krenekprinting.com/Copper-Village>

Krenek: Copperbrook

<http://krenekprinting.com/Copperbrook>

Krenek: Copperfield

<http://krenekprinting.com/Copperfield>

Krenek: Cypress Mill

<http://krenekprinting.com/Cypress-Mill>

Krenek: Cypress North

<http://krenekprinting.com/Cypress-NOrth>

Krenek: Cypress South

<http://krenekprinting.com/Cypress-South>

Krenek: Eldridge

<http://krenekprinting.com/Eldridge>

Krenek: Hearthstone

<http://krenekprinting.com/Hearthstone>

Krenek: Loan Oak

<http://krenekprinting.com/Lone-Oak>

Krenek: Sheffield

<http://krenekprinting.com/Sheffield>

Krenek: Stonegate

<http://krenekprinting.com/Stone-Gate>

Krenek: Sydney Harbour

<http://krenekprinting.com/Sydney-Harbour>

Krenek: Towne Lake

<http://krenekprinting.com/Towne-Lake>

Krenek: Twin Lakes

<http://krenekprinting.com/Twin-Lakes>

Krenek: VCL Lakeside

<http://krenekprinting.com/VCL-Lakeside>

Krenek: Villages at Lakepointe

<http://krenekprinting.com/Villages-at-Lakepointe>

Krenek: Villages of Cypress Lakes

<http://krenekprinting.com/Villages-of-Cypress-Lakes>

Krenek: Westgate

<http://krenekprinting.com/Westgate>

Krenek: Westminster Landing

<http://krenekprinting.com/Westminster-Landing>

Krenek: Westminster Village

<http://krenekprinting.com/Westminster-Village>

Krenek: Windsong

<http://krenekprinting.com/Windsong>

Krenek: Windstone Colony

<http://krenekprinting.com/Windstone-Colony>

Peel Inc: Blackhorse Ranch

https://issuu.com/peel_inc/docs/1711bk/1?e=0

Peel Inc: Lakes on Eldridge North

https://issuu.com/peel_inc/docs/1711ln/3?e=0

Peel Inc: Steeplechase

https://issuu.com/peel_inc/docs/1711sc/7?e=0

Peel Inc: Towne Lake

https://issuu.com/peel_inc/docs/1711twl/1?e=0

Peel Inc: Winchester Country

https://issuu.com/peel_inc/docs/1711wc/4?e=0

Houston Chronicle: Bellaire, West U, River Oaks

<http://www.chron.com/neighborhood/bellaire/events/article/Houston-Repertoire-Ballet-sets-16th-annual-12353646.php>

thenew93Q – Dec 2, 2 pm pm show listing

<http://events.thenew93q.com/tomball/events/houston-repertoire-ballet-presents-its-16th-annual-/E0-001-107762726-9>

thenew93Q – Dec 2, 7 pm show listing

<http://events.thenew93q.com/tomball/events/houston-repertoire-ballet-presents-its-16th-annual-/E0-001-107763317-2>

thenew93Q – Dec 3, 4:30 pm show listing

<http://events.thenew93q.com/tomball/events/houston-repertoire-ballet-presents-its-16th-annual-/E0-001-107763007-8>

Houston Chronicle Entertainment, November 29, 2017

<http://www.chron.com/entertainment/article/Theater-classical-music-dance-listings-Nov-12392105.php>

Krenek: Aberdeen Green December Issue

<http://krenekprinting.com/Aberdeen-Green>

Krenek: Aberdeen Trails December Issue

<http://krenekprinting.com/Aberdeen-Trails>

Krenek: Barker December Issue

<http://krenekprinting.com/Barker>

Krenek: Bear Creek December Issue

<http://krenekprinting.com/Bear-Creek>

Krenek: Bear Creek Plantation December Issue

<http://krenekprinting.com/Bear-Creek-Plantation>

Krenek: Brenwood II December Issue

<http://krenekprinting.com/Brenwood-II>

Krenek: Canyon Village December Issue
<http://krenekprinting.com/Canyon-Village-at-Cypress-Springs>

Krenek: Colonies December Issue
<http://krenekprinting.com/Colonies>

Krenek: Concord Bridge December Issue
<http://krenekprinting.com/Concord-Bridge>

Krenek: Copper Grove December Issue
<http://krenekprinting.com/Copper-Grove>

Krenek: Copper Lakes December Issue
<http://krenekprinting.com/Copper-Lakes>

Krenek: Copper Village December Issue
<http://krenekprinting.com/Copper-Village>

Krenek: Copperbrook December Issue
<http://krenekprinting.com/Copperbrook>

Krenek: Copperfield December Issue
<http://krenekprinting.com/Copperfield>

Krenek: Eldridge December Issue
<http://krenekprinting.com/Eldridge>

Krenek: Glencairn December Issue
<http://krenekprinting.com/Glencairn>

Krenek: Hearthstone December Issue
<http://krenekprinting.com/Hearthstone>

Krenek: Loan Oak December Issue
<http://krenekprinting.com/Lone-Oak>

Krenek: Settlers Village December Issue
<http://krenekprinting.com/Settlers-Village>

Krenek: Sheffield December Issue
<http://krenekprinting.com/Sheffield>

Krenek: Stone Gate December Issue
<http://krenekprinting.com/Stone-Gate>

Krenek: Twin Lakes December Issue
<http://krenekprinting.com/Twin-Lakes>

Krenek: Villages at Lakepointe December Issue
<http://krenekprinting.com/Villages-at-Lakepointe>

Krenek: Westgate December Issue
<http://krenekprinting.com/Westgate>

Krenek: Westminister Landing December Issue
<http://krenekprinting.com/Westminister-Landing>

Krenek: Westminister Village December Issue
<http://krenekprinting.com/Westminister-Village>

Krenek: Windsong December Issue
<http://krenekprinting.com/Windsong>

Krenek: Windstone Colony December Issue
<http://krenekprinting.com/Windstone-Colony>

Visit Houston
<https://www.visithoustontexas.com/event/houston-repertoire-ballet%3A-the-nutcracker/51882/>

Print:

Peel Inc November 2017:

Blackhorse Ranch, Lakes on Eldridge North, Steeplechase, Towne Lake, Winchester Country

Krenek Printing November 2017:

Aberdeen Green, Aberdeen Trails, Barker, Bear Creek, Colonies, Concord Bridge, Copper Grove, Copper Lakes, Copper Village, Copperbrook, Copperfield, Cypress Mill, Cypress North, Cypress South, Eldridge, Hearthstone, Loan Oak, Sheffield, Stonegate, Sydney Harbour, Towne Lake, Twin Lakes, VCL Lakeside, Villages at Lakepointe, Villages of Cypress Lakes, Westgate, Westminister Landing, Westminister Village, Windsong, Windstone Colony

Krenek Printing December 2017:

Aberdeen Green, Aberdeen Trails, Barker, Bear Creek, Bear Creek Plantation, Brenwood II, Canyon Village, Colonies, Concord Bridge, Copper Grove, Copper Lakes, Copper Village, Copperbrook, Copperfield, Eldridge, Glencairn, Hearthstone, Loan Oak, Settlers Village, Sheffield, Stone Gate, Twin Lakes, Villages at Lakepointe, Westgate, Westminister Landing, Westminister Village, Windsong, Windstone Colony

November 22, 2017

Houston Chronicle: Tomball Potpourri/Magnolia Potpourri/Cypress Creek Mirror
Photo with caption highlighting upcoming performances

November 30, 2017

Houston Chronicle Preview November 30, 2017
Full event listing among other holiday events.

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Optional Supporting Documentation

4. Letters of Support

Houston Repertoire Ballet - *The Nutcracker* 2018

Please see the following:

1. Letter of support - JD Janda, Director of Fine Arts Tomball ISD
2. Letter of support - Chad Schmidt, Principal Tomball Elementary
3. Letter of support - Lauren Anderson, Houston Ballet Program Manager of Education and Community Engagement and dancer with Houston Ballet from 1983 - 2006
4. Letter of support - Gilbert Rome, cofounder and former co-director of Houston Repertoire Ballet
5. Testimonial - Jared Mathews, Houston Ballet Principal Dancer and Houston Repertoire Ballet alumnus, 2001. Jared Matthews wrote this testimonial in order to be a supporting figure for HRB's 2016-2017 campaign, and was the Cavalier in *The Nutcracker*, 2017
6. Reviews - Patron reviews from *The Nutcracker*, 2017

TOMBALL ISD FINE ARTS



INSPIRING LIFELONG ARTISTRY AND CREATIVITY

JD JANDA, DIRECTOR OF FINE ARTS
281-357-3100 EXT. 2047
JOHNJANDA@TOMBALLISD.NET

June 25, 2018

To Whom it May Concern:

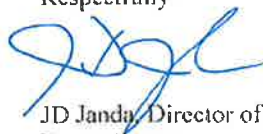
My name is JD Janda and I am the Director of Fine Arts for the Tomball Independent School District. I am proud to oversee the Art, Dance, Music, and Theater Departments in our school district. I am writing to endorse the **Houston Repertoire Ballet** and its Artistic Director Victoria Vitum in the effort to secure grant funding.

The Houston Repertoire Ballet is a wonderful partner for our school district! The extremely talented dancers from HRB are not only outstanding artists, they are great people with a huge heart for the students of our district. At no cost to us, the HRB performs scenes from Tchaikovsky's *The Nutcracker* for all Tomball ISD third graders every December. Students that have little or no opportunity for exposure to the magic of music and dance in a professional setting are presented with this amazing experience. Being an audience member at a professional production is a once-in-a-lifetime opportunity for many of our students from economically challenged households. That exposure to the ballet art form teaches our students about beauty, movement and imagination like no other academic course could ever do. In 2017, over 1500 third grade students were able to enjoy the holiday masterpiece in two performances in the Tomball High School Auditorium. As Tomball ISD continues to grow, the 2018 event will expand to three performances spread over two days. Having seen many performances of *The Nutcracker* by several talented ballet companies, I can say with confidence that the Houston Repertoire Ballet performs at the highest artistic level with an air of professionalism that is remarkable. Again, these performances are completely free of charge for our always tight Tomball ISD budget.

Additionally, Artistic Director Victoria Vitum has created artistic opportunities for dozens of students at some of our Title 1 campuses. A professional dance teacher provided ballet lessons to students at Tomball Elementary School in the fall of 2017. The program was held at the school, once a week for twelve weeks and culminated in performances in *The Nutcracker*. Further, a talented and deserving student is now receiving a full scholarship to studio dance lessons based on the relationship created at TES. This pilot project was such a success at the one campus, that it will be expanded to three campuses for the coming school year. Joining Tomball Elementary will be students from Decker Prairie Elementary and Tomball Intermediate School. HRB will provide another performance opportunity for our students at its Spring Dance Recital. There is no way that these Tomball ISD students would have ever been able to have this experience if it were not for the incredible generosity and support of the Houston Repertoire Ballet.

The collaboration and partnership we have created in Tomball is something of immeasurable value to our community. HRB is absolutely deserving of your strong consideration for a grant and students in Tomball ISD will continue to be artistically enriched by these talented and dedicated performers.

Respectfully -



JD Janda, Director of Fine Arts
Tomball ISD

June 20, 2018

To Whom IT May Concern:

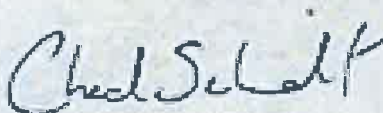
Tomball Elementary partnered with the Houston Repertoire Ballet in 2017 to provide an incredible opportunity to be a part of the Nutcracker presentation provided to all third grade students in Tomball ISD.

The experience was outstanding as we had 12 third grade students participate and are truly excited about the chance to continue and increase the participation.

The work with the staff was incredible and students were provided excellent instruction and practice. The learning positively impacted the self-esteem of the students and provided a chance to perform.

We cannot express the value of the experience and are truly looking forward to a long-term partnership to continue this amazing work. There is incredible power in providing as many experiences as possible in the arts with students at elementary ages as they learn to express their creativity and discover their talents.

Thank you for your support.



Chad Schmidt
Principal



June 22, 2018

To Whom It May Concern:

My name is Lauren Anderson. I was a dancer with the Houston Ballet from 1983 – 2006. I am currently Program Manager of the Education and Community Engagement department of the Houston Ballet. I met Victoria Vittum when she came to teach ballet at Houston Ballet in 1998. I have known her for many many years.

I have been a guest artist with Houston Repertoire Ballet, for which she is the Artistic Director. I know the quality of her work as she has produced many dancers that have attended Houston Ballet summer programs or have become members of the company and other ballet companies across the nation.

As a person that leads the outreach program at the Houston Ballet, I know firsthand the importance this experience brings to so many underserved children, particularly in the title one schools. I highly support Ms. Vittum and Houston Repertoire Ballet in their efforts to expand the outreach program for the Tomball ISD.

Please feel free to contact me at any time.

Sincerely,

Lauren Anderson

Program Manager

Education and Community Engagement

landerson@houstonballet.org

713-535-3286

City of Tomball
501 James Street
Tomball, TX 77375

Gilbert Rome
424 West Solidelle
Chalmette, LA 70043

Dear Members:

I have had the opportunity and pleasure of working with Victoria Vittum for forty years. During this time, I recognized her ability as an instructor, choreographer and her ability to stage classical and modern ballets. Over this period, the Inner City Program was formed under the direction of Margo Marshall (City Ballet of Houston). Vicky auditioned hundreds of inner city children rehearsing them, as well as the company dancers.

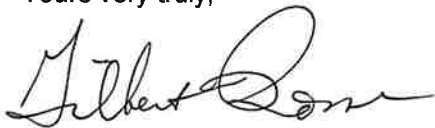
During our tenure with City Ballet of Houston, Vicky and I developed a friendship and a respect for each other's work. In 1994, we decided it was time for us to join forces and form Houston Repertoire Ballet. In 1996, we received our non-profit designation and the mission of the organization was established. After a career spanning fifty years, I retired in 2005 but have continued to act in an advisory capacity. It gives me great pleasure to have played a part in creating HRB and in knowing that since my retirement, the company has continued to grow artistically as well as in size and in its mission.

The company has become an asset in its community of Tomball and North Houston. HRB's annual Nutcracker has joined with the Cypress Philharmonic for its Nutcracker season. Its performances to sold out houses in Tomball have allowed HRB to develop its spring concert season and an outreach program.

Many Houston Repertoire Ballet dancers have subsequently joined New York City Ballet, Houston Ballet, Joffrey Ballet, Colorado Ballet, and many others.

Houston Repertoire Ballet's having your support would be instrumentally significant in growing its mission. Thank you for your time in making this consideration.

Yours very truly,



Gilbert Rome
cofounder and former co-director of Houston Repertoire Ballet
former member of National Ballet of Canada, Opera House Frankfurt Germany, Opera House
Cologne, Germany, Houston Ballet, HSPVA, co-director of City Ballet of Houston

P.S.: To name a few produced by HRB -
Mr. Jared Matthews, Principal Dancer with Houston Ballet
Elizabeth Keller, Miami City Ballet
Trey MacIntyre, Dance Project and principal with Idaho Ballet
Morgan Buchanan, soloist with Colorado Ballet' Amaris Sharratt, Nebraska Ballet
Janie Taylor, New York City Ballet
Davida Haas, Houston Ballet and Joffrey Ballet

I have danced with American Ballet Theatre in New York for thirteen years achieving the rank of Soloist. I am currently in my third year as a Principal Dancer with Houston Ballet. Throughout my career I have traveled the world performing in many famous opera houses and theaters. I would not be where I am today without Victoria Vittum and Houston Repertoire Ballet.

Victoria creates an environment where hard work and discipline is the foundation for success. Her eye for detail and solid classical ballet background provide students the opportunity to truly learn and understand the art form. I spent all of my pre professional training with Victoria and HRB. They gave me everything I needed to prepare for a professional career in dance. Under Victoria's guidance I was slowly and methodically challenged year after year in order to further my development. Step by step she taught me classical ballet. Performing with HRB gave me the experience of being on stage in front of an audience and showing all that we had worked on in the studio. These experiences were crucial to me as a young dancer.

Victoria and HRB continue their mission of training young classical dancers. I am proud to call myself an alumnus, and I am forever grateful for all they have given me.

Jared Matthews
Principal Dancer
Houston Ballet

Patron Reviews: *The Nutcracker*, 2017

"My daughter and I went there for YEARS!....it was local, parking was easier, no fighting traffic, easier on the pocket book, you actually get to ENJOY your intermission, and sometimes I knew some of the dancers! Each year I have found they add a little something to it so never exactly the same, a wonderful production! Highly recommend!"

Lakewood Forest resident

"My daughter is so excited. We went last year and she wants to go again...
..What a wonderful performance." **Lisa McCurdy**

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Spring Creek County Historical Association Request for \$30,000.00 for Fiscal 2018-2019 Annual Operations

Background:

The Tourism Advisory Committee will meet at 5:00 p.m., November 5, 2018, prior to the City Council meeting.

Recommendation will be provided to City Council by the City Manager.

Origination:

Spring Creek County Historical Association

Recommendation:

n/a

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

City Secretary

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

ATTACHMENTS:

Narrative Questions

Application



NARRATIVE QUESTIONS

Please look at the criteria in the grant guidelines when you answer the following questions. Be specific and give examples. Answers to individual questions should be as brief as possible and should in no case exceed one page.

1. Describe the history and purpose of the organization.

ANSWER: The function of the Spring Creek County Historical Association (Tomball Museum) is to preserve the history of Tomball and surrounding community for the present and future generations. The Museum provides our tourist, local citizens, school children, church groups, senior citizens, scouts, and multiple other organizations on opportunity to look back in time and see the history of Tomball through guided tours of our historical homes, businesses, and other exhibits. School tours are a large part of our attendance and are done at no charge to the students.

The future of the Museum depends on significant financial support from the City and donations. The ten (10) Museum buildings; most of which are over 100 years old and are in constant need of maintenance and repair.

Step back into the first days of Tomball when you visit the Tomball Museum Center. The center is made up of a collection of historical buildings that provide a glimpse at what life was like for the town's settlers in the mid-19th century.

The association came into being in the late 1960's. The museum center began with the gift of a house built by Eugene Pillot in 1860. Gradually more buildings were acquired: historical church, 1900 doctor's office, 1869 German immigrant farm house with outbuildings, barn, log house and corn crib, and one-room schoolhouse.

2. Describe how any grant funds will be used.

ANSWER: Update projects and Maintenance for Fiscal Year 2018-2019 (FY2019):

- Construction of 20' x 20' Maintenance Building with 10' work apron.
- Tear down and reconstruct roof on the Theis House Smokehouse.
- Construct slab and erect antique water well drilling rig exhibit.
- Add night lights for east side of museum.

- General maintenance/repairs for buildings to maintain historical status.
- Repaint museum buildings in need of repair.

3. List the programs and activities for the grant year.

ANSWER: The association has a docent program and provides tours to the general public, numerous senior citizen groups, public, private, and church school classes from the entire Tomball region. Boy and Girl Scouts and other youth organizations use the facility frequently for field trips. These types of groups generate approximation 3,000 guests annually. The yearly Candlelight Ceremony, held in December, hosts an additional 3,000 guests. Candlelight Tour provides docent tours of the buildings, Santa Clause for the children, choirs from local churches provide music for the attendees.

Weddings generate approximately 500-700 additional visitors per year.

Total annual attendance is approximately 6,500.

4. Show evidence of growth in community support prior to the grant year. Include the number of performances, exhibitions, audience sizes, services or enrollment. Be sure to include specific information as to the percent of activities taking place within the City of Tomball.

ANSWER: Multiple companies and private citizens have provided funding and in-kind labor to accomplish projects this past year. The Tomball Garden Club continues to take care of the grounds providing shrubbery and flowers around the complex. The visible appearance of the buildings continues to improve thanks to their work.

Harris County Commissioner Jack Cagle and his staff came to take special tours of the facilities. Board members from the Harris County Historical Commission were given a tour of the facilities and have been invited to the Tomball Museum to participate in the County Historical Commission.

5. How does your project/event qualify for use of Municipal Hotel Occupancy Tax funds as defined in the Hotel Occupancy Tax Guidelines?

ANSWER: Historical preservation is one of the major categories in which hotel/motel funds are eligible to be spent.

6. How do you publicize your activities? How do you evaluate these efforts and what have you done to increase the effectiveness of your marketing efforts?

ANSWER: <http://www.tomballmuseumcenter.org>

The museum system works with the local school system to encourage interest in the history of the Tomball area. Texas history is mostly studied in the third grade classes. The museum system continues to work on the website and produces brochures for the public. Numerous websites also are used in promoting the museum.

7. Explain the public benefits to the City of Tomball that will result from your organization's efforts.

Accomplishments completed in 2017-2018 Fiscal Year at the Museum

1. Completed a virtual tour of Museum with a drone to use on new web-site.
2. Sent letter to Texas Highways Magazine to explore ad for future publicity for Museum.
3. Completed night lighting project to beautify the ~~East~~^{West} side of the Museum grounds.
4. Finished the exhibit for the oilfield pumping unit. Practically all of the materials were donated by an Independent Oil Producer in north Louisiana.
5. The Tomball Garden Club replaced numerous flowers and shrubs around the Museum which added beautification around the Complex.
6. A boy scout built and installed 3 trash containers that have an antique look. These containers will assist in keeping the grounds neat and clean. This project allowed him to earn his Eagle Scout Badge.
7. Power washed, repaired some siding, and painted the Fellowship Hall.
8. Purchased gas range for the Fellowship Hall.
9. Poured concrete slabs and purchased and installed 4 park benches to accommodate visitors.
10. Installed new digital AT&T telephone system to replace the old analog system and added internet for the Museum.
11. Eleven (11) weddings were conducted at the Museum Church.
12. A special Heritage Tea was held for the retirement honoring Mrs. Jean Alexander for 25 years of service to the Museum.
13. Completed an informational History Book about the Museum.



CITY OF TOMBALL

APPLICATION FOR USE OF HOTEL OCCUPANCY TAX

(Must be submitted no less than 45 days prior to the event)

Applications may be mailed or hand delivered to:

Director of Finance
City of Tomball
501 James Street
Tomball, TX 77375

Applicant Organization: Spring Creek Historical Association

Organization Director: Mary McCoy

Project or Event for which funding is requested: Museum Operations Activities

Date of Event: Annual 2018 – 2019 operations

Description of project or event for which funding is requested:

1. Construction of 20' x 20' Maintenance Building with 10' work apron.	\$15,000
2. Tear down and reconstruct roof on the Theis House Smokehouse.	\$ 2,000
3. Construct slab and erect antique water well drilling rig exhibit.	\$ 2,000
4. Add night lights for east side of museum.	\$ 7,000
5. General maintenance/repairs for buildings to maintain historical status.	\$ 1,000
6. Repaint museum buildings in need of repair.	\$ 3,000
Total	\$30,000

Location of project or event: 510 North Pine Street, Tomball, Texas

GRANT AMOUNTS:

Amount Funded for FY 2017-18	\$30,000
Amount Requested for FY 2018-2019	\$30,000
% Increase requested over last year's grant	0%

2018-2019 Organization Budget Summary

City Funds	Other Funds	Total	
Personnel		\$26,000	\$26,000
Contracted Services		\$19,000	\$19,000
Insurance		\$ 2,000	\$ 2,000
Other expense/Utilities		\$ 9,000	\$ 9,000
Projects	\$30,000	\$ 6,000	\$36,000
Candlelight Tours		\$ 2,000	\$ 2,000
Total	\$30,000	\$64,000	\$94,000

Grants to an organization will not exceed 35% of the organization's adopted budget

FUNDS FROM SOURCES OTHER THAN THE CITY OF TOMBALL

<u>Government</u>	<u>Amount of Funds</u>
Local	_____
County	_____
State	_____
Federal	_____
<u>Other Investors/Contributors</u>	
Individual	___\$15,500___
Corporate	___4,000___
Foundations	___4,000___
<u>Fees</u>	
Admissions	___16,000___
Applications	___12,000___
Vendors	_____
Tuition	_____
<u>Concessions-Oil/Gas Royalty</u>	___2,500___
<u>Memberships</u>	___4,500___
<u>Subscriptions</u>	___5,500___
<u>Other</u>	_____
Total	___\$64,000___

How many people do you expect will visit Tomball from out-of-town as a result of this project or event? Explain the basis of your answer to the preceding question:

As of July 2018, the Museum hosted visitors from 11 foreign countries, 18 states, and 82 Texas cities. The Museum general attendance numbers for this past year is an estimated 3,000, which is about the same as previous year's attendance. The Annual Christmas Tours will bring in excess of 3,000 people from the entire region. This past year, the Museum hosted 11 wedding, which generate substantial room nights for local hotels. Total attendance for the Museum (general attendance and programing was approximately 6,100 people.

Are attendees for this event or users of this project expected to stay overnight in Tomball hotels or motels? If you answer yes to this question, state the basis for your answer:

Yes – many of our visitors are from out of state, or foreign countries, and many stay in local hotels. We have placed Museum brochures in each of the local hotels for the guests.

Organization Contact Name, Title, Address and Phone Number:

Charles Hall – President 832-656-8181

Mary McCoy – Director 281-255-2148

Spring Creek Historical Association

P.O. Box 1131

Tomball, TX 77377

281-255-2148



VALIDATION OF APPLICATION

The signatory declares that he/she is an authorized official of the applicant, is authorized to make this application, and certifies that the information in this application is true and correct to the best of his/her knowledge. Signatory further declares that applicant, if previously funded by the City of Tomball, has successfully fulfilled all prior Grant contract obligations.

Charles R. Hall
Signature of Authorizing Official

8-1-18
Date

Charles Hall
Typed Name

President
Title within Organization

832.656.8181
Telephone

Crhall2@sbcglobal.net
Email address

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Tomball Sister City Organization Request for Support, Funding, and Road Closures, in the Amount of \$160,000.00, for the 2018 Tomball German Christmas Market, to be held December 7-9, 2018, and the 2019 Tomball German Heritage Festival, to be held March 29-31, 2019

Background:

The Tourism Advisory Committee will meet at 5:00 p.m., November 5, 2018, prior to the City Council meeting.

Recommendation will be provided to City Council by the City Manager.

Origination:

Tomball Sister City Organization

Recommendation:

n/a

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

City Secretary

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

ATTACHMENTS:

Tomball Sister City Documents



CITY OF TOMBALL

APPLICATION FOR USE OF HOTEL OCCUPANCY TAX

(Must be submitted no less than 45 days prior to the event)

Applications may be mailed or hand delivered to:

Director of Finance
City of Tomball
501 James Street
Tomball, TX 77375

Applicant Organization: Tomball Sister City Organization

Organization Director: Grady Martin

Project or Event for which funding is requested: TGCM & TGHF

Date of Event: December 7,8,9 2018 & March 29,30,31 2019

Description of project or event for which funding is requested: 19th Annual German Heritage Festival & 11th Annual German Christmas Market featuring live music from German folk artists from around Texas, ethnic folk dancers, other music, arts, crafts and exhibits. The Three-day event brings vendors from as far away as New York and Colorado.

Location of project or event: Tomball Depot Plaza, Market Street between Elm and Pine

GRANT AMOUNTS:

Amount Funded for FY 2017-18	\$ 163,337
Amount Requested for FY 2018-2019	\$ 160,000
% Increase requested over last year's grant	0%

2018-2019 Organization Budget Summary

	City Funds	Other Funds	Total
Personnel	47,000		47,000
Contracted Services		100,000	100,000
Labor vendor		11,000	11,000
Rental Expense	88,000	82,000	170,000
Depreciation/Mortgage			
Advertising	25,000	50,000	75,000
Insurance		5,000	5,000
Other expense		40,000	40,000
Exchange Students		3,000	3,000
Sister City Relations		12,000	12,000
Total	160,000	303,000	463,000

Grants to an organization will not exceed 35% of the organization's adopted budget

FUNDS FROM SOURCES OTHER THAN THE CITY OF TOMBALL

Government

Amount of Funds

Local

County

State

Federal

Other Investors/Contributors

Individual

Corporate

Foundations

Fees

Admissions

Applications

Vendors

200,000

Tuition

<u>Concessions</u>	<u>50,000</u>
<u>Memberships</u>	<u> </u>
<u>Subscriptions</u>	<u> </u>
<u>Other</u>	<u>55,000</u>
Total	<u>305,000</u>

How many people do you expect will visit Tomball from out-of-town as a result of this project or event? Explain the basis of your answer to the preceding question:

ANSWER: 25,000 outside of Tomball will attend. Total attendances 60,000. Past studies and surveys with the City and hotels indicate many patrons are from out of town. The Christmas Market and the Heritage Festival attract vendors and visitors alike from significant distances to participate in the festivities and activities of these 4 day events.

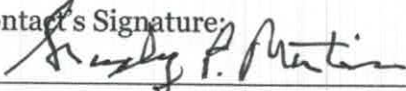
Are attendees for this event or users of this project expected to stay overnight in Tomball hotels or motels? If you answer yes to this question, state the basis for your answer:

ANSWER: Yes, Overnight stays. Past studies and surveys with the hotels and the City. The Christmas Market and the Heritage Festival attract vendors and visitors alike from significant distances to participate in the festivities and activities of these 4 day events.

Organization Contact Name, Title, Address and Phone Number:

Grady Martin, Chairman, P.O. Box 1131, Tomball, TX 77377, 713-829-0313

Contact's Signature:



Date: 7-30-18



VALIDATION OF APPLICATION

The signatory declares that he/she is an authorized official of the applicant, is authorized to make this application, and certifies that the information in this application is true and correct to the best of his/her knowledge. Signatory further declares that applicant, if previously funded by the City of Tomball, has successfully fulfilled all prior Grant contract obligations.

Grady P. Martin

Signature of Authorizing Official

7-30-18

Date

GRADY P. MARTIN

Typed Name

Pres. Dent

Title within Organization

713-829-7116

Telephone

gradsawd@yahoo.com

Email address



NARRATIVE QUESTIONS

Please look at the criteria in the grant guidelines when you answer the following questions. Be specific and give examples. Answers to individual questions should be as brief as possible and should in no case exceed one page.

1. Describe the history and purpose of the organization.

ANSWER: Formally established in 2000, the sister city relationship between Tomball and Telgte goes back to 1996, when Christian C. Tiews and his Telgte-born wife Lula moved to the Tomball area and noticed the many similarities between Tomball and Lula's home town. Telgte (pronounced Tell-gee, as in "Telge Road"), is a quaint German town, pop. 18,700, situated in the park-like landscape of North Rhine-Westphalia, 10 miles east of Münster, in northwest Germany. It was founded in 1238 and is well known for its beautiful medieval architecture. Telgte is situated in the middle of Germany's "horse country". 34% of its economy is based on manufacturing, 21% on trade and tourism and 32% on other services. The Tomball Sister City Organization is a nonprofit corporation formed for the purpose of the establishment, sponsorship, promotion and support of cultural, business, educational, diplomatic and other exchanges with Tomball's sister city – Telgte, Germany. To this end the corporation will endeavor to promote and heighten public interest in and appreciation of the culture, business, education, products, people or language of sister cities of the City of Tomball, Texas, and to develop programs and provide activities that highlight such culture, business, education, products, people or language, and to assist its members in the development of such programs and the provisions of such activities.

2. Describe how any grant funds will be used.

ANSWER: The Grant Funds will be used to supplement the organizations advertising budget to continue to attract more visitors to the Sister City events and the City of Tomball.

3. List the programs and activities for the grant year.

ANSWER: The Sister City Organization will host a German Heritage Festival in March and a German Christmas Market in December. Additionally, the Sister City Organization encourages and supports a student exchange program. To date the exchange program had 60 students and families participate.

4. Show evidence of growth in community support prior to the grant year. Include the number of performances, exhibitions, audience sizes, services or enrollment. Be sure to include specific information as to the percent of activities taking place within the City of Tomball.

ANSWER: 100% of our events take place in Tomball. The German Heritage Festival and the German Christmas Market have shown increased attendance and vendor participation each year from their inception (2000 for the Heritage Festival and 2007 for the Christmas Market). The Sister City has substantially increased their expenditures with the implementation of the additional shuttle transportation. The new system has provided a safe, stable and relatively quick transportation to the festival area and has been well received by the attendees.

5. How does your project/event qualify for use of Municipal Hotel Occupancy Tax funds as defined in the Hotel Occupancy Tax Guidelines?

ANSWER: Vendors and out of town visitors occupy local area hotels and motels

6. How do you publicize your activities? How do you evaluate these efforts and what have you done to increase the effectiveness of your marketing efforts?

ANSWER: Publicity and advertising for the events is done through state-wide magazine advertising local radio and television ads.

7. Explain the public benefits to the City of Tomball that will result from your organization's efforts.

ANSWER: The City of Tomball will receive sales tax dollars from the sales generated by the vendors, additional regional and state exposure to the City from the visitors to it and local business see increased traffic in their businesses.

8. What is your organization doing to bring visitors to Tomball, to stay in local hotels and otherwise support the hospitality industry?

ANSWER: The Christmas Market and the Heritage Festival attract vendors and visitors alike from significant distances to participate in the festivities and activities of the two events. The Sister City promotes their efforts and by extension promotes the city of Tomball in some of the following. City of Tomball Events, Greater Tomball Chamber of Commerce, Lone Star College, Tomball High School, Klein Fest, Houston Fest, Texas German Society and Texas Festivals and Events Association.



Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Adopt, on First Reading, Ordinance No. 2018-36, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Amending Section 8-122, Definitions, and Section 8-124, Keeping Restricted, of Article III, Livestock, of Chapter 8, Animals, to Add a Definition of Agricultural Science Project Center, and to Exclude the Regulations of Section 8-124 From Applying to Agricultural Science Project Centers; 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:

Tomball Independent School District desires to construct an Agricultural Science Project Center at their high school campus in Tomball. In order to do so, Section 8 of the Tomball Code of Ordinances needs to be amended to accommodate their desired facility. Proposed amendments to Section 8 include adding a definition for Agricultural Science Project Centers and amending restrictions on livestock kept within the city limits of Tomball.

Origination:

Jim Ross, Tomball Independent School District

Recommendation:

Approval

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

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

ACTION TAKEN

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

ATTACHMENTS:

Ordinance 2018-36

TISD Project Facility Guidelines

Facility Conceptual Plan

TISD Ag Science Project Center Photos

ORDINANCE NO. 2018-36

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS BY AMENDING SECTION 8-122, DEFINITIONS, AND SECTION 8-124, KEEPING RESTRICTED, OF ARTICLE III, LIVESTOCK, OF CHAPTER 8, ANIMALS, TO ADD A DEFINITION OF *AGRICULTURAL SCIENCE PROJECT CENTER*,, AND TO EXCLUDE THE REGULATIONS OF SECTION 8-124 FROM APPLYING TO AGRICULTURAL SCIENCE PROJECT CENTERS; 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, the City Council of the City of Tomball, Texas finds that it is in the best interest of the health, safety and welfare of its citizens to define Agricultural Science Project Centers and to except such centers from the application of the regulations contained in Section 8-124 of the Code of Ordinances; and

WHEREAS, the City Council desires to grant exceptions to Agricultural Science Project Centers in the manner set forth in this ordinance; now, therefore

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

Section 1. The facts and matters contained in the preamble to this ordinance are hereby found to be true and correct.

Section 2. Section 8-122, Definitions, of Article III, Livestock, of Chapter 8, Animals, of the City of Tomball Code of Ordinances is hereby amended to add the language underscored below as follows:

“Section 8-122. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agricultural Science Project Center shall mean a facility that adheres to school project facility guidelines as approved by the City Manager or designee and is designed to meet the Supervised Agricultural Experiences (SAE) requirement of agricultural education as stated by the Texas Administrative Code.

Livestock means and includes any horse, mule, jack, jenny, cow, cattle, hog, sheep, goat or similar animal; but shall not include potbelly pigs and pygmy goats.

Potbelly pigs means and includes Vietnamese miniature potbelly pigs meeting the published breed definition for registration by a recognized association for breeding such Vietnamese miniature potbelly pigs and weighing less than 200 pounds and standing no taller than 36 inches at the shoulders.

Pygmy goat means and includes a miniature domestic goat meeting the National Pygmy Goat Association’s Breeding Standards.”

Section 3. Section 8-126, Potbelly pigs and pygmy goats, of Article III, Livestock, of Chapter 8, Animals, of the City of Tomball Code of Ordinances is hereby amended to add the language underscored below and delete the language struck through below as follows:

“Section 8-124. – Keeping restricted.

With the exception of Agricultural Science Project Centers, ~~the~~ following restrictions shall apply to all livestock kept within the city:

- (1) All livestock kept on land which is immediately adjacent to a single-family residence or a single-family residential platted lot shall be kept in a stable, shed or pen, or a fenced pasture, which stable, shed, pen or fenced pasture shall be at least 100 feet distant from every such single-family residence or single-family residential platted lot.
- (2) No livestock shall be kept in any pasture or on any lot which is less than one acre (43,560 square feet) in area. The maximum number of animals kept per one-acre area shall not exceed one per acre.
- (3) For the purposes of determining whether or not the property contains one acre in area, any areas containing a single-family

residence or other building, swimming pool or structure, shall not be taken into consideration. The one acre must be devoted entirely to pasture land.

- (4) If a single-family residence is constructed adjacent to an area where livestock are being kept, the owner of the livestock shall have 60 days in which to comply with the terms of this section. If a tract or parcel of land adjacent to an area where livestock are being kept is platted in single-family residential lots, the owner of the livestock shall have 60 days in which to comply with the terms of this section.”

Section 4. 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 5. Any person who shall intentionally, knowingly, recklessly or with criminal negligence 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 5th DAY OF NOVEMBER 2018.

COUNCILMAN FORD
COUNCILMAN STOLL

COUNCILMAN DEGGES _____
COUNCILMAN TOWNSEND _____
COUNCILMAN QUINN _____

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19th DAY OF NOVEMBER 2018.

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

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

Tomball Independent School District Project Facility Guidelines

STATEMENT OF PURPOSE

The purpose of the Tomball ISD Project facility located at 19229 North Pointe Ridge Lane, Tomball Texas 77377. is to provide an extension of the **classroom** to be utilized for students' Supervised Agricultural Experience Program (SAEP).

In order for all parties to best utilize the Agricultural Science facilities and to insure the safety of the students, animals, and others on the property, the following regulations must be followed. To ensure compliance, Tomball ISD employees, including Agricultural Science teachers and school administrators, will monitor compliance of facility rules and the operations of the facility.

Students who do not have a place to raise projects are eligible for space in the project facility. Agricultural Science teachers will assign all stalls and stalls will not be changed without their approval.

Eligible students will be allowed project space according to the following priorities:

1. Exhibitors at the Tomball ISD Project Show

If space is not available for a particular animal project, the following priorities will be in place to determine the assignment of project space:

1. Students who have been members of the FFA in high school for the longest time
2. Students in the higher grade level (Ranked from seniors down to freshmen)
3. The names of eligible students exhibiting at the same level, members of FFA for the same number of years, and in the same grade level will be placed in a box and randomly drawn by the Agricultural Science teachers to determine the order of priority for the remaining available spaces.

All students' projects are under the direct supervision of their Agricultural Science teacher. The student is to respect the value of the Tomball ISD Agricultural Science Facility. Any defacing of property or equipment will mean dismissal from the complex **IMMEDIATELY**.

Neither Tomball ISD, any Tomball ISD Agricultural Science teacher, the FFA Chapter, nor any school official is responsible for any loss or damage to any person, property, or any project animal while it is on school property or any other property.

It is the policy of Tomball ISD not to discriminate on the basis of race, color, national origin, sex or handicap in its vocational programs, services or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

PROJECT FACILITY RULES

A. Use of Facilities

1. As a Tomball ISD facility supporting school-related activities, the most recent TISD Student Handbook will be followed.
2. For security purposes, the facility should be used between **4:30 a.m. and 10:00 p.m. only**.
3. All users must drive and park in designated areas; must abide by fire code.
4. The Project Facility is for High School FFA animals only. No 4-H or Jr. FFA projects will be allowed on the facility.
5. No breeding animals are allowed at the facility.
6. All manure and feedstuffs must be properly disposed of in the approved designated areas.
7. Animals are to be washed in designated areas only. Wash racks may not be used as a holding pen while cleaning your pen out.
8. Feed Storage at the facility will be limited to steers. For all projects not provided feed storage space, the student will have to bring in feed from home for each feeding.
9. The safety, sanitation, and appearance of the barn are a priority.
10. Cleanliness of the Project Facility is the direct responsibility of every student with a project.
11. All broken or stolen equipment is to be reported immediately. All equipment is to be cleaned and returned to the proper storage area after each use. All wheelbarrows WILL be emptied after each use.
12. No glass containers are allowed at the barn complex. Broken glass can cause severe damage to a student or project.
13. Passageways, including door openings, are not to be cluttered with boxes, equipment or animals. Both routine and emergency traffic must be able to move efficiently.
14. Any accident or safety hazard is to be reported to a teacher immediately.
15. If an animal gets sick at any time, an Agricultural Science teacher must be notified immediately and the animal moved to a quarantined area specified by the teachers.
16. The use of power equipment such as tractors, bobcats, other front-end loader, etc. owned by students is **NOT** allowed at the facility.
17. No pets are allowed on the project facility grounds.
18. **No modifications will be made to electricity, carpentry, plumbing, or anything else related to the project facility without approval from the appropriate Ancillary Service Department.**
19. Any student who does not abide by the rules of the project facility will be subject to the following disciplinary action:

1st offense – Written warning by an Agricultural Science teacher and parent notification

2nd offense – Written warning by the Agricultural Science teacher which will be passed on to the administrator* of the campus which the student attends. They will meet with student and one legal guardian,

3rd offense – Removal of animal from facility*

Upon being evicted, the student has 7 days to remove the animal and clean out his/her pen. After 7 days, the animal becomes the property of TISD.

*A fee, determined by a TISD administrator, may be charged for any offense that requires time, materials, or actions to correct.

B. Student Responsibilities

1. The student must be a paid TISD FFA member in good standing to utilize the facility. **Only the student's immediate family may enter to feed or assist the student. No guests, other than those approved by the ag teacher such as veterinarians, hoof trimmers, etc. should enter.**
2. Students wishing to utilize the facility must attend a mandatory meeting with at least one parent/guardian. Failure to attend this meeting will result in not being able to use the facility.
3. Students and parents will follow the Key and Access Policy in Section E.
4. All students will share the responsibility of the community areas. Teachers will assign specific duties if necessary. At certain times of the year, teachers may schedule a work day which is mandatory for all students having a project in the facility. Failure to attend these work days could result in eviction. If sick, the student must give the agriculture teachers prior notice and bring a doctor's note when he/she returns to school.
5. If a student is evicted from the facility, he/she will not be allowed back on the premises.
6. No student may leave a vehicle or trailer at the project facility overnight unless given prior approval from an Agricultural Science teacher.
7. Due to feed storage space, students feeding any project other than steers will have to bring in feed from home for each feeding.
8. Any valuables should be brought to and from home as needed. The school district and employees are not responsible for theft and damage.
9. Students will not be permitted to bring in tack not approved by the Agricultural Science teacher.
10. All students will provide their own shavings/bedding, but must get approval before bringing it in. The agriculture teachers must know the exact brand and type of material that will be used. If the material is not an approved material, it will be removed at the cost to the student (\$25).
11. Only the owner of a project may provide feed, water, other care, or move the project unless that owner has given written permission to another student or family member and secured the approval of an Agricultural Science teacher.
12. No student shall administer any medication to an animal without prior approval from an Agricultural Science teacher.
13. Students must get prior approval from an Agricultural Science teacher to take his/her animal off the premises. If an animal emergency occurs and immediate attention is necessary, the student must show proof the animal was under veterinary care.
14. Any complaint or questions concerning the facility and the rules applied to its use should be presented to the student's Agricultural Science teacher. If not resolved, the complaint or questions should be presented, in order, to: campus Career and Technical Education (CTE) administrator, campus principal, Assistant Superintendent for Administrative Services.

C. Timelines for Removal of Projects

1. If a student becomes ineligible to show or moves out of TISD, the student has 7 days to remove his/her project and clean out his/her pen.
2. If a student is assigned to the Alternative Education Program (AEP) then he/she becomes ineligible to show the project and the animal must be removed within 7 days.
3. If an animal has not been removed within 7 days and other arrangements have not been made with the Agricultural Science teachers, the project becomes the property of TISD* (C.1, C.2, C.6).
4. After exhibiting the animal at the designated show, students have 7 days to remove the animal(s) (if necessary, unless buyer specification) and clean out the pen. If a student does not do this within the 7 days, a fine of \$50.00 will be assessed and the student will not be allowed to stall an animal at the facility anymore.
5. If death of an animal occurs while on the project facility, an Agricultural Science teacher must be contacted and the animal removed IMMEDIATELY. The student has 7 days to clean out the pen.
6. If a student abuses his/her animal project, he/she may be eligible for legal prosecution and the abused animal(s) will become the property of TISD*, and be removed from the facility immediately.

***Property of TISD means the animal will be removed and sold by the Agricultural Science teachers. Any money received will go directly back into the AG activity account.**

D. Costs for Facility Use

1. All students must pay a non-refundable pen rent that is due prior to the animal arriving at the facility. They are as follows:

Steer = \$ 300.00 per project per year
Swine = \$ 150.00 per project per year
Lamb = \$ 75.00 per project per year
Chickens = \$ 30.00 per pen of 25 per year
Turkey = \$ 100.00 per pen of 15 per year
Rabbits = \$10.00 per pen of 4 per year

Since this is non-refundable, the Agricultural Science teachers suggest that the student purchase an insurance policy on their project in case of an unexpected death of the project.

2. There may be a fee charged to correct problems created by any violation of a facility rule (A.20).
3. There is a \$25 charge for removal of shavings/beddings that have not been approved (B.10).
4. Failure to remove an animal and clean the pen within 7 days after any request for removal (See Section C) will result in a charge of \$50.
5. Failure to return a gate key within the designated time period will result in a charge of \$100 or the cost to replace the lock-key system.

E. Key and Access Policy for the Project Facility

1. Program teachers will be issued a building master for facility wide access through the campus key issuance procedure/policy. High School principals needing a key will follow the same process.
2. Students will enter the facility through the main front gate off the parking lot. This will be the only entrance keyed for student access without a teacher present*. This will prevent any vehicles from entering the barn or unloading area without a teacher present. Feed storage and student equipment rooms will also be keyed alike to limit the number of keys issued. **Only students with steers will be able to access and enter these areas.**
3. Student keys will be issued by the campus key control staff member. These keys shall be signed for on a TISD Key Issuance Form. Lost keys will be replaced at a charge of \$100 per key. A small key cabinet with 60 numbered keys will be provided by the maintenance department for these student keys. If more are needed, they will be provided in sequential numbering.
4. Program teachers will be given instruction and access to facility security cameras with the principal's approval. If a copy of any video is needed, a request will be made via work request through the campus, giving the date and specific times needed. A CD will be made and delivered to the campus.

*Students who need vehicle access when a teacher is not available must make prior arrangements to check out a gate key from one of the agriculture teachers. Within 48 hours the gate key must be returned to a teacher and logged back in. Failure to return the gate key in 48 hours, unless prior approval has been given, will result in the student being charged with the cost of replacing the lock and keys with a new lock-key system.

**TOMBALL INDEPENDENT SCHOOL DISTRICT
PROJECT FACILITY
AGREEMENT**

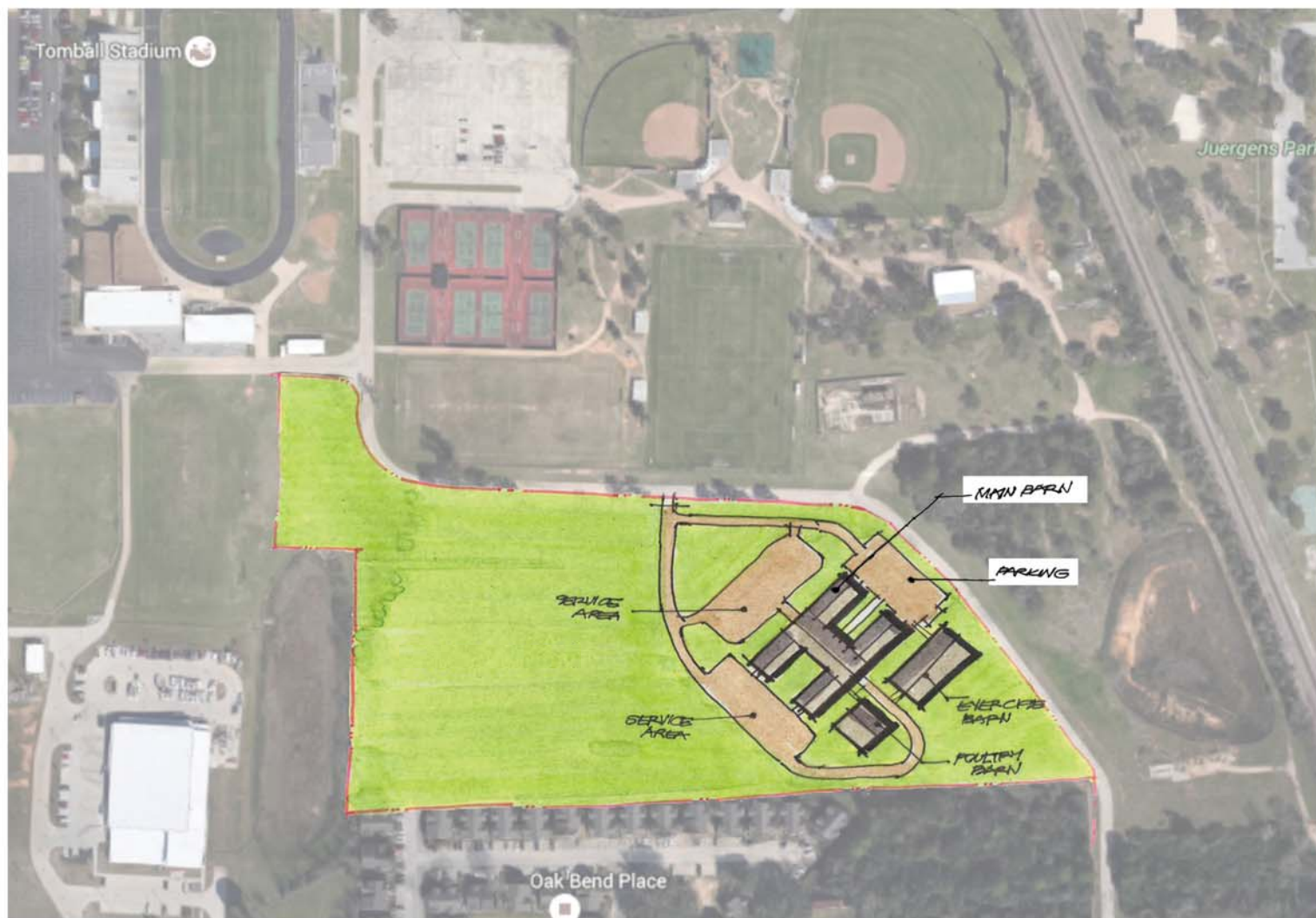
We, _____ and _____
(Printed Name of Student) (Printed Name of Parent/Guardian)

understand that housing animals at this facility is a privilege granted by the District and can be revoked. We agree to the outlined rules. We also understand that failure to abide by the rules set forth in this document may result in my animal(s) being removed from the facility at my expense, which may include shipping the animal and loss of privileges to house animals at the facility.

_____ Effective Date	_____ Expiration Date
_____ Student's Signature	_____ Date
_____ Parent/Guardian Signature	_____ Date
_____ Teacher Signature	_____ Date

It is the policy of Tomball ISD not to discriminate on the basis of race, color, national origin, gender, age or disability in its education programs or access to the facility.

Concept Layout // Tomball Project Barn



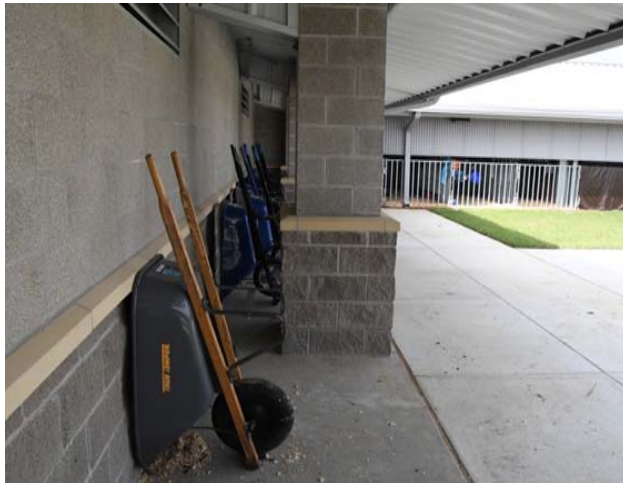
- RESPECTFUL OF EXISTING RESIDENTIAL DEVELOPMENT
- BUILDING ORIENTATION ENHANCES ANIMAL COMFORT LEVEL DUE TO PREVAILING SE WINDS ON SITE
- BARN VISUALLY ACCESSIBLE TO STREET

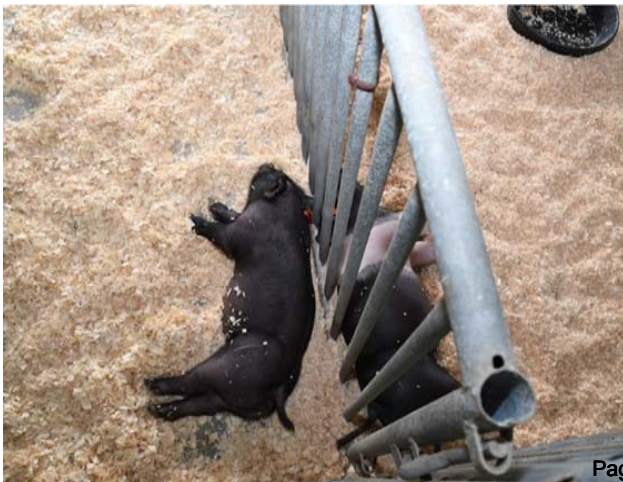


Conceptual Layout of New Project Barn









Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

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 8 – Timber Trail Subdivision)

Background:

Our PID consultant, Hawes, Hill & Associates, LLP and our representative, Scott Bean, has been working with Will Benson on creating TPID 8 in Tomball. A description of the PID is attached for your review.

Both Scott Bean and Will Benson will be attending the meeting and will be available for any questions regarding TPID 8 - Timber Trail Subdivision.

Origination:

Finance

Recommendation:

Conduct Public Hearing

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

Doris Speer - City Secretary

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

ATTACHMENTS:

Summary and Description of TPID 8 - Timber Trail Subdivision

Notice of Public Hearing regarding TPID 8 - Timber Trail Subdivision

**Council Item Information Sheet - Proposed Public Improvement District (PID) Number Eight
(Proposed Timber Trail Subdivision)**

Council Action Requested

It is requested that City Council hold a public hearing on November 5th to approve the proposed PID through adoption of the findings and creation resolutions. A development agreement between the City and Developer will also be presented for consideration. The development agreement describes the terms of the PID and the reimbursement of public infrastructure costs.

Area

Public Improvement District Number Eight would be approximately 23.6 acres representing the entirety of the proposed Timber Trail Subdivision, a subdivision that will be developed in one (1) section containing 104 lots. The land is located off of E. Hufsmith as shown on the attached map.

Purpose

The purpose of the PID is to assist the developer with public infrastructure costs. Through the PID, the developer will recover certain costs through an assessment on each lot. This arrangement is similar to a municipal utility district (MUD) and the MUD tax used for the same purpose.

Assessment Rate

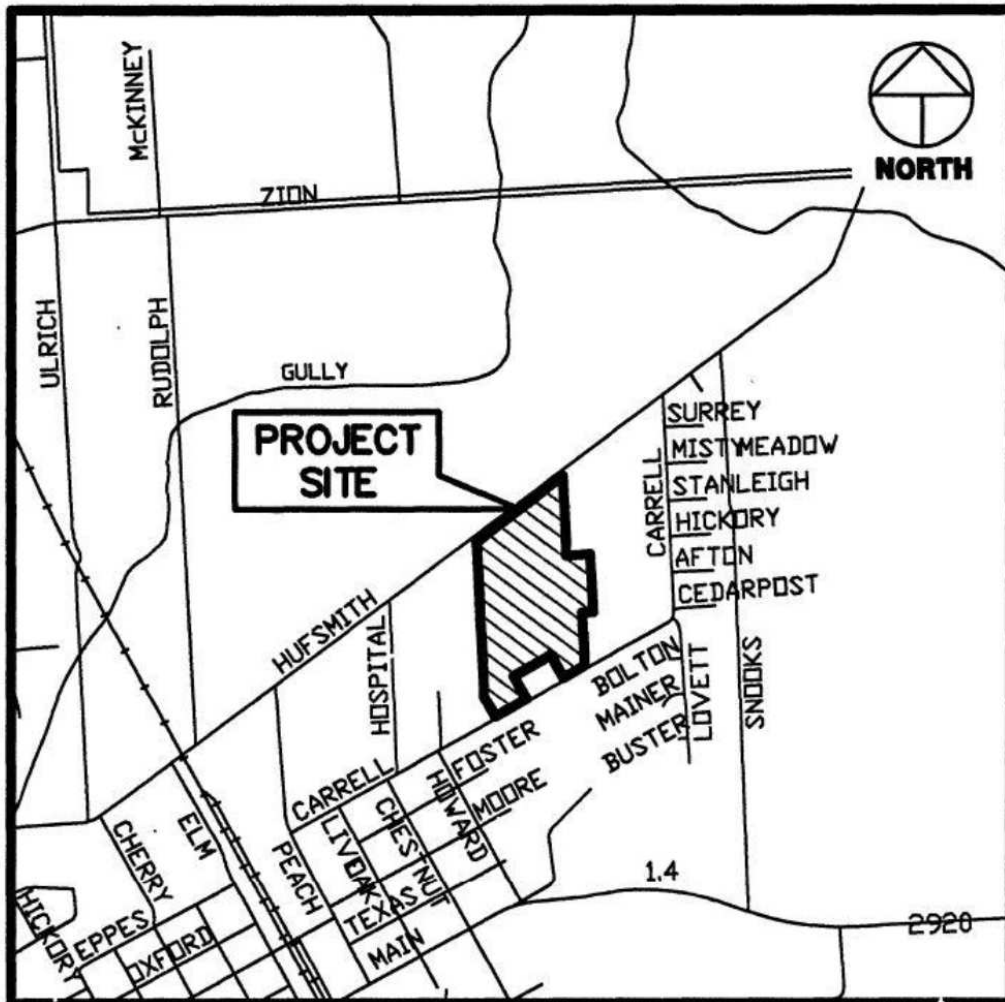
The PID assessment is expected to be approximately \$2,096 per lot per year, or the equivalent of a 79-cent tax rate on a \$265,000 home. Included in the annual payment are financing and interest costs allowing for a level annual payment over the proposed fifteen (15) year term of the PID. The principal amount of the assessment is payable at any time by the homeowners which would terminate the assessment, and an amortization schedule will be kept for each property covered by the assessment to track annual payments and the outstanding principal balance.

Disclosure

Proper disclosure notices detailing the assessment will be presented to potential homebuyers by the builders, and for acknowledgement at closing in the same manner as disclosure notices used in MUDs and other special districts with an ad valorem tax rate.

Future Actions

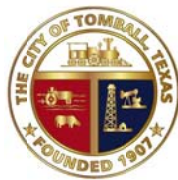
If created, the PID would still need City Council approval of the Service and Assessment Plan and all Assessment Rolls (i.e. no assessments can be implemented without City Council approval). The District Administrator will write the Service and Assessment Plans and formulate the Assessment Rolls for consideration by City Council. The District Administrator will work with the City and the Harris County Tax Assessor to have the assessments placed on the County tax bills. The PID assessments will be collected on an annual basis in the same manner as property taxes and transferred to a City-established PID revenue fund.



CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL, TEXAS

MONDAY, NOVEMBER 5, 2018



6:00 P.M.

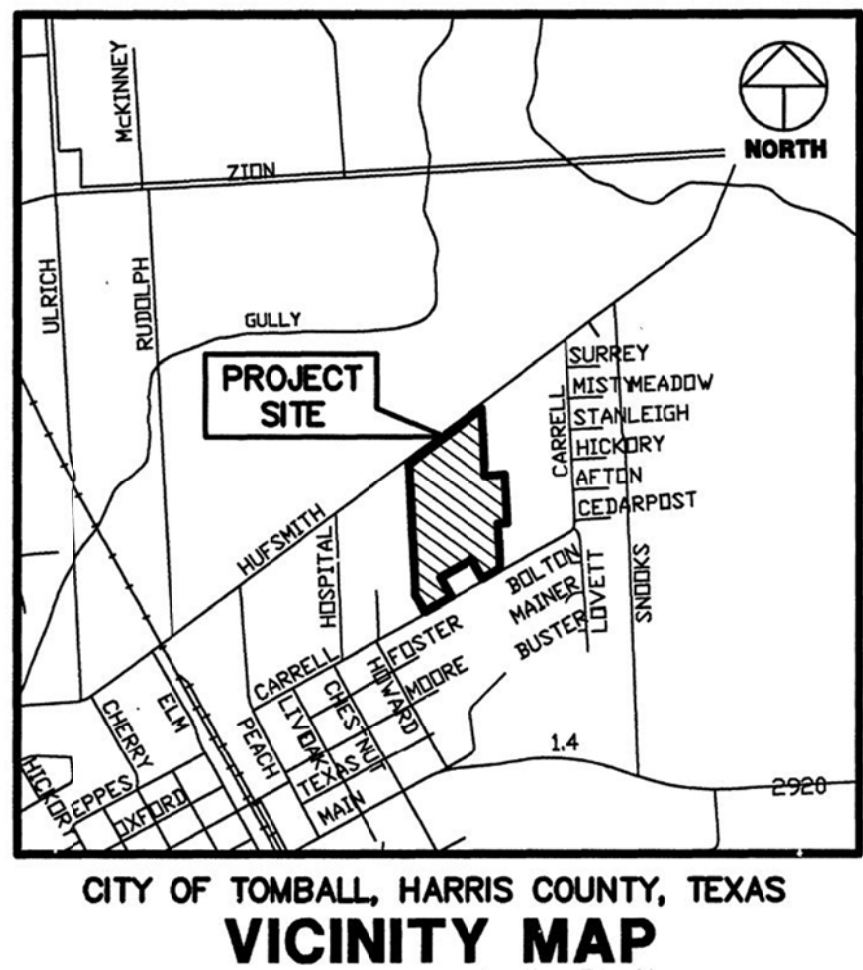
NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF TOMBALL TO
CONSIDER THE ADVISABILITY OF THE CREATION OF A PUBLIC IMPROVEMENT
DISTRICT TO MAKE CERTAIN IMPROVEMENTS OVER CERTAIN PROPERTY LOCATED
WITHIN THE CORPORATE LIMITS OF THE CITY OF TOMBALL.

In accordance with Chapter 372.005 Local Government Code, the City Secretary has received petitions that request the establishment of a public improvement district (PID). The petitions and a legal description of the property are on file and open for public inspection in the office of City Secretary. A Public Hearing on the advisability of the improvements will be held by the City Council as follows:

DATE & TIME: Monday, November 5, 2018, 6:00 p.m.
PLACE: City Council Chambers, 401 Market Street, Tomball, Texas 77375

GENERAL NATURE OF THE IMPROVEMENTS: The improvements are the construction of public utilities (water, sewer, gas & drainage), paving, landscaping, signage, and other public amenities, and related improvements within the PID. The estimated costs of the improvements, including financing, are \$3,200,000.00 over the life of the PID. The proposed method of assessment is by value, per lot, or per square foot of benefited property. The proposed apportionment of cost is 100% to the PID and 0% to the municipality as a whole.

BOUNDARIES: The boundaries of the proposed Public Improvement District are described in the below map. A full metes and bounds description is on file and open for public inspection in the office of the City Secretary.



Written and oral objections will be considered at the hearing. All interested persons are hereby notified of the described hearing, and of their right to appear and be heard on the matter.

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 11th day of October 2018 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meetings.

Doris Speer
Doris Speer
City Secretary, TRMC, MMC

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Resolution No. 2018-28, a Resolution Making Findings in Connection with the Proposed Public Improvement District Number Eight, 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 8 - Timber Trail Subdivision)

Background:

Resolution 2018-28, once adopted, will approve the advisability of the improvements, the nature of the improvements, the estimated costs of the improvements, the boundaries of the proposed district, the method of the assessment, the apportionment of cost between the district and the city and making other findings for TPID 8 - Timber Trail

Origination:

Finance

Recommendation:

Approve Resolution 2018-28

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

Doris Speer, City Secretary

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

ATTACHMENTS:

Resolution No. 2018-28 - TPID 8 - Timber Trail Subdivision - Findings

CITY OF TOMBALL RESOLUTION NO. 2018-28

A RESOLUTION MAKING FINDINGS IN CONNECTION WITH THE PROPOSED PUBLIC IMPROVEMENT DISTRICT NUMBER EIGHT 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 8 – TIMBER TRAIL SUBDIVISION)

* * * * *

WHEREAS, the City of Tomball City Council is authorized to create a public improvement district pursuant to Ch. 372 of the Texas Local government Code (the “Code”) for the purpose described therein, and the City has received a petition from certain landowners within the City requesting the creation of a public improvement district; and

WHEREAS, notice of a public hearing to consider the advisability of establishing the proposed district was published in *The Houston Community Newspaper/The Tomball Potpourri*, a local newspaper of general circulation on October 17, 2018; the place, City Council Chambers, Tomball, Texas, the general nature of the proposed improvements; the boundaries of the proposed district; and the proposed method of assessment; and the proposed apportionment of cost between the district and the City as a whole; and

WHEREAS, written notice of the public hearing to consider advisability of establishing the district was sent timely to the current address, so reflected on the tax rolls, of the owners of property subject to assessment under the proposed district; and

WHEREAS, the public hearing was held with all interested parties having been given the opportunity to be heard; NOW, THEREFORE,

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

Section 1. The City Council, having duly considered the petition submitted by property owners in the proposed district and the comments of those who made presentations at the public hearing on November 5, 2018, hereby finds as follows:

- (1) It will promote the interests of the City to create the Public Improvement District Number Eight (the “District”) under the provisions of Chapter 372, Texas Local Government Code for the purposes herein described.
- (2) It is advisable that the proposed improvement project be provided in the District and the City exercise the powers granted by Chapter 372, Texas Local Government Code, in connection with the establishment of the District, including the carrying out of the improvement project described below that will confer special benefits on property in the

District and to levy and collect a special assessment on property in the District, based on the benefit conferred by such project, to pay all of the costs of such improvements.

- (3) The general nature of the public improvements in the District is set forth below.
 - (a) The improvements include engineering and construction of water, wastewater, gas, storm sewer facilities, detention, paving, common areas and amenities, and other improvements, creation and administration costs, and interest.
- (4) The estimated costs of the public improvements over the life of the PID are a total of \$3.2 million.
- (5) The boundaries of the District are fully described in Exhibit A and B attached hereto.
- (6) The proposed methods of assessment is as follows:
 - (a) The assessment for the Public Improvements is proposed to be by value, lot, or according to the square footage of property without regard to improvements on the property.
- (7) The proposed method of apportionment of the cost of the improvements between the District and the City as a whole is as follows:
 - (a) The District will bear 100 percent of the costs of the percentage of the Public Improvements that will be reimbursed by assessment on the property.

Section 2. This Resolution shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED this ____ day of _____, 2018.

Gretchen Fagan
Mayor

Attest:

DORIS SPEER
City Secretary

EXHIBIT A
DESCRIPTION OF
23.632 ACRES OR 1,029,412 SQ. FT.

A TRACT OR PARCEL CONTAINING 23.632 ACRES OR 1,029,412 SQUARE FEET OF LAND, BEING OUT OF A CALLED 25.7329 ACRE TRACT OF LAND CONVEYED TO JAYANTI K. PATEL, AS RECORDED UNDER HARRIS COUNTY CLERK FILE (H.C.C.F.) NUMBER (NO.) 20080549943, BEING A PORTION OF LOTS 82, 78, 79, 75, 96, 95, 94, AND 93 OF FIVE ACRE TRACTS TOM BALL TOWNSITE, MAP OR PLAT THEREOF RECORDED UNDER VOLUME (VOL.) 2, PAGE (PG.) 65, OF THE HARRIS COUNTY MAP RECORDS (H.C.M.R.), SITUATED IN THE RALPH HUBBARD SURVEY, ABSTRACT NO. 383, HARRIS COUNTY, TEXAS, WITH SAID TRACT 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 1/2 INCH IRON ROD FOUND ON THE NORTHWEST RIGHT OF WAY (R.O.W.) LINE OF CARRELL STREET, 60 FEET WIDE, FOR THE SOUTHWEST CORNER OF A CALLED 2.775 ACRE TRACT OF LAND CONVEYED TO WILLIAM DOCK ADAMS, AS RECORDED UNDER H.C.C.F. NO. 20100137241, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 61 DEG. 42 MIN. 47 SEC. WEST, ALONG THE NORTHWEST R.O.W. LINE OF SAID CARRELL STREET, A DISTANCE OF 194.36 FEET TO A CAPPED 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A CALLED 1.6116 ACRE TRACT CONVEYED TO JOSE BARAJAS, AS RECORDED UNDER H.C.C.F. NO. Y732741, AND A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 28 DEG. 13 MIN. 32 SEC. WEST, ALONG THE NORTHEAST LINE OF SAID CALLED 1.6116 ACRE TRACT, A DISTANCE OF 208.00 FEET TO A CAPPED 5/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID CALLED 1.6116 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 61 DEG. 42 MIN. 47 SEC. WEST, ALONG THE NORTHWEST LINE OF SAID CALLED 1.6116 ACRE TRACT, PASSING AT A DISTANCE OF 337.50 FEET A CAPPED 1/2 INCH IRON ROD STAMPED "WEST STAR" FOUND FOR THE NORTHWEST CORNER OF SAID CALLED 1.6116 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 427.04 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 29 DEG. 38 MIN. 31 SEC. WEST, A DISTANCE OF 345.09 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE EAST LINE OF A CALLED 70 FEET WIDE STRIP OF LAND CONVEYED TO HARRIS COUNTY FLOOD CONTROL DISTRICT, AS RECORDED UNDER H.C.C.F. NO. B258990, FOR A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 01 DEG. 23 MIN. 20 SEC. WEST, ALONG THE EAST LINE OF SAID CALLED 70 FEET WIDE STRIP OF LAND, A DISTANCE OF 812.86 FEET TO A 5/8 INCH IRON ROD FOUND ON THE SOUTHEAST R.O.W. LINE OF HUFFSMITH ROAD, CALLED 50 FEET WIDE, FOR THE NORTHEAST CORNER OF SAID CALLED 70 FEET WIDE STRIP OF LAND, AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 53 DEG. 38 MIN. 53 SEC. EAST, ALONG THE SOUTHEAST R.O.W. LINE OF SAID HUFFSMITH ROAD, A DISTANCE OF 866.89 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "A&B RPLS 5685" FOR THE NORTHWEST CORNER OF A CALLED 3.0832 ACRE TRACT CONVEYED TO FRANK HARVEY METZLER, AS RECORDED UNDER H.C.C.F. NO. 20120329200, AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 23 MIN. 55 SEC. EAST, ALONG THE WEST LINE OF SAID CALLED 3.0832 ACRE TRACT, A DISTANCE OF 638.91 FEET TO A CAPPED 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID CALLED 3.0832 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

EXHIBIT A

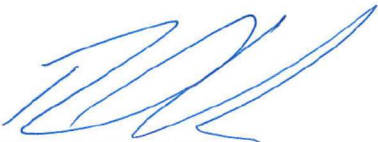
THENCE, NORTH 87 DEG. 46 MIN. 08 SEC. EAST, ALONG THE SOUTH LINE OF SAID CALLED 3.0832 ACRE TRACT, A DISTANCE OF 189.75 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE WEST LINE OF A CALLED 12.707 ACRE TRACT CONVEYED TO TOMBALL GRAND JUNCTION, LLC, AS RECORDED UNDER H.C.C.F. NO. RP-2018-247147, FOR THE SOUTHEAST CORNER OF SAID CALLED 3.0832 ACRE TRACT, AND THE MOST EASTERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A CAPPED 5/8 INCH IRON ROD STAMPED "A&B RPLS 5685" BEARS NORTH 87 DEG. 48 MIN. 18 SEC. EAST, 0.42 FEET;

THENCE, SOUTH 01 DEG. 23 MIN. 33 SEC. EAST, ALONG THE WEST LINE OF SAID CALLED 12.707 ACRE TRACT, A DISTANCE OF 122.27 FEET TO A 1/2 INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID CALLED 12.707 ACRE TRACT, THE MOST NORTHERLY NORTHWEST CORNER OF AFORESAID CALLED 2.775 ACRE TRACT, AND AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 28 MIN. 47 SEC. EAST, ALONG A WEST LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 337.40 FEET TO A 3/4 INCH IRON PIPE FOUND FOR AN INTERIOR CORNER OF SAID CALLED 2.775 ACRE TRACT, AND THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 54 MIN. 18 SEC. WEST, ALONG A NORTH LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 89.29 FEET TO A 3/4 INCH IRON ROD FOUND FOR THE MOST WESTERLY NORTHWEST CORNER OF SAID CALLED 2.775 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

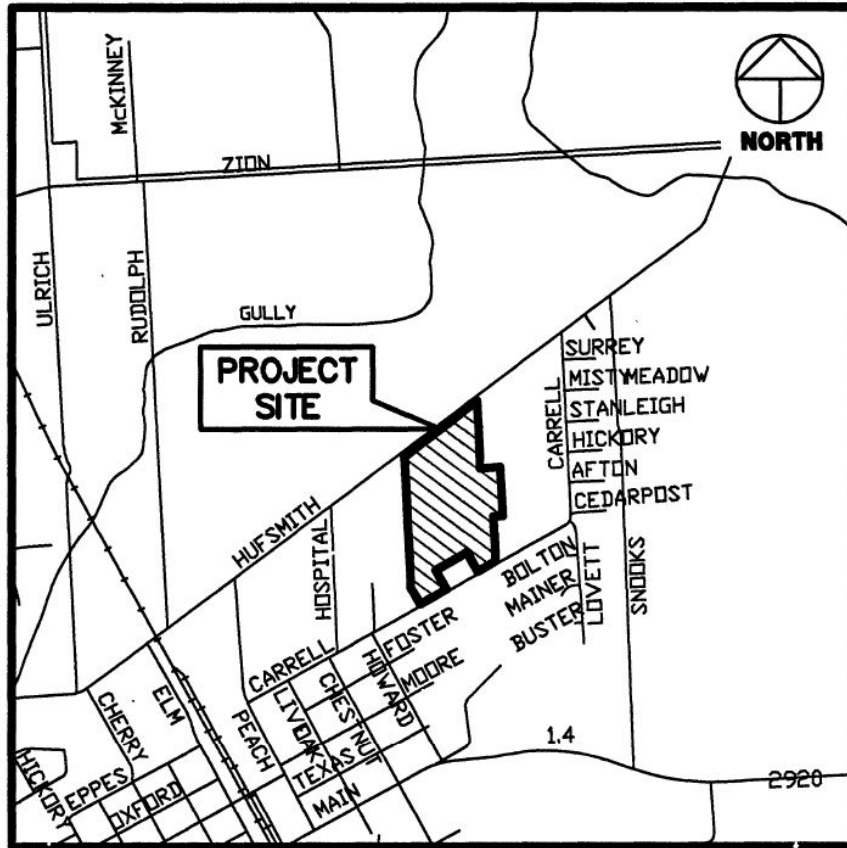
THENCE, SOUTH 01 DEG. 22 MIN. 26 SEC. EAST, ALONG A WEST LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 421.17 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 23.632 ACRES OR 1,029,412 SQUARE FEET OF LAND.


ROBERT KNESS
R.P.L.S. NO. 6486
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



10-15-2018
DATE

EXHIBIT B



CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP

Regular City Council
Agenda Item
Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Resolution No. 2018-29, a Resolution Authorizing the Establishment of the Public Improvement District Number Eight 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 (TPID 8 - Timber Trail Subdivision)

Background:

This Resolution, if approved, will establish Public Improvement District Number Eight (Timber Trail) in the City of Tomball, authorize publication of the resolution, and provide for the Service and Assessment Plan.

Origination:

Finance

Recommendation:

Approve Resolution 2018-29

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

Doris Speer, City Secretary

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

ATTACHMENTS:

Resolution No. 2018-29 - TPID 8 - Timber Trail - Creation
Summary and Description of TPID 8 - Timber Trail

CITY OF TOMBALL RESOLUTION NO. 2018-29

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE PUBLIC IMPROVEMENT DISTRICT NUMBER EIGHT 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 (TPID 8 – TIMBER TRAIL SUBDIVISION)

* * * * *

WHEREAS, the City of Tomball City Council is authorized to create a public improvement district pursuant to Ch. 372 of the Texas Local Government Code (the “Code”) for the purpose described therein, and the City has received a petition from certain landowners within the City requesting the creation of a public improvement district; and

WHEREAS, the City Council held a public hearing on November 5, 2018, notice of which was published and mailed to property owners of the proposed district pursuant to Section 372.009 of the Code; and

WHEREAS, the City Council has made findings by resolution as to the advisability of the proposed improvement project, the nature of the improvements, the boundaries of the proposed public improvement district, the estimated cost, the method of assessment and the apportionment of cost between the improvement district and the City as a whole, as required by Chapter 372 of the Code; and

WHEREAS, the City Council has determined that it should proceed with the creation of the Public Improvement District Number Eight and the provision of public improvements proposed to be provided thereby; NOW, THEREFORE,

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

Section 1. The facts recited in the preamble hereto are hereby found to be true and correct.

Section 2. The Public Improvement District Number Eight (the “District”) is authorized to be and is hereby established as a public improvement district under the provisions of Chapter 372 of the Code over the land currently included within the boundaries of the City of Tomball, Texas, as more fully described in Exhibit A attached hereto, all in accordance with the findings made by the City Council in Section 1 of Resolution No. 2018-28, passed and approved on November 5, 2018.

Section 3. The City Secretary is hereby directed to give notice of the authorization for establishment of the District by publishing the resolution once in at least one local newspaper

of general circulation in the City. The authorization and establishment of the District shall be deemed to be effective upon the publication of the notice directed by this section.

Section 4. The City Council hereby directs the District Administrator to prepare a service and assessment plan for review and approval of the City Council in accordance with Chapter 372 of the Code.

Section 5. The District shall not provide any improvements until at least 20 days after authorization of the District takes effect. Such services shall not begin if during such period a petition is filed pursuant to section 372.010(c) of the Code.

Section 6. This Resolution shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED this ____ day of _____ 2018.

Gretchen Fagan, Mayor

Attest:

DORIS SPEER, City Secretary

EXHIBIT A
DESCRIPTION OF
23.632 ACRES OR 1,029,412 SQ. FT.

A TRACT OR PARCEL CONTAINING 23.632 ACRES OR 1,029,412 SQUARE FEET OF LAND, BEING OUT OF A CALLED 25.7329 ACRE TRACT OF LAND CONVEYED TO JAYANTI K. PATEL, AS RECORDED UNDER HARRIS COUNTY CLERK FILE (H.C.C.F.) NUMBER (NO.) 20080549943, BEING A PORTION OF LOTS 82, 78, 79, 75, 96, 95, 94, AND 93 OF FIVE ACRE TRACTS TOM BALL TOWNSITE, MAP OR PLAT THEREOF RECORDED UNDER VOLUME (VOL.) 2, PAGE (PG.) 65, OF THE HARRIS COUNTY MAP RECORDS (H.C.M.R.), SITUATED IN THE RALPH HUBBARD SURVEY, ABSTRACT NO. 383, HARRIS COUNTY, TEXAS, WITH SAID TRACT 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 1/2 INCH IRON ROD FOUND ON THE NORTHWEST RIGHT OF WAY (R.O.W.) LINE OF CARRELL STREET, 60 FEET WIDE, FOR THE SOUTHWEST CORNER OF A CALLED 2.775 ACRE TRACT OF LAND CONVEYED TO WILLIAM DOCK ADAMS, AS RECORDED UNDER H.C.C.F. NO. 20100137241, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 61 DEG. 42 MIN. 47 SEC. WEST, ALONG THE NORTHWEST R.O.W. LINE OF SAID CARRELL STREET, A DISTANCE OF 194.36 FEET TO A CAPPED 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A CALLED 1.6116 ACRE TRACT CONVEYED TO JOSE BARAJAS, AS RECORDED UNDER H.C.C.F. NO. Y732741, AND A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 28 DEG. 13 MIN. 32 SEC. WEST, ALONG THE NORTHEAST LINE OF SAID CALLED 1.6116 ACRE TRACT, A DISTANCE OF 208.00 FEET TO A CAPPED 5/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID CALLED 1.6116 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 61 DEG. 42 MIN. 47 SEC. WEST, ALONG THE NORTHWEST LINE OF SAID CALLED 1.6116 ACRE TRACT, PASSING AT A DISTANCE OF 337.50 FEET A CAPPED 1/2 INCH IRON ROD STAMPED "WEST STAR" FOUND FOR THE NORTHWEST CORNER OF SAID CALLED 1.6116 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 427.04 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 29 DEG. 38 MIN. 31 SEC. WEST, A DISTANCE OF 345.09 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE EAST LINE OF A CALLED 70 FEET WIDE STRIP OF LAND CONVEYED TO HARRIS COUNTY FLOOD CONTROL DISTRICT, AS RECORDED UNDER H.C.C.F. NO. B258990, FOR A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 01 DEG. 23 MIN. 20 SEC. WEST, ALONG THE EAST LINE OF SAID CALLED 70 FEET WIDE STRIP OF LAND, A DISTANCE OF 812.86 FEET TO A 5/8 INCH IRON ROD FOUND ON THE SOUTHEAST R.O.W. LINE OF HUFFSMITH ROAD, CALLED 50 FEET WIDE, FOR THE NORTHEAST CORNER OF SAID CALLED 70 FEET WIDE STRIP OF LAND, AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 53 DEG. 38 MIN. 53 SEC. EAST, ALONG THE SOUTHEAST R.O.W. LINE OF SAID HUFFSMITH ROAD, A DISTANCE OF 866.89 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "A&B RPLS 5685" FOR THE NORTHWEST CORNER OF A CALLED 3.0832 ACRE TRACT CONVEYED TO FRANK HARVEY METZLER, AS RECORDED UNDER H.C.C.F. NO. 20120329200, AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 23 MIN. 55 SEC. EAST, ALONG THE WEST LINE OF SAID CALLED 3.0832 ACRE TRACT, A DISTANCE OF 638.91 FEET TO A CAPPED 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID CALLED 3.0832 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

EXHIBIT A

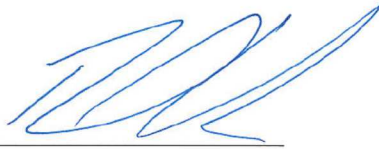
THENCE, NORTH 87 DEG. 46 MIN. 08 SEC. EAST, ALONG THE SOUTH LINE OF SAID CALLED 3.0832 ACRE TRACT, A DISTANCE OF 189.75 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE WEST LINE OF A CALLED 12.707 ACRE TRACT CONVEYED TO TOMBALL GRAND JUNCTION, LLC, AS RECORDED UNDER H.C.C.F. NO. RP-2018-247147, FOR THE SOUTHEAST CORNER OF SAID CALLED 3.0832 ACRE TRACT, AND THE MOST EASTERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A CAPPED 5/8 INCH IRON ROD STAMPED "A&B RPLS 5685" BEARS NORTH 87 DEG. 48 MIN. 18 SEC. EAST, 0.42 FEET;

THENCE, SOUTH 01 DEG. 23 MIN. 33 SEC. EAST, ALONG THE WEST LINE OF SAID CALLED 12.707 ACRE TRACT, A DISTANCE OF 122.27 FEET TO A 1/2 INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID CALLED 12.707 ACRE TRACT, THE MOST NORTHERLY NORTHWEST CORNER OF AFORESAID CALLED 2.775 ACRE TRACT, AND AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 28 MIN. 47 SEC. EAST, ALONG A WEST LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 337.40 FEET TO A 3/4 INCH IRON PIPE FOUND FOR AN INTERIOR CORNER OF SAID CALLED 2.775 ACRE TRACT, AND THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 54 MIN. 18 SEC. WEST, ALONG A NORTH LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 89.29 FEET TO A 3/4 INCH IRON ROD FOUND FOR THE MOST WESTERLY NORTHWEST CORNER OF SAID CALLED 2.775 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 22 MIN. 26 SEC. EAST, ALONG A WEST LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 421.17 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 23.632 ACRES OR 1,029,412 SQUARE FEET OF LAND.



ROBERT KNESS
R.P.L.S. NO. 6486
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



10-15-2018
DATE

**Council Item Information Sheet - Proposed Public Improvement District (PID) Number Eight
(Proposed Timber Trail Subdivision)**

Council Action Requested

It is requested that City Council hold a public hearing on November 5th to approve the proposed PID through adoption of the findings and creation resolutions. A development agreement between the City and Developer will also be presented for consideration. The development agreement describes the terms of the PID and the reimbursement of public infrastructure costs.

Area

Public Improvement District Number Eight would be approximately 23.6 acres representing the entirety of the proposed Timber Trail Subdivision, a subdivision that will be developed in one (1) section containing 104 lots. The land is located off of E. Hufsmith as shown on the attached map.

Purpose

The purpose of the PID is to assist the developer with public infrastructure costs. Through the PID, the developer will recover certain costs through an assessment on each lot. This arrangement is similar to a municipal utility district (MUD) and the MUD tax used for the same purpose.

Assessment Rate

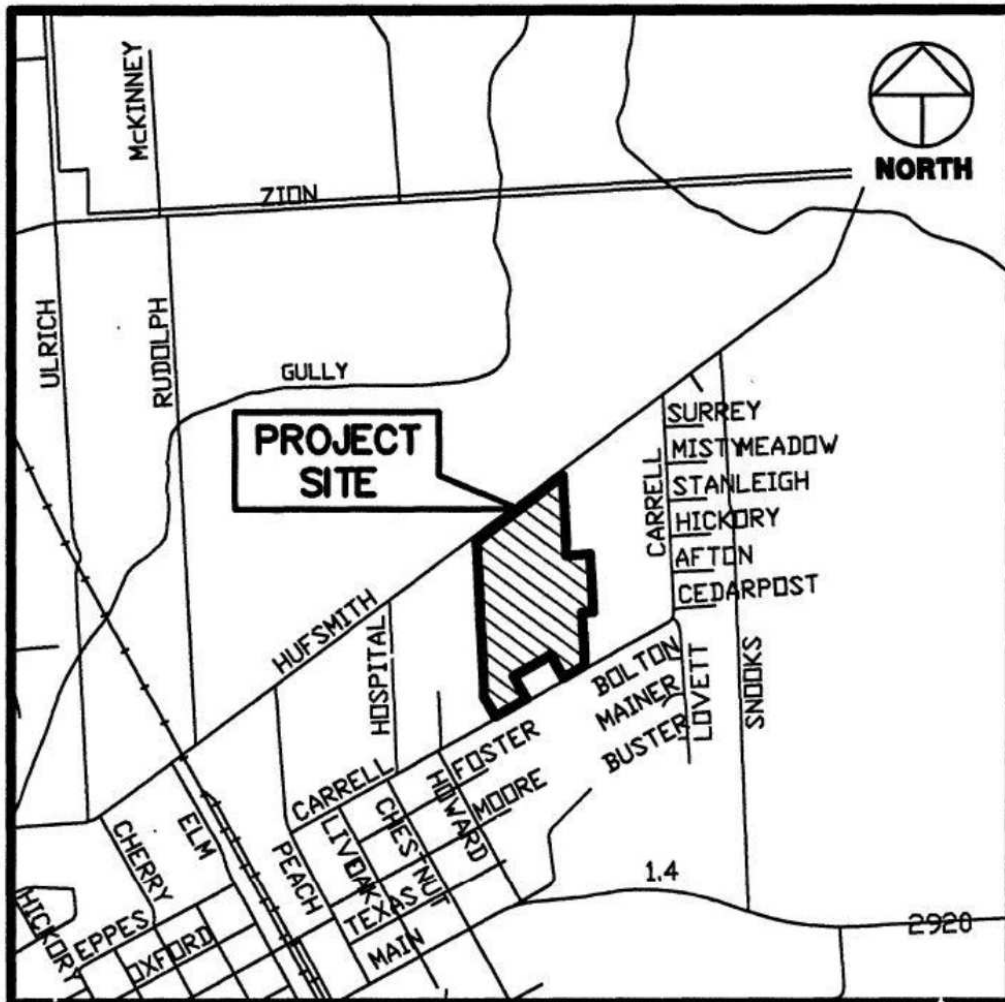
The PID assessment is expected to be approximately \$2,096 per lot per year, or the equivalent of a 79-cent tax rate on a \$265,000 home. Included in the annual payment are financing and interest costs allowing for a level annual payment over the proposed fifteen (15) year term of the PID. The principal amount of the assessment is payable at any time by the homeowners which would terminate the assessment, and an amortization schedule will be kept for each property covered by the assessment to track annual payments and the outstanding principal balance.

Disclosure

Proper disclosure notices detailing the assessment will be presented to potential homebuyers by the builders, and for acknowledgement at closing in the same manner as disclosure notices used in MUDs and other special districts with an ad valorem tax rate.

Future Actions

If created, the PID would still need City Council approval of the Service and Assessment Plan and all Assessment Rolls (i.e. no assessments can be implemented without City Council approval). The District Administrator will write the Service and Assessment Plans and formulate the Assessment Rolls for consideration by City Council. The District Administrator will work with the City and the Harris County Tax Assessor to have the assessments placed on the County tax bills. The PID assessments will be collected on an annual basis in the same manner as property taxes and transferred to a City-established PID revenue fund.



CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP

Regular City Council
Agenda Item
Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Development Agreement between the City of Tomball and Tomball Grand Junction, LLC for the Construction of Improvements in Tomball Public Improvement District Number Eight (TPID 8), Timber Trail Subdivision

Background:

This item, if approved, will approve the Development Agreement between the City of Tomball and Tomball Timber Trails, LLC.

Origination:

Finance

Recommendation:

Approve Development Agreement

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

Doris Speer, City Secretary

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

ATTACHMENTS:

TPID 8 - Development Agreement - COT and Tomball Timber Trails

DEVELOPMENT AGREEMENT

This Development Agreement (this “*Agreement*”) is made as of _____, 2018, by and between the **CITY OF TOMBALL**, a municipal corporation and a home-rule city in the State of Texas (the “*City*”), and Tomball Timber Trails, LLC a Texas limited liability company (the “*Developer*”).

RECITALS

WHEREAS, in accordance with the provisions of Chapter 372, TEX. LOCAL GOV’T CODE, and Resolution No. 2018-29, the City Council of the City of Tomball created the Public Improvement District Number Eight (the “*PID*”) pursuant to the petition for creation from the owner thereof; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City and the land within the PID to finance the construction of certain PID Improvements (defined below) and that an assessment against the benefited property within the PID should be made; and

WHEREAS, the Developer is the owner of certain property within the PID described in Exhibit A and B, and wishes to finance and construct certain PID projects; and

WHEREAS, the Developer intends to assist the City in the financing and construction of the PID Improvements, in exchange for the City’s agreement to reimburse the Developer in accordance with the terms of this Agreement; now, therefore,

AGREEMENT

For and in consideration of the mutual promises, covenants, obligations, and benefits of this Agreement, the Developer contract and agree as follows:

ARTICLE 1 GENERAL TERMS

1.01 Definitions. The terms “*Agreement*,” “*City*,” “*Developer*,” “*PID*,” and “*PID Agreement*” have the meanings set forth in the preamble hereof, and the following terms shall have the meanings provided below, unless otherwise defined or the context clearly requires otherwise. For purposes of this Agreement, the words “shall” and “will” are mandatory, and the word “may” is permissive.

Act shall mean the Public Improvement District Assessment Act, Chapter 372, TEX. LOCAL GOV’T CODE, as amended.

Assessments shall mean assessments levied and collected in connection with the PID pursuant to the Act and the Plan, and deposited by the City into a PID Revenue Fund.

Developer Advances shall mean any funds advanced by the Developer pursuant to **Section 5.01**, and shall include any interest payable thereon.

Net Assessments shall mean the annual deposits of the Assessments into the PID Revenue Fund, less amounts reasonably required or anticipated to be required for the administration and operation of the PID in carrying out its responsibilities hereunder, including a reasonable operating reserve.

Parties or *Party* shall mean the City, and the Developer as parties to this Agreement.

PID Improvements shall mean the improvements described in **Article 3** hereof.

PID Revenue Fund shall mean the special fund established by the City and funded with payments made to the City pursuant to the PID.

Plan shall mean the final Service and Assessment Plan for the PID as approved by City Council in accordance with the Act.

Project shall mean the residential development within the PID projected to be carried out by the Developer described on Exhibit B.

1.02 Singular and plural; gender. Words used herein in the singular, where the context so permits, also include the plural and vice versa. The definitions of words in the singular herein also apply to such words when used in the plural where the context so permits and vice versa. Likewise, any masculine references shall include the feminine, and vice versa.

ARTICLE 2 REPRESENTATIONS

2.01 Representations of the City. The City hereby represents that:

a. The City is duly authorized and is qualified to do business in the State of Texas and is duly qualified to do business wherever necessary to carry on the operations contemplated by this Agreement.

b. The City has the power, authority and legal right to enter into and perform its obligations set forth in this Agreement, and the execution, delivery and performance hereof, (i) have been duly authorized, (ii) will not, to the best of its knowledge, violate any judgment, order, law or regulation applicable to the City, and (iii) does not constitute a default under or result in the creation of, any lien, charge, encumbrance or security interest upon any assets of the City under any agreement or instrument to which the City is a party or by which the City or its assets may be bound or affected.

c. This Agreement has been duly authorized, executed and delivered and constitutes a legal, valid and binding obligation of the City, enforceable in accordance with its terms.

2.02. Representations of the Developer. The Developer hereby represents that:

a. The Developer is duly authorized, created and existing under the laws of the State of Texas, is qualified to do business in the State of Texas and is duly qualified to do business wherever necessary to carry on the operations contemplated by this Agreement.

b. The Developer has the power, authority and legal right to enter into and perform its obligations set forth in this Agreement, and the execution, delivery and performance hereof, (i) have been duly authorized, (ii) will not, to the best of its knowledge, violate any judgment, order, law or regulation applicable to the Developer or any provisions of the Developer's organizational documents, and (iii) does not constitute a default under or result in the creation of, any lien, charge, encumbrance or security interest upon any assets of the Developer under any agreement or instrument to which the Developer is a party or by which the Developer or its assets may be bound or affected.

c. The Developer has sufficient capital to perform its obligations under this Agreement and will commence construction of the Project within eighteen (18) months of execution of this Agreement.

d. This Agreement has been duly authorized, executed and delivered and constitutes a legal, valid and binding obligation of the Developer, enforceable in accordance with its terms.

ARTICLE 3 THE PLAN AND PID IMPROVEMENTS

3.01 The PID Improvements. The PID Improvements are intended to enhance the proposed implementation of a development within the PID constituting the Project, as more fully described in the Plan.

3.02 PID Improvements description. The PID Improvements consist of acquisition, construction and development of the public improvements within the portion of the PID comprising the Project, as more fully described in Exhibit C, and as described in the Plan. The PID Improvements will be developed pursuant to a schedule consistent with the pace of development of the Project that is mutually agreeable to the Parties. The PID Improvements shall include all engineering, legal and other consultant fees and expenses related to such PID Improvements. The Developer shall be entitled to reimbursement of the project costs described in Exhibit C subject to the limitations contained in Section 3.03 of this agreement.

3.03 General terms of the Plan. The Plan has not yet been adopted by the City. The Parties anticipate that the Plan, at a minimum, will include the PID Improvements described above to serve the land within the PID, and such other facilities as may be agreed upon by the Parties, and that the Assessments shall be assessed in phases to affect only the portions of the PID directly benefited by the PID improvements to be financed by each Assessment. The Assessments shall be based upon the agreed-upon estimated costs of the Public Improvements as reflected in Exhibit C, plus those related costs as deemed reimbursable by the City; however, the Assessments in the Plan shall be formulated in a manner that generally conforms to the equivalent of a \$0.75 tax rate for properties covered by the Plan on a project-wide basis, and a maximum fifteen (15) year payment term for each property covered by the Plan.

3.04. Additional Projects. This Agreement does not apply to any projects not specifically included in the Plan and defined herein unless this Agreement is amended to provide for the design and construction of such additional projects.

ARTICLE 4

DUTIES AND RESPONSIBILITIES OF THE DEVELOPER

4.01 Construction manager. The Developer agrees to construct the PID Improvements and to provide and furnish, or cause to be provided and furnished, all materials and services as and when required in connection with the construction of the PID Improvements. The Developer will obtain all necessary permits and approvals from the City and all other governmental officials and agencies having jurisdiction, provide supervision of all phases of construction of the PID Improvements, provide periodic reports of such construction to the City upon request, and cause the construction to be performed in accordance with the Plan.

4.02 Design of the PID Improvements. The Developer shall prepare or cause to be prepared the plans and specifications for the PID Improvements. Prior to the commencement of construction or implementation of the PID Improvements, the plans and specifications must be approved by the City. The PID Improvements shall be designed in accordance with City standards applicable to similar public improvements within the City.

4.03 Construction contracts. The Developer shall prepare the PID Improvements construction contract documents to ensure that the contract documents are in accordance with the approved plans and specifications. The Developer shall comply with all laws and regulations regarding the bidding and construction of public improvements applicable to similar facilities constructed by the City, including without limitation any applicable requirement relating to payment, performance and maintenance bonds.

4.04. Construction and implementation of the PID Improvements. The Developer shall be responsible for the inspection and supervision of the construction and implementation of the PID Improvements.

a. The Developer shall commence construction of the PID Improvements in a timely fashion to coincide with the expected development of the Project.

b. Upon completion of a contract for the construction of the PID Improvements, the Developer shall provide the City with a final summary of all costs associated with such contract, and show that all amounts owing to contractors and subcontractors have been paid in full evidenced by customary affidavits executed by such contractors. Following completion of a construction contract, the Developer will call for inspection of the applicable PID Improvements by the City, and upon approval thereof as being in compliance with City standards relating thereto, the PID Improvements will be conveyed to the City, subject only to the right to reimbursement for Developer Advances with respect thereto.

ARTICLE 5 PROJECT FINANCING AND FUNDING

5.01. The Developer Advances.

a. In connection with the construction of the PID Improvements the Developer has determined are required to be constructed to serve the Project, the Developer agrees to provide sufficient funds as such become due for all costs thereof (the “Developer Advances”), such as costs of design, engineering, materials, labor, construction, and inspection fees arising in connection with the PID Improvements, including all payments arising under any contracts entered into pursuant to this Agreement.

b. Interest on each Developer Advance shall accrue at a rate one-half of one percent above the highest average interest rate reported by *The Bond Buyer* newspaper in a weekly bond index in the month before the date of this agreement, compounded annually, whether such costs, fees, or expenses are paid or incurred before or after the effective date of this Agreement. The interest rate shall not exceed eight percent (8%). Interest shall be calculated on the basis of a year of 360 days and the actual days elapsed (including the first day but excluding the last day) occurring in the period for which such interest is payable, unless such calculation would result in a usurious rate, in which case interest shall be calculated on the per annum basis of a year of 365 or 366 days, as applicable, and the actual days elapsed (including the first day but excluding the last day).

5.02. Repayment of Developer Advances.

a. In consideration of the development and construction of the PID Improvements, the City shall begin repaying the Developer Advances, and shall continue such repayment until repaid in full, on the earliest date that funds are available from the following source, and solely from such source:

- (i) the Net Assessments, subject to the limitations set forth in **subsection (c)**.

b. The City shall reimburse the Developer for Developer Advances, plus interest, from Net Assessments from the Project accumulated in the PID Revenue Fund available in accordance with the priorities described in **Section 5.03** below.

c. At such time as funds are available to pay all or any portion of the Developer Advances made hereunder, the City shall hire a certified public accountant at the Developer’s expense to calculate the amount due the Developer and prepare and submit a report to the City certifying the amount due the Developer for the Developer Advances being repaid with interest calculated thereon. Such report shall be approved at the earliest practicable time, but not later than 90 days after submission by the Developer of the records required therefor. The City shall make payment to the Developer within 30 days of approval of the accountant’s report.

5.03. Priorities. Amounts deposited in the PID Revenue Fund shall be applied in the following order of priority (i) administrative and operating costs of the PID, (ii) payments to the Developer pursuant to **Section 5.02**, above.

ARTICLE 6 DEFAULT

6.01. Default.

a. If the City does not perform its obligations hereunder in substantial compliance with this Agreement, in addition to the other rights given the Developer under this Agreement, the Developer may enforce specific performance of this Agreement or seek actual damages incurred by the Developer for any such default.

b. If the Developer fails to commence or complete the PID Improvements or the Project in accordance with the terms of this Agreement, including the failure to fund Developer Advances or commence construction of the Project within eighteen (18) months, the City may terminate this Agreement with respect to its obligations to the Developer and shall be relieved of any obligation to reimburse the Developer for any Developer Advances or seek actual damages incurred for any such default.

c. The Party alleging default shall provide written notice to the other party of such default, and the defaulting party shall have 60 days to remedy the default prior to the declaration of any default hereunder.

ARTICLE 7 GENERAL

7.01. Inspections, audits. The Developer agrees to keep such operating records with respect to the PID Improvements and other activities contemplated by this Agreement and all costs associated therewith as may be required by the City, or by State and federal law or regulation. The Developer shall allow the City access to, and the City shall have a right at all reasonable times to audit, all documents and records in the Developer's possession, custody or control relating to the PID Improvements that the City deems necessary to assist the City in determining the Developer's compliance with this Agreement.

7.02 Developer operations and employees. All personnel supplied or used by the Developer in the performance of this Agreement shall be deemed contractors or subcontractors of the Developer and will not be considered employees, agents, contractors or subcontractors of the City for any purpose whatsoever. The Developer shall be solely responsible for the compensation of all such contractors and subcontractors.

7.03 Personal liability of public officials, legal relations. To the extent permitted by State law, no director, officer, employee or agent of the City shall be personally responsible for any liability arising under or growing out of the Agreement. THE DEVELOPER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS RESPECTIVE OFFICERS, REPRESENTATIVES, AND AGENTS FROM ALL SUITS, ACTIONS, OR CLAIMS OF ANY CHARACTER BROUGHT FOR OR ON ACCOUNT OF ANY

INJURIES OR DAMAGES RECEIVED BY ANY PERSON, PERSONS, OR PROPERTY RESULTING FROM THE NEGLIGENT ACTS OF THE DEVELOPER, OR ANY OF ITS AGENTS, OFFICERS, OR REPRESENTATIVES IN PERFORMING ANY OF THE SERVICES AND ACTIVITIES UNDER THIS AGREEMENT.

7.04 Notices. Any notice sent under this Agreement (except as otherwise expressly required) shall be written and mailed, or sent by electronic or facsimile transmission confirmed by mailing written confirmation at substantially the same time as such electronic or facsimile transmission, or personally delivered to an officer of the receiving party at the following addresses:

City of Tomball
c/o City Manager
401 Market Street
Tomball, Texas 77375

PID Contract Administrator
Hawes Hill Calderon, LLP
P.O. Box 22167
Houston, Texas 77092
Attn: Scott Bean

Tomball Timber Trails, LLC
PO BOX 2331
Tomball, TX 77377

Each party may change its address by written notice in accordance with this section. Any communication addressed and mailed in accordance with this section shall be deemed to be given when so mailed, any notice so sent by electronic or facsimile transmission shall be deemed to be given when receipt of such transmission is acknowledged, and any communication so delivered in person shall be deemed to be given when receipted for by, or actually received by the City, or the Developer, as the case may be.

7.05 Amendments and waivers. Any provision of this Agreement may be amended or waived if such amendment or waiver is in writing and is signed by the City and the Developer. No course of dealing on the part of the Parties, nor any failure or delay by one or more of the Parties, with respect to exercising any right, power or privilege under this Agreement shall operate as a waiver thereof, except as otherwise provided in this section.

7.06 Invalidity. In the event that any of the provisions contained in this Agreement shall be held unenforceable in any respect, such unenforceability shall not affect any other provision of this Agreement.

7.07 Successors and assigns. All covenants and agreements contained by or on behalf of a Party in this Agreement shall bind its successors and assigns and shall inure to the benefit of the other Parties, their successors and assigns. The Parties may assign their rights and obligations under this Agreement or any interest herein, only with the prior written consent of the other Parties, and any assignment without such prior written consent, including an assignment by operation of law, is void and of no effect; provided that, the Developer may make a collateral

assignment in favor of a lender without consent. This section shall not be construed to prevent the Developer from selling lots, parcels or other portions of the Project in the normal course of business. If such assignment of the obligations by the Developer hereunder is effective, the Developer shall be deemed released from such obligations. If any assignment of the obligations by the Developer hereunder is deemed ineffective or invalid, the Developer shall remain liable hereunder.

7.08 Exhibits; titles of articles, sections and subsections. The exhibits attached to this Agreement are incorporated herein and shall be considered a part of this Agreement for the purposes stated herein, except that in the event of any conflict between any of the provisions of such exhibits and the provisions of this Agreement, the provisions of this Agreement shall prevail. All titles or headings are only for the convenience of the parties and shall not be construed to have any effect or meaning as to the agreement between the parties hereto. Any reference herein to a section or subsection shall be considered a reference to such section or subsection of this Agreement unless otherwise stated. Any reference herein to an exhibit shall be considered a reference to the applicable exhibit attached hereto unless otherwise stated.

7.09 Construction. This Agreement is a contract made under and shall be construed in accordance with and governed by the laws of the United States of America and the State of Texas, as such laws are now in effect.

7.10 Entire Agreement. **THIS WRITTEN AGREEMENT REPRESENTS THE FINAL AGREEMENT BETWEEN THE PARTIES AND MAY NOT BE CONTRADICTED BY EVIDENCE OF PRIOR, CONTEMPORANEOUS, OR SUBSEQUENT ORAL AGREEMENTS OF THE PARTIES. THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES.**

7.11 Term. This Agreement shall be in force and effect from the date of execution hereof for a term expiring on the date that the Developer Advances have been repaid in full, or January 1 of the year following the date the last assessment payment has been made in accordance with the PID Service and Assessment Plan and Assessment Roll(s).

7.12 Time of the essence. Time is of the essence with respect to the obligations of the Parties to this Agreement.

7.13 Approval by the Parties. Whenever this Agreement requires or permits approval or consent to be hereafter given by any of the parties, the parties agree that such approval or consent shall not be unreasonably conditioned, withheld or delayed.

7.14 Counterparts. This Agreement may be executed in multiple counterparts, each of which when so executed and delivered shall be deemed an original, but such counterparts together shall constitute but one and the same instrument.

7.15 Legal costs. If any Party hereto is the prevailing party in any legal proceedings against another Party brought under or with relation to this Agreement, such prevailing Party shall additionally be entitled to recover court costs and reasonable attorneys' fees from the non-prevailing Party to such proceedings.

7.16 Further assurances. Each Party hereby agrees that it will take all actions and execute all documents necessary to fully carry out the purposes and intent of this Agreement.

[EXECUTION PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed as of _____, 2018.

CITY OF TOMBALL, TEXAS

By: _____
Name: _____
Title: _____

Tomball Timber Trails, LLC

_____, Manager

EXHIBIT A
DESCRIPTION OF
23.632 ACRES OR 1,029,412 SQ. FT.

A TRACT OR PARCEL CONTAINING 23.632 ACRES OR 1,029,412 SQUARE FEET OF LAND, BEING OUT OF A CALLED 25.7329 ACRE TRACT OF LAND CONVEYED TO JAYANTI K. PATEL, AS RECORDED UNDER HARRIS COUNTY CLERK FILE (H.C.C.F.) NUMBER (NO.) 20080549943, BEING A PORTION OF LOTS 82, 78, 79, 75, 96, 95, 94, AND 93 OF FIVE ACRE TRACTS TOM BALL TOWNSITE, MAP OR PLAT THEREOF RECORDED UNDER VOLUME (VOL.) 2, PAGE (PG.) 65, OF THE HARRIS COUNTY MAP RECORDS (H.C.M.R.), SITUATED IN THE RALPH HUBBARD SURVEY, ABSTRACT NO. 383, HARRIS COUNTY, TEXAS, WITH SAID TRACT 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 1/2 INCH IRON ROD FOUND ON THE NORTHWEST RIGHT OF WAY (R.O.W.) LINE OF CARRELL STREET, 60 FEET WIDE, FOR THE SOUTHWEST CORNER OF A CALLED 2.775 ACRE TRACT OF LAND CONVEYED TO WILLIAM DOCK ADAMS, AS RECORDED UNDER H.C.C.F. NO. 20100137241, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 61 DEG. 42 MIN. 47 SEC. WEST, ALONG THE NORTHWEST R.O.W. LINE OF SAID CARRELL STREET, A DISTANCE OF 194.36 FEET TO A CAPPED 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A CALLED 1.6116 ACRE TRACT CONVEYED TO JOSE BARAJAS, AS RECORDED UNDER H.C.C.F. NO. Y732741, AND A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 28 DEG. 13 MIN. 32 SEC. WEST, ALONG THE NORTHEAST LINE OF SAID CALLED 1.6116 ACRE TRACT, A DISTANCE OF 208.00 FEET TO A CAPPED 5/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID CALLED 1.6116 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 61 DEG. 42 MIN. 47 SEC. WEST, ALONG THE NORTHWEST LINE OF SAID CALLED 1.6116 ACRE TRACT, PASSING AT A DISTANCE OF 337.50 FEET A CAPPED 1/2 INCH IRON ROD STAMPED "WEST STAR" FOUND FOR THE NORTHWEST CORNER OF SAID CALLED 1.6116 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 427.04 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 29 DEG. 38 MIN. 31 SEC. WEST, A DISTANCE OF 345.09 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE EAST LINE OF A CALLED 70 FEET WIDE STRIP OF LAND CONVEYED TO HARRIS COUNTY FLOOD CONTROL DISTRICT, AS RECORDED UNDER H.C.C.F. NO. B258990, FOR A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 01 DEG. 23 MIN. 20 SEC. WEST, ALONG THE EAST LINE OF SAID CALLED 70 FEET WIDE STRIP OF LAND, A DISTANCE OF 812.86 FEET TO A 5/8 INCH IRON ROD FOUND ON THE SOUTHEAST R.O.W. LINE OF HUFFSMITH ROAD, CALLED 50 FEET WIDE, FOR THE NORTHEAST CORNER OF SAID CALLED 70 FEET WIDE STRIP OF LAND, AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 53 DEG. 38 MIN. 53 SEC. EAST, ALONG THE SOUTHEAST R.O.W. LINE OF SAID HUFFSMITH ROAD, A DISTANCE OF 866.89 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "A&B RPLS 5685" FOR THE NORTHWEST CORNER OF A CALLED 3.0832 ACRE TRACT CONVEYED TO FRANK HARVEY METZLER, AS RECORDED UNDER H.C.C.F. NO. 20120329200, AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 23 MIN. 55 SEC. EAST, ALONG THE WEST LINE OF SAID CALLED 3.0832 ACRE TRACT, A DISTANCE OF 638.91 FEET TO A CAPPED 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID CALLED 3.0832 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

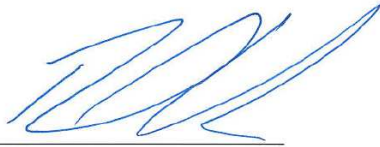
THENCE, NORTH 87 DEG. 46 MIN. 08 SEC. EAST, ALONG THE SOUTH LINE OF SAID CALLED 3.0832 ACRE TRACT, A DISTANCE OF 189.75 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE WEST LINE OF A CALLED 12.707 ACRE TRACT CONVEYED TO TOMBALL GRAND JUNCTION, LLC, AS RECORDED UNDER H.C.C.F. NO. RP-2018-247147, FOR THE SOUTHEAST CORNER OF SAID CALLED 3.0832 ACRE TRACT, AND THE MOST EASTERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A CAPPED 5/8 INCH IRON ROD STAMPED "A&B RPLS 5685" BEARS NORTH 87 DEG. 48 MIN. 18 SEC. EAST, 0.42 FEET;

THENCE, SOUTH 01 DEG. 23 MIN. 33 SEC. EAST, ALONG THE WEST LINE OF SAID CALLED 12.707 ACRE TRACT, A DISTANCE OF 122.27 FEET TO A 1/2 INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID CALLED 12.707 ACRE TRACT, THE MOST NORTHERLY NORTHWEST CORNER OF AFORESAID CALLED 2.775 ACRE TRACT, AND AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 28 MIN. 47 SEC. EAST, ALONG A WEST LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 337.40 FEET TO A 3/4 INCH IRON PIPE FOUND FOR AN INTERIOR CORNER OF SAID CALLED 2.775 ACRE TRACT, AND THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 54 MIN. 18 SEC. WEST, ALONG A NORTH LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 89.29 FEET TO A 3/4 INCH IRON ROD FOUND FOR THE MOST WESTERLY NORTHWEST CORNER OF SAID CALLED 2.775 ACRE TRACT, AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 01 DEG. 22 MIN. 26 SEC. EAST, ALONG A WEST LINE OF SAID CALLED 2.775 ACRE TRACT, A DISTANCE OF 421.17 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 23.632 ACRES OR 1,029,412 SQUARE FEET OF LAND.

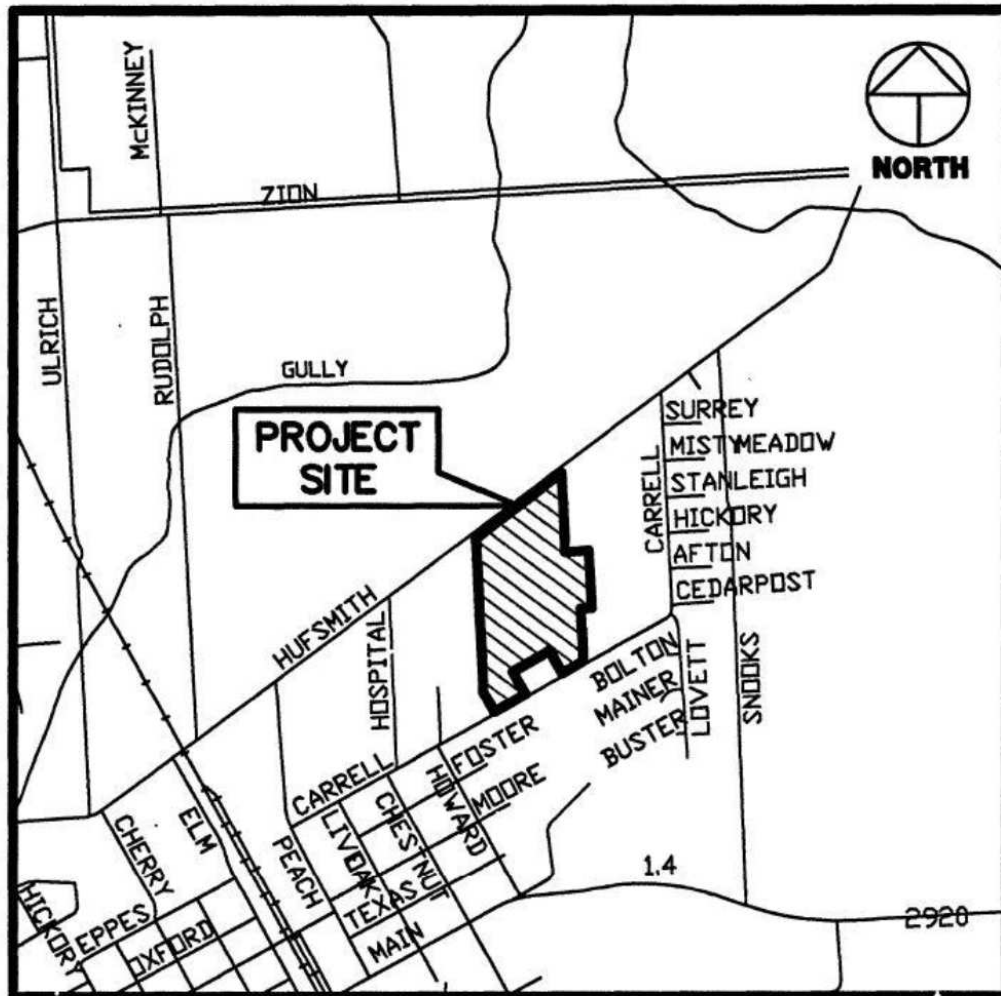


ROBERT KNESS
R.P.L.S. NO. 6486
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



10-15-2018
DATE

EXHIBIT B



CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP

EXHIBIT C

The PID Improvements

Water, Sanitary Sewer, Gas, Storm Drainage & Detention, Landscaping and Amenities,
Engineering, Surveying and Professional Services

Estimated Total = \$2,650,000.00

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Resolution No. 2018-31, a Resolution of the City Council of the City of Tomball, Texas, authorizing the City Manager or the Assistant City Manager to Commit Additional Funds in Accordance with the Agreement for the Community Development Block Grant for Drainage Improvements in the Most-Impacted Areas

Background:

Following the 2016 Floods Most-Impacted Infrastructure Application for DR-4266 and DR-4269, regarding the 2016 Tax Day and 2016 Memorial Day flood incidents, it has been determined that the City will have to commit to approximately \$411,012.00 toward the drainage improvements in order to receive the full amount of the requested grant of approximately \$1,585,396.00 dollars to focus on drainage mitigation in the areas of Lizzie Lane and Persimmon Street.

Origination:

City Administration

Recommendation:

Staff recommends approval

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

Meagan Mageo, Project Coordinator

ACTION TAKEN

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

ATTACHMENTS:

Resolution No 2018-31

RESOLUTION NO. 2018-31

**A RESOLUTION OF THE CITY OF TOMBALL, TEXAS,
AUTHORIZING & APPROVING THE CITY MANAGER OR
ASSISTANT CITY MANAGER TO COMMIT FUNDS IN
ACCORDANCE WITH AN AGREEMENT FOR THE COMMUNITY
DEVELOPMENT BLOCK GRANT FOR DRAINAGE
IMPROVEMENTS IN THE MOST-IMPACTED AREAS**

* * * * *

WHEREAS, on August 6, 2018, the Tomball City Council adopted Resolution No. 2018-21 authorizing the City Manager or Assistant City Manager to commit funds and submit the 2016 Floods Most-Impacted Infrastructure Application for DR-4266 and DR-4269, regarding the 2016 Tax Day and 2016 Memorial Day flood incidents; and

WHEREAS, the application requires that the City of Tomball Council authorize the City Manager or Assistant City Manager to expend commit to additional funds in the amount of \$411,012.00 in order to proceed with the application process for drainage improvements in one of our impacted areas;

WHEREAS, upon award of grant funds for application DR-4266 and DR-4269, any expenditure of funds shall be submitted to the City of Tomball Council for approval; **NOW, THEREFORE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS that the Tomball City Council approves the request to expend \$500,000.00 with the submission of the 2016 Floods Most-Impacted Infrastructure Application for DR-4266 and DR-4269.

PASSED, APPROVED, AND RESOLVED this 5th day of November 2018.

Gretchen Fagan
Mayor

ATTEST:

Doris Speer
City Secretary

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Amendment to the ESD #15 Service Contract to reimburse the City for, in addition to the provisions of the Amended Agreement dated October 1, 2017, an additional three full-time firefighter positions at Station 5

Background:

The City of Tomball and Harris County Emergency Services District #15 (District) entered into an Agreement on December 10, 2015 for the City to provide fire protection services to the residents of the area contained within the boundaries of the District. The original agreement contained a requirement for the District to reimburse all salary and other costs associated with staffing one full-time driver/operator per shift at the fire station on Telge Rd. (Station 5). The original agreement was amended, effective October 1, 2017, to include a provision for the District to reimburse the city for all employee costs associated with a driver/operator and a fire officer per shift as well as all part-time and volunteer firefighters responding from Station 5.

Effective October 1, 2018, the staffing model for the two City fire stations was revised to include funding for three full-time positions per station per shift. Included in the revised staffing model is a full-time officer, driver/operator and firefighter per station per shift. The amendment to the Agreement with ESD #15 will provide for the same staffing model at Station 5 with funding being provided by the District.

Origination:

Fire Chief

Recommendation:

Staff recommends approval

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

Randy Parr

ACTION TAKEN

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

ATTACHMENTS:

Amendment to Agreement

Addendum to the 2015 Interlocal Agreement for the Provision of Fire Protection Services and the use of a Fire Station for Fire Protection, Fire Suppression and Emergency Rescue Services

This agreement to amend and modify the **Interlocal Agreement for the Provision of Fire Protection Services and the use of a Fire Station for Fire Protection, Fire Suppression and Emergency Rescue Services** (hereinafter the "Agreement") is entered into effective January 1, 2019 by and between Harris County Emergency Services District No. 15 (hereinafter the "District" or "ESD 15") and the City of Tomball (hereinafter the "City" or "Tomball") for the mutual covenants and agreements herein contained, and other good and valuable consideration. Accordingly, the Parties agree to the following modifications to the Agreement:

I. RECITALS

WHEREAS, the Parties entered into the Agreement on December 31, 2015; and,

WHEREAS, the Parties previously amended the Agreement and wish to further amend the Agreement; and,

WHEREAS, the Parties previously amended the Agreement effective October 1, 2017.

II. TERMS and MODIFICATIONS

THEREFORE, the Agreement is amended to reflect changes to the following specifically enumerated paragraphs, sections, and subsections:

Section III paragraph (c) is modified to state the following:

ESD 15 and Tomball agree that operation of the Telge Station on a twenty-four (24) hour per day basis is critical to providing service to the residents of the Service Area and that Tomball will incur significant costs in providing staffing at the station. ESD 15 agrees that it will reimburse Tomball for 100% of its costs related to providing a total of three (3) full-time Fire Officers (Lieutenants), three full-time (3) Driver/Operators and **three (3) full-time firefighters** (one each for each of the three shifts), positions twenty-four (24) hours per day and one volunteer firefighter position per day at the Telge Station ("ESD Staffing Reimbursement"). The ESD Staffing Reimbursement cost includes the salaries, benefits and other employee related costs paid to or for those employees. The ESD Staffing Reimbursement cost shall be determined in accordance with the Tomball compensation guidelines applicable to all Tomball employees. These costs will be accumulated and invoiced by Tomball to ESD 15 on a quarterly basis. Additionally, these costs shall be adjusted annually as salary and benefit rates are adjusted by the City of Tomball. Tomball shall provide written notification to ESD 15 of the annual salary and benefit amounts to be paid in each subsequent calendar year no later than thirty (30) days following the annual anniversary of the Effective Date of this Agreement. **[EMPHASIS ADDED]**

Agreed to on this the 15th day of November 2018 by:

**HARRIS COUNTY EMERGENCY
SERVICES DISTRICT NO. 15**

By: _____
Charlie Hall
President

Date: _____

THE CITY OF TOMBALL

By: _____
Gretchen Fagan
Mayor

Date: _____

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Award the Purchase of Three (3) Chevrolet Colorado Extended Cab (2WD), One (1) Chevrolet Colorado Crew (4x4), One (1) Multi-Passenger Van, One (1) PD SUV (Civilian), Four (4) Police Interceptors, and One (1) Mini-Excavator through the State Buyboard Cooperative Purchasing Contract, in the Amount of \$271,521.00

Background:

This purchase is being made through the State Buyboard Cooperative Purchasing Contract and will be funded through the City's Vehicle Replacement Fund.

This purchase was approved as part of the adopted FY 2019 budget. The new vehicles will replace existing vehicles and equipment that was evaluated by the Police Department and the Fleet Management Department, and the need for the replacement has been confirmed based upon actual mileage, hours, and condition.

To ensure that the Buyboard price was the most economical, local area dealers were contacted for quotes and comparisons were made. In some cases, we did not receive a quote and in others, the Buyboard price was still the lowest cost to the citizens of Tomball. A summary of those comparisons is attached.

The vehicles, once approved, will be purchased from Caldwell Country, through the State Buyboard Cooperative Purchasing Contract in the amount of \$272,521.

The mini-excavator, once approved, will be purchased from Waukesha-Pearce in the amount of \$57,295.48.

Additionally, the Police Department would like to use CAP Fleet Upfitters to upfit all four Ford Interceptors and the SUV. The total cost to upfit the five vehicles is \$53,436. In addition to upfitting costs, technology items to be purchased for the interceptors will include Stalker radar, \$3,905 and L3 mobile cameras, \$21,584.

Origination:

Finance

Recommendation:

Approval of Purchase of the Ten vehicles, the excavator, the related upfitting by CAP Fleet Upfitters, and the related equipment for the police interceptors.

Funding:

Yes

Account Number:650-651-6405, 650-652-6405, 650-652-6403

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

Glenn Windsor, CPA Finance Director

ACTION TAKEN

Approval	Readings Passed	Other
----------	-----------------	-------

☐ Yes ☐ No	☐ 1 st ☐ 2 nd	
--	---	--

ATTACHMENTS:

Fleet Comparison

Comparative Quotes Buyboard to Local Area Dealers

Vehicle/Equipment	Buyboard	Parkway Chevrolet
Colorado Truck ext 2wd	\$ 22,180.00	\$ 23,295.00
Colorado Truck ext 2wd	\$ 22,180.00	\$ 23,295.00
Colorado Truck ext 2wd	\$ 22,180.00	\$ 23,295.00
Colorado Truck crew 4x4	\$ 28,655.00	\$ 29,604.70
Police - multi pass van PD	\$ 28,986.00	NQA
Police - SUV Civilian	\$ 26,420.00	NQA
Police -Interceptor	\$ 30,480.00	N/A
Police -Interceptor	\$ 30,480.00	N/A
Police -Interceptor	\$ 30,480.00	N/A
Police -Interceptor	\$ 30,480.00	N/A
Mini excavator	\$ 57,295.48	N/A

NQA - No Quote Available

Note: Contacted Tomball Ford & Tomball Dodge - unable to
match Buyboard Prices

Regular City Council

Agenda Item

Data Sheet

Meeting Date: November 5, 2018

Topic:

Reject Bids received for Project No. 2018-19, City of Tomball Broussard Community Park Site Improvements Phase II, and Authorize Rebidding the Project

Background:

In an effort to obtain the most favorable pricing, sealed bids were solicited for the completion of phase II of improvements to Broussard Community Park to include conversion to underground electric and the installation of restrooms and concession stand. Bid packets were available electronically from civcast.com; a total of three bids were received. One bid was rejected due to submittal of an incomplete bid. The apparent low bidder is over the available budgeted funds. Staff request to reject both bids and advertise for bid again with a more defined scope of work.

Origination:

Public Works Department

Recommendation:

Staff recommends rejecting all bids and rebidding the project.

Funding:

Yes

Account Number:400-153-6409

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

Meagan Mageo, Project Coordinator

ACTION TAKEN

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

ATTACHMENTS:

Bid Tabulation

Bid Tab

B.1 Site Preparation and Earthwork Items:	\$	43,417.00	\$	40,071.84	\$	36,529.91	\$	48,511.00	\$	35,174.60
B.2 SWPPP ITEMS:	\$	7,825.00	\$	3,815.07	\$	2,732.70	\$	4,212.50	\$	4,500.00
B.3 BUILDING SITE ITEMS:	\$	380,040.00	\$	543,240.86	\$	494,429.00	\$	619,998.00	\$	515,295.59
B.4 ELECTRICAL ITEMS:	\$	290,010.00	\$	271,752.02	\$	310,784.00	\$	253,200.00	\$	251,272.06
C.**Extra Work Items:	\$	36,350.00	\$	36,350.00	\$	36,350.00	\$	36,350.00	\$	-
D. Cash Allowance Table:	\$	5,000.00	\$	5,000.00	\$	5,000.00	\$	5,000.00	\$	5,000.00
TOTAL SUBMITTED BASE BID PRICE:	\$	762,642.00	\$	900,229.79	\$	885,825.61	\$	967,271.50	\$	811,242.25
CONTRACTOR'S BID PRICE:					\$	885,822.32			\$	751,622.23

B.1 Site Preparation and Earthwork Items:				
Item No.	Control No.	Item Description	Unit Measure	Unit Quantity
1	01502	Mobilization Including Performance and Payment Bonds, Insurance and Permits (Max. 2% of Total Base)	LS	1
2	02221	Demolish and Haul Off Designated Buildings (2) including foundations, and Concrete Walk, Complete in Place	LS	1
3	DWGS; 02222	Cover and Abandon Septic Tanks Per TCEQ Requirements, Complete in Place	EA	2
4	02314	Proposed Drainage Swale Grading, Complete in Place	LF	185
5	02221; 02233	Clearing and Grubbing for proposed improvements, Complete in Place	AC	1.0
6	02922	Solid Sodding for Designated Areas of Site Improvements, Complete in Place	SY	712
TOTAL B.1 BASE UNIT PRICES				
B.2 SWPPP ITEMS:				
Item No.	Control No.	Item Description	Unit Measure	Unit Quantity
7	01572; 01410	SWPPP Inspection and Maintenance	LS	1
8	01573; 01574	Filter Fabric Fence, Including Removal, Complete in Place.	LF	150
9	01577	Inlet Protection Barrier	EA	1
TOTAL B.2 BASE UNIT PRICES				
B.3 BUILDING SITE ITEMS:				
Item No.	Control No.	Item Description	Unit Measure	Unit Quantity
10	DWG	Building site preparation and grading, including excavation for structure, backfill and/or structural backfill, building pad construction to roof line, and fine grading. Complete in Place	LS	1
11	DWG	Multi-User Restroom Building w/ Concession Stand including Privacy Wall and Covered Roof Extension on Concrete Patio (Romtec Model 2084 - Sierra III OR Approved Equal) including Foundation and Patio, Complete in Place	LS	1

Engineer's Estimate		Average of 2 low bidders		Chief Long King Resources, LLC		Solid Bridge Construction, LLC		Millennium Project Solutions	
Unit Price	Total in figures	Unit Price	Total in figures	Unit Price	Total in figures	Unit Price	Total in figures	Unit Price	Total in figures
\$ 14,500.00	\$ 14,500.00	\$ 16,500.00	\$ 15,891.76	\$ 15,000.00	\$ 15,000.00	\$ 18,000.00	\$ 18,000.00	\$ 14,675.28	\$ 14,675.28
\$ 20,000.00	\$ 20,000.00	\$ 13,500.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 15,000.00	\$ 15,000.00	\$ 9,000.00	\$ 9,000.00
\$ 1,500.00	\$ 3,000.00	\$ 1,688.48	\$ 3,251.30	\$ 726.95	\$ 1,453.90	\$ 2,650.00	\$ 5,300.00	\$ 1,500.00	\$ 3,000.00
\$ 5.00	\$ 925.00	\$ 14.20	\$ 2,917.45	\$ 11.39	\$ 2,107.15	\$ 17.00	\$ 3,145.00	\$ 18.92	\$ 3,500.20
\$ 2,500.00	\$ 2,500.00	\$ 2,601.43	\$ 2,567.62	\$ 2,052.86	\$ 2,052.86	\$ 3,150.00	\$ 3,150.00	\$ 2,500.00	\$ 2,500.00
\$ 3.50	\$ 2,492.00	\$ 5.50	\$ 3,443.71	\$ 5.50	\$ 3,916.00	\$ 5.50	\$ 3,916.00	\$ 3.51	\$ 2,499.12
	\$ 43,417.00		\$ 40,071.84		\$ 36,529.91		\$ 48,511.00		\$ 35,174.60
Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures
\$ 7,500.00	\$ 7,500.00	\$ 2,759.11	\$ 2,506.07	\$ 2,318.22	\$ 2,318.22	\$ 3,200.00	\$ 3,200.00	\$ 2,000.00	\$ 2,000.00
\$ 2.00	\$ 300.00	\$ 1.88	\$ 687.50	\$ 2.00	\$ 300.00	\$ 1.75	\$ 262.50	\$ 10.00	\$ 1,500.00
\$ 25.00	\$ 25.00	\$ 432.24	\$ 621.49	\$ 114.48	\$ 114.48	\$ 750.00	\$ 750.00	\$ 1,000.00	\$ 1,000.00
	\$ 7,825.00		\$ 3,815.07		\$ 2,732.70		\$ 4,212.50		\$ 4,500.00
Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures
\$ 4,000.00	\$ 4,000.00	\$ 22,600.00	\$ 21,733.33	\$ 31,000.00	\$ 31,000.00	\$ 14,200.00	\$ 14,200.00	\$ 20,000.00	\$ 20,000.00
\$ 350,000.00	\$ 350,000.00	\$ 460,000.00	\$ 435,586.65	\$ 422,000.00	\$ 422,000.00	\$ 498,000.00	\$ 498,000.00	\$ 386,759.95	\$ 386,759.95

12	02767	REFLECTORIZED PAVEMENT MARKINGS TYPE I (THERMOPLASTIC) 12" YELLOW/SOLID - H/C HATCHED PATH - FURNISH & APPLIED	LF	144
13	02767	HANDICAPPED PARKING PAVEMENT MARKING, Complete in Place	EA	4
14	02775	4.5" Concrete Sidewalk including excavation, sandbeds and appurtenances, Complete in Place	SY	100
15	02775	Concrete Paver with Truncated Dome Surface (SW-20)	SF	60
16	02512	1" Water Meter, Complete in Place	EA	1
17	02512	1-1/2" Water Meter, Complete in Place	EA	1
18	02512	1" Water Service Line,including Tap Installation, bullet boring under parking, and appurtenances, Complete in Place	LF	50
19	02512	1-1/2" Water Service Line,including Tap Installation, Tee and appurtenances, Complete in Place	LF	24
20	02512	1" Water Service Line and with building service connections, Complete in Place	LF	58
21	DWG	1" Reduced Pressure Backflow Preventor with Enclosure and appurtenances, Complete in Place	LS	1
22	DWG	1-1/2" Reduced Pressure Backflow Preventor with Enclosure and appurtenances, Complete in Place	LS	1
23	DWG	Standard insulated Brass Hose Bib 3/4" Hose Thread Outlet 1/2" MIP Inlet, 2ft above natural ground, complete in place.	EA	2
24	DWG	CONCRETE BLOCKOUTwith 6-inch concrete at LIFT STATION for WATER AND ELECTRICAL CONNECTIONS	LS	1
25	02531; 02082	STANDARD PRECAST SANITARY SEWER MANHOLE, COMPLETE IN PLACE	EA	1
26	02531; 02082	Extra depth for Sanitary Manhole, complete in place.	VF	7
27	02260	Trench Safety	LF	138
28	02531; 02506;	8" Sanitary Sewer Collection (14' - 16' Depth), complete in place.	LF	52
29	02534	6" Sanitary Sewer Lead, complete in place.	LF	86
30	02534	Sanitary Sewer Service Connection, including Clean Outs, Complete in Place	LS	1
31	DWG	Park Entrance Sign with Light, complete in place.	EA	1
32	DWG	Posted 10 MPH Sign, complete in place.	EA	1
33	DWG	Handicapped Parking Sign, complete in place.	EA	2
34	DWG	Stop Sign, complete in place.	EA	1
TOTAL B.3 BASE UNIT PRICES				

Bid Tab											
\$ 2.00	\$ 288.00	\$ 9.50	\$ 2,078.88	\$ 9.00	\$ 1,296.00	\$ 10.00	\$ 1,440.00	\$ 24.31	\$ 3,500.64		
\$ 350.00	\$ 1,400.00	\$ 286.00	\$ 1,096.00	\$ 302.00	\$ 1,208.00	\$ 270.00	\$ 1,080.00	\$ 250.00	\$ 1,000.00		
\$ 56.00	\$ 5,600.00	\$ 59.00	\$ 5,733.33	\$ 49.00	\$ 4,900.00	\$ 69.00	\$ 6,900.00	\$ 54.00	\$ 5,400.00		
\$ 40.00	\$ 2,400.00	\$ 27.50	\$ 21,100.00	\$ 15.00	\$ 900.00	\$ 40.00	\$ 2,400.00	\$ 1,000.00	\$ 60,000.00		
\$ 250.00	\$ 250.00	\$ 3,605.00	\$ 2,770.00	\$ 1,210.00	\$ 1,210.00	\$ 6,000.00	\$ 6,000.00	\$ 1,100.00	\$ 1,100.00		
\$ 275.00	\$ 275.00	\$ 5,250.00	\$ 3,933.33	\$ 1,500.00	\$ 1,500.00	\$ 9,000.00	\$ 9,000.00	\$ 1,300.00	\$ 1,300.00		
\$ 5.00	\$ 250.00	\$ 34.50	\$ 2,400.00	\$ 20.00	\$ 1,000.00	\$ 49.00	\$ 2,450.00	\$ 75.00	\$ 3,750.00		
\$ 3.50	\$ 84.00	\$ 56.50	\$ 2,304.00	\$ 36.00	\$ 864.00	\$ 77.00	\$ 1,848.00	\$ 175.00	\$ 4,200.00		
\$ 3.50	\$ 203.00	\$ 47.50	\$ 3,770.00	\$ 18.00	\$ 1,044.00	\$ 77.00	\$ 4,466.00	\$ 100.00	\$ 5,800.00		
\$ 450.00	\$ 450.00	\$ 2,800.00	\$ 2,116.67	\$ 2,150.00	\$ 2,150.00	\$ 3,450.00	\$ 3,450.00	\$ 750.00	\$ 750.00		
\$ 500.00	\$ 500.00	\$ 3,475.00	\$ 2,816.67	\$ 2,700.00	\$ 2,700.00	\$ 4,250.00	\$ 4,250.00	\$ 1,500.00	\$ 1,500.00		
\$ 100.00	\$ 200.00	\$ 444.50	\$ 926.00	\$ 400.00	\$ 800.00	\$ 489.00	\$ 978.00	\$ 500.00	\$ 1,000.00		
\$ 250.00	\$ 250.00	\$ 2,725.00	\$ 2,150.00	\$ 1,700.00	\$ 1,700.00	\$ 3,750.00	\$ 3,750.00	\$ 1,000.00	\$ 1,000.00		
\$ 5,000.00	\$ 5,000.00	\$ 4,790.00	\$ 4,860.00	\$ 5,130.00	\$ 5,130.00	\$ 4,450.00	\$ 4,450.00	\$ 5,000.00	\$ 5,000.00		
\$ 100.00	\$ 700.00	\$ 275.00	\$ 1,633.33	\$ 350.00	\$ 2,450.00	\$ 200.00	\$ 1,400.00	\$ 150.00	\$ 1,050.00		
\$ 5.00	\$ 690.00	\$ 14.00	\$ 1,633.00	\$ 6.00	\$ 828.00	\$ 22.00	\$ 3,036.00	\$ 7.50	\$ 1,035.00		
\$ 50.00	\$ 2,600.00	\$ 66.00	\$ 3,588.00	\$ 55.00	\$ 2,860.00	\$ 77.00	\$ 4,004.00	\$ 75.00	\$ 3,900.00		
\$ 25.00	\$ 2,150.00	\$ 37.50	\$ 3,583.33	\$ 29.00	\$ 2,494.00	\$ 46.00	\$ 3,956.00	\$ 50.00	\$ 4,300.00		
\$ 250.00	\$ 250.00	\$ 1,595.00	\$ 1,313.33	\$ 1,080.00	\$ 1,080.00	\$ 2,110.00	\$ 2,110.00	\$ 750.00	\$ 750.00		
\$ 1,000.00	\$ 1,000.00	\$ 21,250.00	\$ 14,166.67	\$ 4,000.00	\$ 4,000.00	\$ 38,500.00	\$ 38,500.00	\$ -	\$ -		
\$ 375.00	\$ 375.00	\$ 527.50	\$ 535.00	\$ 415.00	\$ 415.00	\$ 640.00	\$ 640.00	\$ 550.00	\$ 550.00		
\$ 375.00	\$ 750.00	\$ 367.50	\$ 856.67	\$ 210.00	\$ 420.00	\$ 525.00	\$ 1,050.00	\$ 550.00	\$ 1,100.00		
\$ 375.00	\$ 375.00	\$ 560.00	\$ 556.67	\$ 480.00	\$ 480.00	\$ 640.00	\$ 640.00	\$ 550.00	\$ 550.00		
	\$ 380,040.00		\$ 543,240.86		\$ 494,429.00		\$ 619,998.00		\$ 515,295.59		

B.4 ELECTRICAL ITEMS:				
Item No.	Control No.	Item Description	Unit Measure	Unit Quantity
35	DWG	1 FIXTURE LUMINAIRE POLE ASSEMBLY	EA	11
36	DWG	2 FIXTURE LUMINAIRE POLE ASSEMBLY	EA	4
37	DWG	POLE FOUNDATION	LF	170
38	DWG	CONDT (PVC) (SCH 80) (2") W/WARNING TAPE	LF	3,635
39	DWG	CONDT (PVC) (SCH 80) (4") W/WARNING TAPE	LF	120
40	DWG	ELEC CONDR (NO.2) INSULATED	LF	2,580
41	DWG	ELEC CONDR (NO.6) INSULATED	LF	820
42	DWG	ELEC CONDR (NO.8) INSULATED	LF	7,845
43	DWG	ELECT GROUND BOX (162922) W/APRON	EA	3
44	DWG	CONTACTOR PANELS	EA	6
45	DWG	AERATING FOUNTAINS (THREE FOUNTAINS – ONE HORSE POWER EACH), INCLUDING TWO CONTROL PANELS AND CONDUITS, COMPLETE IN PLACE	LS	1
46	DWG	STEP DOWN TRANSFORMER 480:120/240, 37.5 KVA	EA	2
47	DWG	STEP DOWN TRANSFORMER 480:120/240, 7.5 KVA	EA	1
48	DWG	ELECTRICAL ROOM COOLING SYSTEM/FAN	EA	1
49	DWG	LIFT STATION ELECTRICAL POWER SERVICE CONNECTION	LS	1
TOTAL B.4 BASE UNIT PRICES				
C.**Extra Work Items:				
Item No.	Control No.	Item Description	Unit Measure	Unit Quantity
50	02221	Extra 1" PVC Water Service Lines to Existing Barn Waterlines, Complete in Place	LF	200
51	02318	Remove Existing Electrical in Barn	HR	40
52	02318	Extra Hand Excavation	CY	330
53	02318	Extra Machine Excavation	CY	330
54	02321	Extra Bank Sand Backfill	CY	330
55	02711	Extra Cement-Stabilized Sand	CY	330
56	02921	Extra Hydro-Mulch	Ac.	1.0
TOTAL C. BASE UNIT PRICES				
D. Cash Allowance Table:				
Cash Allowance				
No.	Cash Allowance Short Title			
1	Centerpoint Energy Coordination			
TOTAL D. CASH ALLOWANCES				

Bid Tab									
Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures
\$ 2,000.00	\$ 22,000.00	\$ 3,725.00	\$ 42,328.00	\$ 4,800.00	\$ 52,800.00	\$ 2,650.00	\$ 29,150.00	\$ 4,094.00	\$ 45,034.00
\$ 2,500.00	\$ 10,000.00	\$ 4,375.00	\$ 18,216.67	\$ 5,600.00	\$ 22,400.00	\$ 3,150.00	\$ 12,600.00	\$ 4,912.50	\$ 19,650.00
\$ 110.00	\$ 18,700.00	\$ 120.00	\$ 21,033.53	\$ 145.00	\$ 24,650.00	\$ 95.00	\$ 16,150.00	\$ 131.18	\$ 22,300.60
\$ 9.00	\$ 32,715.00	\$ 13.75	\$ 38,955.08	\$ 18.50	\$ 67,247.50	\$ 9.00	\$ 32,715.00	\$ 4.65	\$ 16,902.75
\$ 20.00	\$ 2,400.00	\$ 65.00	\$ 13,969.20	\$ 22.00	\$ 2,640.00	\$ 108.00	\$ 12,960.00	\$ 219.23	\$ 26,307.60
\$ 3.00	\$ 7,740.00	\$ 4.75	\$ 9,116.00	\$ 3.50	\$ 9,030.00	\$ 6.00	\$ 15,480.00	\$ 1.10	\$ 2,838.00
\$ 2.00	\$ 1,640.00	\$ 5.18	\$ 3,050.40	\$ 3.85	\$ 3,157.00	\$ 6.50	\$ 5,330.00	\$ 0.81	\$ 664.20
\$ 2.00	\$ 15,690.00	\$ 5.55	\$ 30,647.80	\$ 4.10	\$ 32,164.50	\$ 7.00	\$ 54,915.00	\$ 0.62	\$ 4,863.90
\$ 850.00	\$ 2,550.00	\$ 942.50	\$ 4,641.67	\$ 485.00	\$ 1,455.00	\$ 1,400.00	\$ 4,200.00	\$ 2,756.67	\$ 8,270.01
\$ 2,500.00	\$ 15,000.00	\$ 2,550.00	\$ 20,060.00	\$ 4,200.00	\$ 25,200.00	\$ 900.00	\$ 5,400.00	\$ 4,930.00	\$ 29,580.00
\$ 5,000.00	\$ 5,000.00		\$ 4,833.33	\$ 7,500.00	\$ 7,500.00	\$ 7,000.00	\$ 7,000.00	\$ -	\$ -
		\$ 7,250.00							
\$ 5,000.00	\$ 10,000.00	\$ 4,740.00	\$ 10,274.67	\$ 3,980.00	\$ 7,960.00	\$ 5,500.00	\$ 11,000.00	\$ 5,932.00	\$ 11,864.00
\$ 5,000.00	\$ 5,000.00	\$ 3,140.00	\$ 3,797.33	\$ 1,080.00	\$ 1,080.00	\$ 5,200.00	\$ 5,200.00	\$ 5,112.00	\$ 5,112.00
\$ 2,000.00	\$ 2,000.00	\$ 1,800.00	\$ 1,200.00	\$ 1,500.00	\$ 1,500.00	\$ 2,100.00	\$ 2,100.00	\$ -	\$ -
\$ 139,575.00	\$ 139,575.00	\$ 45,500.00	\$ 49,628.33	\$ 52,000.00	\$ 52,000.00	\$ 39,000.00	\$ 39,000.00	\$ 57,885.00	\$ 57,885.00
	\$ 290,010.00		\$ 271,752.02		\$ 310,784.00		\$ 253,200.00		\$ 251,272.06
Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures	Unit Price	Total in Figures
\$ 2.50	\$ 500.00	\$ 2.50	\$ 500.00	\$ 2.50	\$ 500.00	\$ 2.50	\$ 500.00	\$ -	\$ -
\$ 50.00	\$ 2,000.00	\$ 50.00	2000	\$ 50.00	\$ 2,000.00	\$ 50.00	\$ 2,000.00	\$ -	\$ -
\$ 25.00	\$ 8,250.00	\$ 25.00	8250	\$ 25.00	\$ 8,250.00	\$ 25.00	\$ 8,250.00	\$ -	\$ -
\$ 30.00	\$ 9,900.00	\$ 30.00	9900	\$ 30.00	\$ 9,900.00	\$ 30.00	\$ 9,900.00	\$ -	\$ -
\$ 18.00	\$ 5,940.00	\$ 18.00	5940	\$ 18.00	\$ 5,940.00	\$ 18.00	\$ 5,940.00	\$ -	\$ -
\$ 22.00	\$ 7,260.00	\$ 22.00	7260.00	\$ 22.00	\$ 7,260.00	\$ 22.00	\$ 7,260.00	\$ -	\$ -
\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	2500	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ -	\$ -
	\$ 36,350.00		\$ 36,350.00		\$ 36,350.00		\$ 36,350.00		\$ -
	Cash Allowance in figures		Cash Allowance in figures		Cash Allowance in figures		Cash Allowance in figures		Cash Allowance in figures
	\$5,000.00		\$5,000.00	**	\$5,000.00	**	\$5,000.00	**	\$5,000.00
	\$5,000.00		\$ 5,000.00		\$5,000.00		\$5,000.00		\$5,000.00

* Note: Items in RED indicate math error.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: November 5, 2018

Topic:

Approve Execution of a Professional Service Agreement for E&P Project No. 2018-10028 with Randall Scott Architects to Provide a Comprehensive Facility Needs Assessment and Facility Master Planning for the City, for an Amount of \$75,000.00

Background:

In order to adequately develop a Facility Master Plan for all City facilities a complete comprehensive facility assessment will need to be completed that will thoroughly examine the condition of all existing facilities. The study will document the needs based on the current layouts and then present modifications that are needed to each facility. The contract with Randall Scott Associates will include facility evaluation, assistance with land acquisition if needed, and formulate probable construction cost for a total amount of \$75,000.00

Origination:

Public Works Department

Recommendation:

Staff recommends approval to execute a professional service agreement for Randall Scott Associates for the needs assessment to City facilities for a total amount of \$75,000.00.

Funding:

Yes

Account Number:100-157-6304; 600-611-6304; 220-122-6304

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

Meagan Mageo, Project Coordinator

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

ATTACHMENTS:

PSA - Randall Scott



**RANDALL SCOTT
ARCHITECTS**

ARCHITECTURE | INTERIORS | PLANNING

August 6, 2018

Mr. Rob Hauck, City Manager &
Mr. David Mr. David Esquivel, Asst. City Manager
City of Tomball
401 Market St.
Tomball, Texas 77375

**RE: PROPOSAL/AGREEMENT TO PROVIDE COMPREHENSIVE FACILITY NEEDS ASSESSMENT & FACILITY
MASTER PLANNING SERVICES FOR THE CITY OF TOMBALL, TX**

I. PROJECT SCOPE

This Proposal/Agreement is submitted by Randall Scott Architects, Inc. (hereinafter also referred to as RSA or Architect) to the City of Tomball (hereinafter also referred to as City, Owner or Client) to provide Comprehensive Facility Needs Assessment and Facility Master Planning Services for the City of Tomball, TX.

A. PROJECT CRITERIA

The following information regarding the project was discussed during a meeting between Randall Scott, Founding Principal of RSA; Preston Scott, Associate Principal of RSA; David Esquivel, Assistant City Manager; Beth Jones, Public Works Director; Billy Tidwell, Police Chief; Steve Purvis, Streets & Parks Superintendent and Randall Parr, Fire Chief with the City of Tomball on June 25, 2018.

1. RSA's services would consist of assisting the City in determining the condition of its existing facilities, modifications needed to those facilities, scoping of new facilities, site assessments for proposed new facilities and a Needs Assessment for each building currently owned by the City or contemplated for construction over the next 10-20 years. RSA's services will include preparation of a Comprehensive Master Plan drawing illustrating the location of these municipal facilities within the City limits.
2. The Study needs to evaluate the following facilities owned by the City of Tomball:
 - a. The existing and potentially a new City Hall building
 - b. The expansion and renovation of the existing Municipal Court building
 - c. The expansion and renovation of the existing Police building and potentially a new replacement facility
 - d. The expansion and renovation of the existing Public Works/Municipal Office building
 - e. The expansion and renovation of the existing Public Works Service Center and potentially relocation of this facility to a new site away from the CBD freeing up property to expand the existing Public Works/Municipal Office building and/or constructing a new Police facility on the site
 - f. Renovation of Fire Station No. 1/Fire Administration and potentially construction of a replacement facility for this station
 - g. Fire Stations No's 2 & 5 (a less detailed analysis is needed on these two stations due to their relative newness)
3. Services shall include assisting the City in identifying possible land acquisition sites.
4. Expansion and renovation projects will require identification and cost of acquiring swing space during construction. Police noted that they could contract with other close by municipalities to take Class C detainees during construction.

5. Tomball's population is currently 11,800. However, the City services a population of 400,000 people who live and work within a one mile radius of downtown. Full build-out within the City limits is anticipated to be approximately 40,000 people.
6. The City is about to retire considerable debt leaving it in a position to construct additional capital projects including new facilities, renovation/expansion projects of its existing facilities, and the acquisition of additional land for the future.
7. Per Chief Tidwell, the Police Department needs a new or completely renovated and expanded Police facility. The existing holding cells are adequate and do not need to be modified nor expanded. The Police Department needs to grow by at least 50% to meet its present needs and double its current size to meet future needs at build out. Parking is a major issue for the Police Department particularly for its patrol car parking.
8. The City may consider closing Fannin and Market Streets to create a large enough parking lot for Police and Municipal Court. A new structured parking garage is an option that could be considered as part of the Needs Assessment/Master Plan.
9. The City of Tomball has (5) new subdivisions being constructed over the next 12 months.
10. The general scope and deliverables for the Comprehensive Facilities Needs Assessment & Facilities Master Plan Services would include:
 - a. Assisting the City in identifying and vetting a limited number of potential building sites for future buildings and preparing preliminary site concepts for them.
 - b. Preparation of a Preliminary Program of Requirements (POR) for each new or modified facility option.
 - c. Developing Conceptual Site and Block Floor Plans for each facility.
 - d. Preparing cost estimates for each new, expanded and/or renovated building.
 - e. Preparing a Comprehensive Master Plan Drawing illustrating where each existing or new facility is located within the City limits.
 - f. Assisting Staff with presentation of the preliminary and final Comprehensive Facility Needs Assessment and Facility Master Plan to Council.
 - g. Optional Basic Services for the Needs Assessment/Master Plan could include:
 - i. Conceptual exterior design options for the buildings in the Study
 - ii. Preparation of Design Standards for City Owned Facilities
 - iii. Preparation of Downtown Redevelopment Design Standards
 - iv. Assistance with the development of Public Private Partnership (P3) and other alternative funding mechanisms for future capital projects
 - v. Public Relations and Bond Funding consulting services

II. COMPREHENSIVE FACILITY NEEDS ASSESSMENT & FACILITY MASTER PLANNING SERVICES

The following Comprehensive Facility Needs Assessment & Facilities Master Planning Services shall be provided by RSA under this Proposal/Agreement:

- A. **Workshop # 1** – meet with City Staff, Councilmembers, key department heads and other critical Stakeholders to introduce the design team and gain an overarching understanding of the City's current facilities, future improvement needs and new facilities envisioned by the City.
- B. **Review of City's Strategic Plans & Demographic Metrics** – Review the City's Comprehensive Land Use Plan, Thoroughfare plan, Utilities Plan, demographics and other strategic planning data. Discuss metrics from this data that influence the Facilities Master Plan with City Staff, Council and the Stakeholder group.
- C. **Site Visits and Focus Group Meetings** - Visit each of the City's existing facilities and hold focus group meetings with the Stakeholders in those buildings to determine their vision for improvements and/or replacement facilities. Provide specifically prepared Questionnaires to the department heads of each facility to gather the specific metrics needed for RSA to anticipate the future needs of these facilities.

Note, it is imperative that a senior member of the City's Administrative Staff be present at each of these Focus Group Meetings to maintain control of requests by the departments so they are kept

reasonable and in line with the Staff's overarching goals for the Capital Improvement Program (CIP). Under this line item task, RSA will assist City Staff and Stakeholders in:

1. Determining the spacial, functional, equipment, adjacency, environmental, technology and sustainability requirements for each of the spaces within the new, expanded or renovated facilities. This information will be documented at a level necessary to determine the approximate scope and budget for each project but not to the extent such data would need to be prepared to design the final projects.
 2. Review of demographic and other relevant data to estimate the projected growth of the City and staffing needs for the next 20 years.
 3. Comparing FTE projections anticipated by Staff with peer municipalities for confirmation of appropriate staffing forecasts.
 4. Identifying appropriate FTE and square footage projections for the next 5, 10, 15 and 20 year intervals.
- D. **Program of Requirements & Facility Assessment Narratives** - Prepare a preliminary Program of Requirements (POR) with Facility Assessment Narratives for each municipal building summarizing the requests of each department within the City Administration's parameters.
- E. **Site Assessments** – Obtain copies of surveys, plats (from the City) and Google Earth images for each existing and proposed site of facilities being analyzed in this study. Prepare a conceptual site plan illustrating the building, parking and circulation on the site. Advise the City Administrative Staff of pro's and con's regarding each site where appropriate.
- F. **Workshop # 2 - Review Meeting with City Administrative Staff** - Meet with City Administrative Staff to review the preliminary POR and Facility Assessment Narratives derived from our initial meetings with Staff, Council and the department heads. Adjust the POR and Narratives per Administrative Staff's direction.
- G. **Phased Implementation Schedule** - Work with the Administrative Staff and Council to develop a Phased Implementation Schedule indicating when the City anticipates the proposed projects in the Master Plan would potentially be funded and constructed (CIP Program). The Phasing Schedule will be proposed only after discussing the expected timing and priority of projects with the City Staff and Council.
- H. **Order of Magnitude Cost Estimates** – Prepare order of magnitude cost estimates for each project based on RSA's historical cost of construction data base. Escalation will be included for several years into the future to assist the City in planning for the approximate costs of CIP projects that are further out.
- I. **Facility Master Plan** – Prepare a Comprehensive Facilities Master Plan Drawing illustrating the locations of proposed new and existing facilities within the City limits.
- J. **Final Comprehensive Facility Needs Assessment/Facility Master Plan Report** - Prepare the final Comprehensive Facility Master Plan, Program of Requirements, Facility Assessment Narratives, order of Magnitude Cost Estimates and Phased Implementation Schedule for each of the existing and proposed future buildings identified in the study. A bound report of this information and a PowerPoint presentation outlining the salient points of the report will be prepared and delivered to the City. RSA will assist Staff in presenting the final study metrics and designs to Council.

III. ADDITIONAL SERVICES

Additional Services are all services not explicitly listed under Section II *Comprehensive Facility Needs Assessment & Facility Master Planning Services* of this Proposal/Agreement. Additional Services shall be provided when requested by the City on an hourly or negotiated fee basis in addition to the fees charged for the services outlined in Section II above. Prior to beginning Additional Services work, RSA shall request approval from the City in writing if it believes that Additional Services are warranted or have been requested by the City. Additional Services include, but are not limited to, the following:

- A. Revisions requested by the City to the Architect's Work resulting in changes in the design, scope and/or quality. Revisions to the Architect's Work or documents due to changes in the information provided to the Architect by the City.

- B. Preparing design alternatives (other than those listed in Section II above) and redesign services for the project including, but not limited to, redesign services required due to the City making changes to the project scope.
- C. Town Hall meetings with citizen groups to present the results of the services in this Proposal/Agreement and gather citizen input.
- D. Schematic Design, Design Development, Construction Documents, Bidding/Negotiation and Construction Administration Phase services to design and construct the actual facilities addressed in this study.
- E. Field verification of existing conditions on the sites to be studied. Examples might include verifying the locations of trees, monuments or buildings and parking not provided to RSA by the City.
- F. MEP, structural, civil, landscape architecture, technology, A/V, acoustical, envelope consultant, code consultant, surveying or other consulting services required to complete the project.
- G. Traffic Engineering consulting services.
- H. Surveying services.
- I. Rezoning and platting services.
- J. Needs Assessment and Master Planning services for buildings other than the ones listed in Section I Project Scope.

IV. PRELIMINARY PROJECT SCHEDULE

The Comprehensive Facility Needs Assessment & Facility Master Plan Services described in Section II above are anticipated to be accomplished within the following approximate timeframes assuming a start date of August 2018 with a signed agreement or PO between RSA and the City in place by that date.

A. Site Visits and Focus Groups	Sept. 2018 – Oct. 2018 (2 mo.'s)
B. Site Assessments & Program of Requirements	Nov. 2018 – Jan. 2019 (3 mo.'s)
C. Facilities Master Plan & Final Report	Feb. 2019 – Apr. 2019 (3 mo.'s)

V. PROFESSIONAL FEES

A. COMPREHENSIVE FACILITY NEEDS ASSESSMENT & FACILITY MASTER PLAN SERVICES

1. The services outlined in Section II above for the buildings listed shall be provided for the following lump sum fees.

a. Comprehensive Facility Needs Assessment Services	\$29,000
b. Site Planning, Floor Planning & Master Planning Services	\$36,000
c. Cost Estimating Services	<u>\$10,000</u>
Total	\$75,000

B. OPTIONAL BASIC SERVICES

1. The following Optional Basic Services can be provided by RSA in addition to the Comprehensive Facility Needs Assessment & Facility Master Planning Services listed under Section V.A, at the City's request.
 - a. Conceptual Exterior Design for proposed new, renovated or expanded projects in the Facility Needs Assessment & Master Plan
 - i. New City Hall \$3,500
 - ii. New or Expanded Police Facility \$3,500
 - iii. Renovated and Expanded Municipal Court Building \$2,500
 - iv. Renovated Public Works/Municipal Office Building \$1,500
 - v. New or Renovated Public Works Service Center \$2,500
 - vi. Replacement or Renovated Fire Station No. 1 \$2,500
 - b. Assistance in the identification and procurement of Public-Private \$2,500

Partnerships and other types of alternative funding sources	
c. Identification of and coordination with a Grant Writing Consultant	\$1,500 *
d. Development of Architectural Design Standards for City Owned Facilities and the Downtown Redevelopment District	TBD
e. Identification of and coordination with Public Relations, Financial Advisor and Bond Counsel Consultants	\$2,500 *

* Fees do not include the cost of 3rd party consultant fees

C. ADDITIONAL SERVICES

1. Additional Services for the project shall be provided at the following hourly rates or negotiated on a lump sum basis at the time they are required:

Principal	\$280.00/hr.
Vice President	\$250.00/hr.
Studio Leader	\$225.00/hr.
Project Architect	\$185.00/hr.
Interior Designer	\$185.00/hr.
Visualization Renderer	\$185.00/hr.
Staff Architect	\$165.00/hr.
Administrative	\$95.00/hr.

D. REIMBURSABLE EXPENSES

Reimbursable Expenses constitute expenses incurred on the City's behalf by the RSA and/or our Consultants. These expenses include, but are not limited to: reproduction of preliminary and final documents, mounting and laminating of presentation boards, Agency Review fees, hotel, meals and per diem expenses, mileage, air fare, rental cars, overnight express, courier services and postage. Reimbursable expenses shall be **marked up 10%** to cover RSA's handling costs and billed to the City **in addition to any Basic and Additional Services** incurred on the project.

VI. PROFESSIONAL REGISTRATION

The Texas Board of Architectural Examiners, 333 Guadalupe, Suite 2-350, Austin, Texas 78701-3942, phone: 512.305.9000, has jurisdiction over individuals licensed under the Architects' Registration Law, Article 249A, VTCS.

VII. OTHER CONDITIONS

- A. This Proposal/Agreement is valid for 30 days from the date at the top of the first page of this document unless included as an attachment to a fully executed purchase order, AIA Owner/Architect Agreement or contract issued by the City prior to that date.
- B. The City shall provide, and the Architect shall be entitled to rely upon the accuracy of: 1) Reasonably accurate site surveys for the proposed sites to be evaluated with associated topographic and utilities information included.
- C. **PROFESSIONAL LIABILITY OF THE ARCHITECT AND ANY CONSULTANTS UTILIZED BY THE ARCHITECT (IF ANY) FOR THE SERVICES BEING PROVIDED UNDER THIS PROPOSAL/AGREEMENT SHALL BE LIMITED TO THE TOTAL FEES PAID UNDER THIS AGREEMENT UNDER SECTION V.A.**

VIII. EXCLUSIONS:

The following items are specifically excluded from RSA's scope of work and this Proposal:

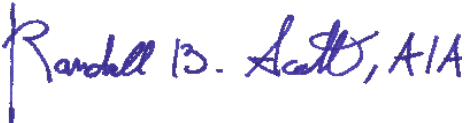
- A. Detailed cost estimating services
- B. Field verification and measurement of improvements not indicated on site surveys provided by the City.

- C. MEP, structural, civil, landscape architecture, IT, A/V, security, acoustical, envelope consultant, code consultant or other consulting services required to complete the project which are not specifically listed under Sections II *Comprehensive Facility Needs Assessment & Facility Master Planning Services*.
- D. Schematic Design, Design Development, Construction Documents, Bidding and Negotiation, and Construction Administration Services as defined in the 2017 edition of the AIA B101 Owner Architect Agreement.

Randall Scott Architects appreciates the opportunity to submit the above Proposal/Agreement and looks forward to working with The City of Tomball on this important Project!

Thank you,

RANDALL SCOTT ARCHITECTS, INC.

A handwritten signature in blue ink that reads "Randall B. Scott, AIA". The signature is written in a cursive, flowing style.

Randall B. Scott, AIA
Founding Principal & CEO

APPROVED
CITY OF TOMBALL

Rob Hauck
City Manager

DATE
