

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



MONDAY, MARCH 5, 2018

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, March 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 Ben Haug, Student Ministry Director of Tomball Bible Church

3.0 Pledges to U.S. and Texas Flags

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

5.0 Reports and Announcements

- March 10, 2018 – **2nd Saturday at the Depot**
- April 14, 2018 – **2nd Saturday at the Depot**

- April 28, 2018 – **Lions Club Car Show at Lone Star College-Tomball**
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Billy Tidwell – Voluntary Handicapped Parking Enforcement Program
 - Denise Fiore and Tracy Garcia – Report on the success of the 64th Trail Ride Reception

6.0 Approve the Minutes of the February 19, 2018 Regular Tomball City Council Meeting

7.0 Old Business:

- 7.1 Adopt, on Second Reading, Ordinance No. 2018-07, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section Two Properties within the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision); and Making Certain Findings Related Thereto
- 7.2 Adopt, on Second Reading, Ordinance 2018-09, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 0.32 Acres of Land, Legally Described Lots 11 & 12 Block 6 Main Street – Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town And Mixed Use District; Said Property Being Generally Located at the Southeast Corner of Barbara Street and Lawrence Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.
- 7.3 Adopt, on Second Reading, Ordinance No. 2018-10, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 1 Acre of Land, Legally Described Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11a, 11b, 12a & 12b Block 8, Part of Lots 11 & 12 Main Street - Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town and Mixed Use District; Said Property Being Generally Located on the East Side of Raymond Street, between Barbara Street and Alma Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.
- 7.4 Adopt, on Second Reading, Ordinance No. 2018-11, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of This Ordinance

8.0 New Business:

- 8.1 Reappoint/Appoint Members to the Board of Adjustments for Terms Expiring March 2, 2020.

- 8.2 Approve Resolution No. 2018-05, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Dates, Times, and Places for Two Public Hearings at which All Interested Parties shall have an Opportunity to be Heard; Providing for Publication of Notices of Such Public Hearings; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed *(374.9 Acres of Land Situated in the Chauncey Goodrich Survey, Abstract Number 305, the Auguste Senechal Survey, Abstract Number 722, and the Sam Lewis Survey, Abstract Number 1704, Harris County, Texas, Being All of a Called 20.000 Acres Tract of Land Conveyed to County of Harris by Jimmy C. Shaw, Et Ux by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas, Being All of a Called 117.9465 Acres Tract of Land, Described in Six (6) Tracts, Conveyed to County of Harris by Merenco Realty, Inc. by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas, Being All of a Called 229.772 Acres Tract, Described in Thirteen, (13), Tracts, Being All of a Called 4.992 Acres Tract and Being All of a Called 2.363 Acres Tract Conveyed to County of Harris by Harris County Improvement District No. 17 by Deed Dated September 11, 2017 and Recorded in County Clerk's File Rp-2017-402273 of the Official Public Records of Real Property of Harris County, Texas, Save and Except that Certain Portion of Land Out of a Called 3.693 Acres, a Called 2.088 Acres, a Called 3.709 Acres, and a Called 148.751 Acres Tracts that apparently lies within the Said Lewis Survey)*
- 8.3 Presentation by John Ford from Tomball Sports Medicine Center and Eric Evans from Tomball Regional Hospital regarding a possible joint venture with the City of Tomball, Harris County, Tomball Regional Medical Center and Tomball Regional Health Foundation for a Community Wellness Center
- 8.4 Approve Resolution No. 2018-06, Canceling the Regular City Officer's Election Scheduled to be held on the 5th Day of May, 2018, in Accordance with Section 2.053(a) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election
Aprobar la Resolución Nro. 2018-06 Cancelando la Elección Regular de Funcionarios Municipales programada para celebrarse el día 5 de mayo de 2018 de acuerdo con la Sección 2.053(a) del Código Electoral de Texas; instruyendo que se de aviso de tal cancelación de elección; y proveyendo detalles relativos a la cancelación de tal elección.
 Chấp thuận Nghị Quyết số 2018-06, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Kỳ Dự Kiến sẽ được tổ chức vào ngày 5 tháng Năm, 2018, Chiếu theo Mục 2.053(a) của Bộ Luật Tuyền Cử Texas; Chỉ thị việc đưa ra Thông Báo về Hủy Bỏ Cuộc Bầu Cử đó; và Cung Cấp Thông Tin Chi Tiết Liên quan đến việc Hủy Bỏ Cuộc Bầu Cử đó.
 通過決議案2018-06, 取消一般市府官員應於2018年5月5日的選舉計畫, 其是根據德克薩斯州選舉法2.053(a)節; 茲此通知該選舉取消; 以及提供關於取消該選舉的詳情。
- 8.5 Approve Resolution No. 2018-04, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2017-2018
- 8.6 Approve Abandonment of a City of Tomball Utility Easement and Adopt, on First Reading, Ordinance No. 2018-13, an Ordinance of the City of Tomball, Texas, Finding and Determining that the Public Convenience and Necessity no longer require the Continued Existence of a Certain Portion of a City of Tomball Utility Easement across a Certain 0.129 Acre Tract of Land Being Out of Lot 1 in Block

1 of the Fourteen Six Hundred Business Park Subdivision of Which is Recorded in Film Code 680728 of the Map Records of Harris County, Texas; Vacating, Abandoning, and Closing Said Portion of Such City of Tomball Utility Easement; Authorizing the City Manager to Execute and the City Secretary to Attest a Quitclaim Deed Quitclaiming the City's Interest in Said Abandoned Easement; and Containing Other Provisions Relating to the Subject

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

- Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager
- Sec. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

8.8 Consideration and Possible Action regarding Purchase of 1.838-Acre Tract of Land out of Reserve “C” of Calvary Baptist of Tomball Subdivision, located East of Hufsmith Kohrville Road and Owned by D S Services

9.0 Adjournment

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

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

Doris Speer

Doris Speer
City Secretary, TRMC

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: March 5, 2018

Topic:

- Led by Ben Haug, Student Ministry Director of Tomball Bible 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: March 5, 2018

Topic:

- March 10, 2018 – **2nd Saturday at the Depot**
- April 14, 2018 – **2nd Saturday at the Depot**
- April 28, 2018 – **Lions Club Car Show at Lone Star College-Tomball**
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Billy Tidwell – Voluntary Handicapped Parking Enforcement Program
 - Denise Fiore and Tracy Garcia – Report on the success of the 64th Trail Ride Reception

Background:

Origination:

Various

Recommendation:

N/A

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

City Secretary

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: March 5, 2018

Topic:

Approve the Minutes of the February 19, 2018 Regular Tomball City Council Meeting

Background:

Origination:

City Secretary

Recommendation:

N/A

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

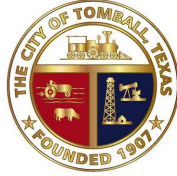
City Secretary

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

ATTACHMENTS:

Draft Minutes - 2/19/2018 Regular City Council Meeting

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



**MONDAY, FEBRUARY 19, 2018
6:00 P.M.**

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Fagan. Other members present:

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Klein Quinn

Members absent:

Councilman Townsend – Excused

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
HR Director – Lisa Coe
Public Works Director – David Esquivel
Director of Community Development – Craig Meyers
City Engineer – Beth Jones
City Planner – Amelia Lindley
Fire Marshal – Joe Sykora
Police Captain – Rick Grassi
Assistant City Secretary – Tracy Garcia
Community Center Director – Rosalie Dillon
Police Officer – James Harral

2.0 The invocation was led by Pastor Dustin Reitzel, Pastor for the Woodlands Church Northpointe Campus, Tomball.

3.0 Pledges to the U. S. and Texas Flags were led by Dylan Morgan and Kiah Green, members of the Tomball High School Student Council.

4.0 The following public comments were received:

- | | | |
|--|---|---|
| Eric Evans
CEO, Tomball Regional Medical Center | - | Introduce himself to the Council and expressed his interest in working with the City of Tomball |
| Millie Theis Martin
13319 Spring Hollow, 77375 | - | Expressed her concerns regarding Theis Attaway Nature Center |

5.0 Presentations:

- Mayor Fagan presented a Proclamation to Corey Brennan, declaring February 19, 2018 as ***“Corey Brennan – Tomball’s 2018 Local Hero” Day.***

6.0 Reports and Announcements:

- **February 20, 2018 – Trail Ride Reception** – 12 Noon at the Depot
- March 10, 2018 – **2nd Saturday at the Depot**
- April 4-5, 2018 – **Shattered Lives Event** – Tomball High School
- April 14, 2018 – **2nd Saturday at the Depot**
- April 28, 2018 – **Lions Club Car Show** – Lone Star College-Tomball
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Glenn Windsor presented the Quarterly Investment Report for the Period Ending December 31, 2017. The Public Funds Investment Act requires that a report of the City's Investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values at the end of the quarter, yield information, and weighted average maturities. On December 31, 2017, the City had total cash and cash equivalents in the amount of \$68,614,155.

7.0 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to approve the Minutes of the February 5, 2018 Regular Tomball City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

- 8.1 Motion was made by Councilman Stoll, second by Councilman Ford, to adopt, on Second Reading, Ordinance No. 2018-08, an Ordinance of the City of Tomball, Texas, Finding and Determining that the Public Convenience and Necessity No Longer Require the Continued Existence of a Certain Portion of a City of Tomball Utility Easement across a Certain 0.007 Acre Tract of Land Being Out of and a Part of the John M. Hooper Survey, A-375, Tomball, Harris County, Texas and Being out of the Partial Replat of Tomball Marketplace, Lot 2, the Map of Which is Recorded in Film Code No. 639076 of the Map Records of Harris County, Texas, Located in the City of Tomball, Texas; Vacating, Abandoning, and Closing Said Portion of Such City of Tomball Utility Easement; Authorizing the City Manager to Execute and the City Secretary to Attest a Quitclaim Deed Quitclaiming the City's Interest in Said Abandoned Easement; and Containing Other Provisions 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>Absent</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

9.0 New Business:

- 9.1 Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to Consider Proposed Assessments Against Section Two Properties in the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision) Established by City Council Resolution No. 2007-22 at 6:19 p.m.

Receiving no public comments, Mayor Fagan recessed the public hearing at 6::20 p.m.

- 9.2 Motion was made by Councilman Stoll, second by Councilman Ford, to adopt, on First Reading, Ordinance No. 2018-07, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section Two Properties within the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision); and Making Certain Findings Related Thereto. Vote was as follows:

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

Motion carried unanimously.

- 9.3 Council received a presentation and update by the Texas Railroading Heritage Museum at Tomball Board of Directors.

No action necessary.

- 9.4 Motion was made by Councilman Stoll, second by Councilman Degges, to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Motion Machinery, Ltd, to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the expansion and development of its current facility located at 909 E. Main Street, Tomball, TX 77375. The estimated amount of expenditures for such Project is \$10,584.00.

Motion carried unanimously.

- 9.5 Council received an update by David Esquivel regarding improvements to the City Parks of Martin Luther King Park, Juergens Park, Matheson Park, Wayne Stovall Park, Broussard Park, Depot Plaza, and to the Theis Attaway Nature Center.

No action necessary.

- 9.6 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to reject Bids Received for Project No. 2018-09, Four (4) Fleet Replacement Vehicles, and award BuyBoard Contract to Caldwell Country.

Motion carried unanimously.

- 9.7 Consideration To Approve Zoning Case P18-004: Request By Ahmad Adnan Aslam To Amend Chapter 50 (Zoning) Of The Tomball Code Of Ordinances By Rezoning Approximately 0.32 Acres Of Land Legally Described As Lots 11 & 12 Block 6 Main Street-Tomball, Harris County, Texas, Generally Located At The Southeast Corner Of Barbara Street And Lawrence Street, From The Single-Family 6 District To The Old Town & Mixed Use District.

- Mayor Fagan opened the Public Hearing on **Zoning Case P18-004** at 6:58 p.m.

Receiving no public comments, Mayor Fagan closed the public hearing at 6:59 p.m.

- Motion was made by Councilman Degges, second by Councilman Stoll, to read Ordinance No. 2018-09 by caption only on first reading.

Motion carried unanimously.

- Motion was made by Councilman Klein Quinn, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2018-09, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 0.32 Acres of Land, Legally Described Lots 11 & 12 Block 6 Main Street – Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town And Mixed Use District; Said Property Being Generally Located at the Southeast Corner of Barbara Street and Lawrence Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

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

Motion carried unanimously.

- 9.8 Consideration To Approve **Zoning Case P18-008**: Request By Daniel & Rebecca Morgan To Amend Chapter 50 (Zoning) Of The Tomball Code Of Ordinances By Rezoning Approximately 1 Acre Of Land Legally Described As Lots 7, 8, 9 & 10 Block 8 Main Street Addition And Tract 11A, 11B, 12A & 12B Block 8, Part Of Lots 11 & 12 Main Street Tomball, Harris County, Texas, Generally Located On The East Side Of Raymond Street, Between Barbara Street And Alma Street, From The Single-Family 6 District To The Old Town & Mixed Use District.

- Mayor Fagan opened the Public Hearing on **Zoning Case P18-008** at 7:03 p.m.

Receiving no public comments, Mayor Fagan closed the public hearing at 7:03 p.m.

- Motion was made by Councilman Ford, second by Councilman Degges, to read Ordinance No. 2018-10 by caption only on first reading.

Motion carried unanimously.

- Motion was made by Councilman Ford, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2018-10, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 1 Acre of Land, Legally Described Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11a, 11b, 12a & 12b Block 8, Part of Lots 11 & 12 Main Street - Tomball, within the

City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town and Mixed Use District; Said Property Being Generally Located on the East Side of Raymond Street, between Barbara Street and Alma Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

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

Motion carried unanimously.

- 9.9 Motion was made by Councilman Degges, second by Councilman Klein Quinn, to read Ordinance No. 2018-11 by caption only on first reading.

Motion was made by Councilman Degges, second by Councilman Klein Quinn, to adopt, on First Reading, Ordinance No. 2018-11, an Ordinance Altering the Prima Facie Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of This Ordinance. Vote was as follows:

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

Motion carried unanimously.

- 9.10 Motion was made by Councilman Stoll, second by Councilman Degges, to approve the execution of an Engineering Contract with Gunda Corporation for the Design of 2018 Sidewalk Project for Installation of New Sidewalks along Various Roads within the City (Commerce Street, N. Walnut Street, Market Street, Johnson Road and Theis Lane), in the Amount of \$114,606.00.

Motion carried unanimously.

- 9.11 Motion was made by Councilman Klein Quinn, second by Councilman Stoll, to authorize the City Manager to Execute an Interlocal Agreement with Harris County for the Acquisition and Use of Additional Grace Electronic Accountability Equipment.

Motion carried unanimously.

- 9.12 Executive Session: The City Council recessed at 7:13 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. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager
- Sec. 551.071 - Consultation with Attorney regarding Cause No. 201777979; City of Tomball, Texas v. 20.Nine.20 Offroad and Performance, LLC., in the 334th Judicial District Court in and for Harris County, Texas; and
- Sec. 551.071 - Consultation with Attorney regarding a Matter in which the Duty of the Attorney is Required to be Held in Closed, Executive Session.

Upon reconvening in regular session at 8:03 p.m., the following action was taken:

- 9.13 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to approve and accept the Settlement in Cause No. 201777979; City of Tomball, Texas v. 20.Nine.20 Offroad and Performance, LLC., in the 334th Judicial District Court in and for Harris County, Texas, in the amount of \$12,500.00.

Motion carried unanimously.

- 10.0 Motion was made by Councilman Ford, second by Councilman Degges, to adjourn.

Motion carried unanimously.

Meeting adjourned.

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

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

Adopt, on Second Reading, Ordinance No. 2018-07, an Ordinance of the City Council of Tomball, Texas, Levying an Assessment against Section Two Properties within the City of Tomball Public Improvement District Number Two (Raleigh Creek Subdivision); and Making Certain Findings Related Thereto

Background:

Public Improvement District 2 was created in 2007 and comprises the entirety of the Raleigh Creek Subdivision which will ultimately contain 347 single family lots. Assessments were levied on Section One properties in 2014.

Origination:

Finance

Recommendation:

Adopt Ordinance No. 2018-07 on Second Reading

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

Glenn Windsor, CPA Finance Director

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

ATTACHMENTS:

Ordinance No. 2018-07 PID 2 Assessment

TPID 2 Assessment Roll Final

Council Information Sheet- PID # 2

Listing of City PIDs Along With Equivalent Tax Rates

PID Primer

ORDINANCE NO. 2018-07

**AN ORDINANCE OF THE CITY COUNCIL OF TOMBALL, TEXAS,
LEVYING AN ASSESSMENT AGAINST SECTION TWO PROPERTIES
WITHIN THE CITY OF TOMBALL PUBLIC IMPROVEMENT
DISTRICT NUMBER TWO (RALEIGH CREEK SUBDIVISION); AND
MAKING CERTAIN FINDINGS RELATED THERETO.**

* * * * *

WHEREAS, the City of Tomball (the “City”) is authorized pursuant to TEX. LOCAL GOV’T CODE, Ch. 372, as amended (“Chapter 372”) to create public improvement districts for the purposes described therein, and to levy and collect an assessment in furtherance of the purposes thereof; and

WHEREAS, the City has created City of Tomball Public Improvement District Number Two (the “PID”), adopted a Service and Assessment Plan (the “Plan”) for the PID, all in accordance with the applicable provisions of Chapter 372; and

WHEREAS, the City Council filed a proposed assessment roll with the City Secretary, which roll was available for public inspection, and following notice thereof by mail and publication as required by Chapter 372, the City Council held a public hearing at which written or oral objections to the proposed assessments were considered and passed on by the City Council; and

WHEREAS, the City Council has determined that the levy of a special assessment for and on behalf of the PID is necessary and advisable, and that the proposed assessment roll apportions the cost of the subject improvements in the PID on the basis of special benefits accruing to the property because of the improvement, **NOW THEREFORE**,

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

Section 1. The facts recited in the preamble hereto are found to be true and correct.

Section 2. The assessment roll attached hereto is hereby approved and the special assessments described therein are hereby levied on the subject property in accordance with the terms of the Plan, which Plan determines, *inter alia*, the method of payment of the assessments, and makes provision for the payment thereof in periodic installments, interest thereon and the collection thereof. The Mayor, City Secretary and any other appropriate officials of the City are hereby authorized to take all necessary actions on behalf of the City to implement the terms thereof in accordance therewith.

Section 3. There is hereby created a first and prior lien securing payment of the assessment levied, effective as of the date of this Ordinance as provided in the Plan and Chapter 372.

Section 4. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place

convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

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 19TH DAY OF FEBRUARY 2018.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>ABSENT</u>
COUNCILMAN KLEIN QUINN	<u>AYE</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 MARCH 2018.

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

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

Public Improvement District Number Two
Raleigh Creek Subdivision
Section Two Assessment Roll
City of Tomball, Harris County, Texas

Owner	Block #	Lot #	Total Assessment	Annual Assessment Installment	Financed Assessment Term	Annual Administrative Cost	Total Annual Payment
DR HORTON TEXAS LTD	1	1	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	2	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	3	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	4	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	5	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	6	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	7	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	8	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	9	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	10	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	11	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	12	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	2	1	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	2	2	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	2	3	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	2	4	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	2	5	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
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DR HORTON TEXAS LTD	2	13	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	2	14	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	3	1	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	3	2	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	4	1	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	4	2	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	4	3	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	4	4	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	5	1	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	5	2	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
LS Development, LLC	5	3	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	5	4	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24

Public Improvement District Number Two
Raleigh Creek Subdivision
Section Two Assessment Roll
City of Tomball, Harris County, Texas

Owner	Block #	Lot #	Total Assessment	Annual Assessment Installment	Financed Assessment Term	Annual Administrative Cost	Total Annual Payment
DR HORTON TEXAS LTD	1	1	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	2	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	3	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	1	4	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
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DR HORTON TEXAS LTD	1	6	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
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DR HORTON TEXAS LTD	1	10	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
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DR HORTON TEXAS LTD	2	2	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	2	3	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
DR HORTON TEXAS LTD	2	4	\$ 26,197.39	\$2,876.33	15 years	\$ 71.91	\$ 2,948.24
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Council Item Information Sheet – Section Two Assessment Roll for Public Improvement District No. 2 (Raleigh Creek Subdivision).

Action Requested

Approval of the Section Two Assessment Roll.

Information

Public Improvement District was created in 2007 and comprises the entirety of the Raleigh Creek Subdivision which will ultimately contain 347 single family lots. Assessments were levied on Section One properties in 2014. The developer has completed improvements for Section Two properties and the assessments now need to be levied on those lots.

As with Section One lots, the assessments proposed are on a per lot basis. Based on the public infrastructure costs for the development, the total, one-time assessment \$26,197.39 is proposed which represents the principal amount of the assessment. The annual installment (financed assessment) proposed is \$2,876.33 which is the principal amount of the assessment amortized over 15 years at 7% interest. With the annual administrative cost of \$71.91 per lot, the total annual payment will equal \$2,984.24 per lot.

Home values in Raleigh Creek are expected to average \$350,000. A \$2,984.24 annual assessment installment payment on a \$350,000 home is the equivalent of a \$0.85 property tax rate.

The annual payment, principal, and interest are demonstrated on the attached example amortization schedule which will be kept for each property covered by the assessment. The principal amount of the assessment is payable at any time by each homeowner which would terminate the assessment.

Proper disclosure notices detailing the assessment will be presented to potential homebuyers by the homebuilders 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

As with other City Public Improvement Districts, Harris County will collect the PID assessments in the same manner as property taxes and transferred to a City-established PID revenue fund. A report on the reimbursable developer costs will be performed by a qualified CPA firm and the revenues will be disbursed to the developer once a year after administrative costs have been deducted.

EXAMPLE AMORTIZATION SCHEDULE

Duration (in years)	15
Interest Rate	7.00%
Annual Payment Amount	\$2,876.33
Total Lifetime Payments	\$43,144.99
Total	
Principal	\$26,197.39
Total Interest	\$16,947.60

	Payment	Principal	Interest	Payment	Principal Balance
					\$26,197.39
1		\$1,042.52	\$1,833.82	\$2,876.33	\$25,154.87
2		\$1,115.49	\$1,760.84	\$2,876.33	\$24,039.38
3		\$1,193.58	\$1,682.76	\$2,876.33	\$22,845.81
4		\$1,277.13	\$1,599.21	\$2,876.33	\$21,568.68
5		\$1,366.52	\$1,509.81	\$2,876.33	\$20,202.16
6		\$1,462.18	\$1,414.15	\$2,876.33	\$18,739.97
7		\$1,564.53	\$1,311.80	\$2,876.33	\$17,175.44
8		\$1,674.05	\$1,202.28	\$2,876.33	\$15,501.39
9		\$1,791.24	\$1,085.10	\$2,876.33	\$13,710.15
10		\$1,916.62	\$959.71	\$2,876.33	\$11,793.53
11		\$2,050.79	\$825.55	\$2,876.33	\$9,742.75
12		\$2,194.34	\$681.99	\$2,876.33	\$7,548.41
13		\$2,347.94	\$528.39	\$2,876.33	\$5,200.46
14		\$2,512.30	\$364.03	\$2,876.33	\$2,688.16
15		\$2,688.16	\$188.17	\$2,876.33	\$0.00
TOTAL		\$26,197.39	\$16,947.60	\$43,144.99	

Listing of City of Tomball PIDs (Public Improvement Districts)

Equivalent Tax Rates

- | | |
|-------------------------------------|---------|
| 1. PID # 1. Pine Country | \$ 0.42 |
| 2. PID # 2. Raleigh Creek | \$ 0.85 |
| 3. PID # 3. Reserve at Spring Creek | \$ 0.90 |
| 4. PID # 4. Not Assigned | |
| 5. PID # 5. Yaupon Trails | |

Public Improvement District (PID) Primer

What is a PID?

A Public Improvement District (PID) is a public financing tool created under Chapter 372 of the Texas Local Government Code (TLGC). A PID allows a neighborhood or commercial area to apportion the cost of improvements and levy an assessment against property located in the PID, because that property is acquiring a special benefit because of the improvements. In other words, the property that will benefit the most from the improvement pays for the improvement--the burden is not shifted to the entire community. PIDs are intended to promote economic growth by providing the funding mechanism to construct necessary infrastructure or desired amenities that support new developments and encourage redevelopment.

PIDs are a component unit of the City and are governed by the City Council. The Council can create an advisory board for the PID if necessary, but final determinations on establishment, costs, assessments, and budgets must be made by the City Council.

What can a PID finance?

The PID can be designed to help finance the cost of a variety of development costs including:

- water, wastewater, health and sanitation, or drainage improvements;
- street and sidewalk improvements;
- mass transit improvements;
- parking improvements;
- library improvements;
- park, recreation and cultural;
- art installation;
- creation of pedestrian malls; or
- supplemental services. (advertising, extra public safety, etc.)

How does the PID finance the projects?

Project costs can be paid directly by the City or the developer can advance funds. The assessment fees levied on each property fund the project payments. Until the PID has accumulated adequate assessment fee revenue, the City can choose to issue bonds or use general tax revenues for initial payments or developer reimbursements.

Separate fund(s) are created by the City for the administration of the PID. The Council reviews and approves the assessments and district budget each year.

How is a PID created and dissolved?

PID Development Process (minimum steps required by Chapter 372, TLGC):

1. City, County, or affected property owner(s) initiates a petition for creation.
2. If needed, City Council appoints an advisory board to develop the PID improvement plan.
3. City Council holds a public hearing & passes a resolution on the need for the PID.
4. City Council authorizes the establishment of a PID by resolution.
5. Construction of improvements may begin 20-days after the PID's creation.
6. City Council adopts a Service and Assessment Plan (list of projects, costs, debt, & assessment fee) for at least five, ongoing years is developed.
7. City holds a public hearing on the assessment roll (lists each PID property's fee).
8. City Council adopts ordinance to levy the special assessment. (City will also create a special fund(s) for the PID).
9. If necessary, City Council holds public hearing and approves additional assessments to correct omissions or mistakes in the improvement costs.
10. If necessary, City Council holds public hearing & passes a resolution dissolving PID; however, the district remains in effect at least to meet its debt obligations.

Does the City have any additional requirements?

Yes. City of Tomball Administrative Policy No. 18 "Development Policy for Special Financing Districts" requires:

1. Residential Development Size--greater than 125 acres unless the average home value is greater than \$225, 000.
2. Annual Individual Assessment Limit--no more than the equivalent of a \$.50 tax rate on the assessed value of the property.
3. Assessment Term Limit--Not to exceed 10 years. First assessment due 3 years after levy or upon transfer of property from developer to home buyer whichever occurs first.
4. Developer Interest Limit--If bonds are sold, developer earned interest reimbursements will not exceed the net effective interest rate on bonds sold or 8% whichever is less. If bonds are not sold, reimbursement will be calculated according to an indexed-based formula (see Admin Policy 18) or 8% whichever is less.
5. Bidding Requirements--Developers must follow municipal bidding procedures (as outline in Chap 252 TLGC). All bids and awards of contracts must be approved by City Council.
6. District Administration--The City of Tomball will contract with an outside consultant to bill, collect, and track district assessments. This cost will be included in the Service & Assessment Plan and reimbursed from the district.

Other city policies, procedures, and good practices may also effect individual district creation or administration including approval of related contracts and agreements. For example, the City will usually need to enter into a Developer Agreement to detail the responsibilities & obligations of each party related to the Service and Assessment Plan.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

Adopt, on Second Reading, Ordinance 2018-09, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 0.32 Acres of Land, Legally Described Lots 11 & 12 Block 6 Main Street – Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town And Mixed Use District; Said Property Being Generally Located at the Southeast Corner of Barbara Street and Lawrence Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.

Background:

On February 12, 2018, after conducting a Public Hearing, the Planning and Zoning Commission recommended approval of the rezoning request with a 4-1 vote.

Origination:

Dr. Ahmad Adnan Aslam

Recommendation:

Adopt Ordinance No. 2018-09 on Second Reading

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 No. 2018-09

Staff Report

Property Owner Notification

Public Comment Forms

Notice of Public Hearing

ORDINANCE NO. 2018-09

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 0.32 ACRES OF LAND, LEGALLY DESCRIBED LOTS 11 & 12 BLOCK 6 MAIN STREET – TOMBALL, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE SINGLE-FAMILY 6 DISTRICT TO THE OLD TOWN AND MIXED USE DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED AT THE SOUTHEAST CORNER OF BARBARA STREET AND LAWRENCE STREET; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

Whereas, Ahmad Adnan Aslam has requested that approximately 0.32 acres of land, legally described as Lots 11 and 12 Block 6 Main Street – Tomball, City of Tomball, Harris County, Texas, generally located at the southeast corner of Barbara Street and Lawrence Street, in the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

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

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

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

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

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

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

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

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

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

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

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

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

FIRST READING:

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

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>ABSENT</u>
COUNCILMAN QUINN	<u>AYE</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 MARCH 2018.

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

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: February 12, 2018
City Council Public Hearing Date: February 19, 2018

Rezoning Case: P18-004
Property Owner(s): Tomball & Magnolia Properties
Applicant(s): Ahmad Adnan Aslam
Legal Description: Lots 11 & 12 Block 6 Main Street - Tomball
Location: Southeast corner of Barbara Street and Lawrence Street (Exhibit "A")
Area: 0.32 acres
Comp Plan Designation: Mixed Use (Exhibit "B")
Present Zoning and Use: Single-Family 6 District (Exhibit "C") / Undeveloped land (Exhibit "D")
Request: Rezone from the Single-Family 6 District to the Old Town & Mixed District

Adjacent Zoning & Land Uses:

North: Old Town & Mixed Use District / Tomball Diesel & Auto

South: Single-Family 6 District / Single-family residence

West: Single-Family 6 District / Single-family residence

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

BACKGROUND

City Staff met with the applicant to discuss the development of offices on the subject site. Staff informed the applicant that a rezoning would be required for the proposed development.

ANALYSIS

The subject site is approximately 0.32 acres, located at the southeast corner of Barbara Street and Lawrence Street. The owner of the subject site also owns the medical office building located nearby at the northwest corner of Alma Street and Holderrieth Boulevard. The applicant intends on constructing office buildings on the site.

Surrounding zoning districts include Old Town & Mixed Use to the north and Single-Family 6 to the south, east and west. There are mostly single-family residences in the area; however to the

north of the subject site there is an auto body repair shop. There are also multiple medical care facilities in close proximity to the site.

The property and all surrounding properties are designated as Mixed Use by the City's Comprehensive Plan Future Land Use Map. The purpose of the Mixed Use designation is to "include a mix of office, retail/commercial and high density residential uses in a master planned, integrated manner".

ZONING CONSIDERATIONS

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

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

The uses permitted in the Old Town & Mixed Use District appear to be appropriate for the immediate area. The established land uses in the area include single-family residences, multiple medical office buildings and an auto body repair shop. The nature of the Old Town & Mixed Use District is a mixture of nonresidential and residential uses integrated together throughout the district.

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

Adequate utilities are available to serve this property and the existing streets adjacent to the property can accommodate traffic generated by an Old Town & Mixed Use District development.

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

There is vacant land in the City zoned Old Town & Mixed Use; however, this property is near an existing development by the same owners. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

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

There has been steady development in the Old Town & Mixed Use District in the City.

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

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

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

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

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

The Future Land Use Map designates the property as Mixed Use which is intended for “a mix of office, retail/commercial, dense commercial uses, a civic core, and high density residential”. The request appears to be consistent with the Future Land Use Map. The Comprehensive Plan also endorses the continuation of the mixture of uses and specifically states that retail, office, single-family, duplex, and multifamily are the most appropriate uses in this area.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on January 26, 2018. The Notice of Public Hearing was published in the paper on January 31, 2018. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends APPROVAL of Zoning Case P18-004 for the following reasons:

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

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

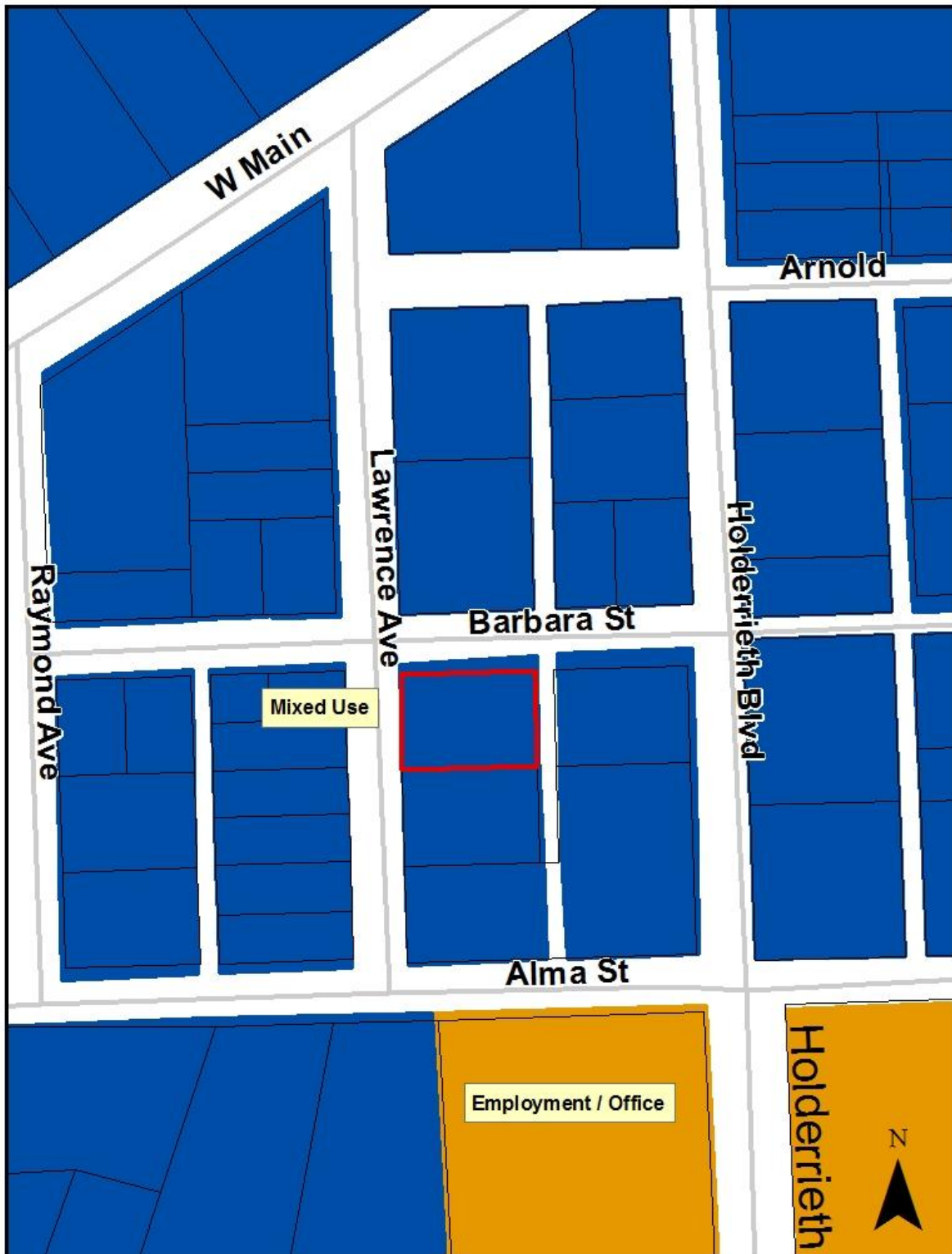
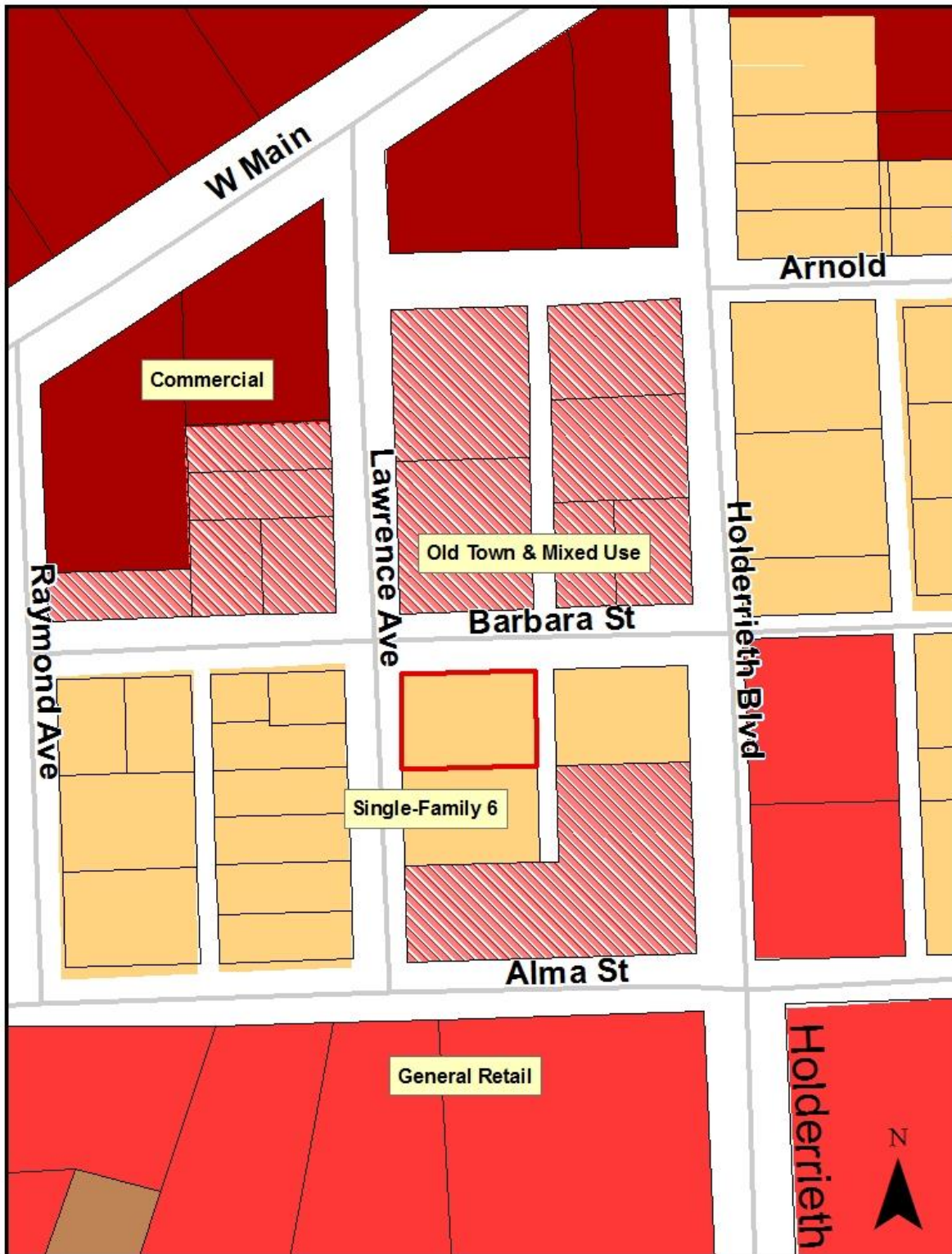


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Subject site is currently undeveloped.

Exhibit "E"
Application

Revised 5/19/15



18-004

APPLICATION FOR REZONING
Community Development Department
Planning Division

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

Applicant

Name: AHMAD ADNAN ASLAM Title: MD
Mailing Address: 308 HOLDERRIETH BLVD City: TOMBALL State: TX
Zip: 77375
Phone: (832) 524-2504 Fax: (281) 351-4915 Email: houstonheartcenter@yahoo.com

Owner

Name: Tomball & Magnolia Properties LLC Title: _____
Mailing Address: 308 HOLDERRIETH BLVD City: TOMBALL State: TX
Zip: 77375
Phone: (832) 524-2504 Fax: (281) 351-4915 Email: houstonheartcenter@yahoo.com

Engineer/Surveyor (if applicable)

Name: N/A Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: Build office to house 4-6 employees

Physical Location of Property: 911 Barbara Street Tomball TX 77375

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

Legal Description of Property: Lts 11&12 BLK 6 MAIN-STREET - TOMBALL 0.3214 AC

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

Current Zoning District: SF-6

Current Use of Property: Vacant Lot

Proposed Zoning District: OT& MU old town and mixed use district

Proposed Use of Property: office building

HCAD Identification Number: _____ **Acreage:** 0.3214 AC

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

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

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

<u>X</u>		<u>12/28/2017</u>
Signature of Applicant		Date
<u>X</u>		<u>12/28/2017</u>
Signature of Owner		Date

CITY OF TOMBALL
281-351-5484

REC#: 01011274 12/29/2017 11:31 AM
OPER: RP TERM: 005
REF#: W 5071

TRAN: 130.0000 PLANNING AND ZONING
911 BARBARA ST
AHMAD ADNAN ASLAM
100-5441
REZONING APPLICATIO 410.00CR

TENDERED: 410.00 CHECK
APPLIED: 410.00-

CHANGE: 0.00

Community Development Department Planning division

For our lot located at 911 Barbara street Tomball, TX 77375. LTS 11&12 BLK 6 MAIN STREET-TOMBALL 0.3214 AC. we respectfully request to change zoning from SF-6 to OT&MU so that we can build office to house 4-6 of our employees. My current office location is 308 Holderrieth Blvd. which is zoned as OT&MU.

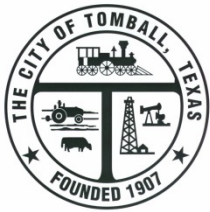
Sincerely

A handwritten signature in black ink, appearing to read 'A. Aslam', is written over a horizontal line. To the right of the signature, the date '12/28/2017' is handwritten.

Ahmad Adnan Aslam

on behalf of

Tomball and Magnolia Properties LLC



Notice of Public Hearing

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

CASE NUMBER: P18-004

APPLICANT/OWNER: Ahmad Adnan Aslam

LOCATION: Generally located at the southeast corner of Barbara Street and Lawrence Street

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.32 acres of land legally described as Lots 11 & 12 Block 6 Main Street - Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town & Mixed Use District.

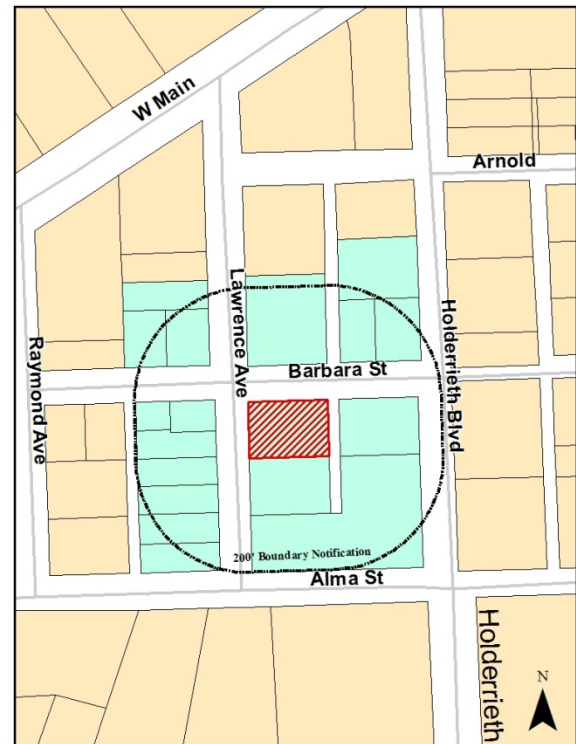
CONTACT: Amelia Lindley, Planner

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

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

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



**Planning & Zoning Commission
Public Hearing:
Monday, February 12, 2018, 6:00 PM**

**City Council Public Hearing:
*Monday, February 19, 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.

Amelia Lindley

From: Wheeler Coe <wheelercoe@aol.com>
Sent: Monday, January 29, 2018 3:41 PM
To: Amelia Lindley
Subject: Zoning CaseP-18-004

I have no objection to the rezoning request.

E. Wheeler Coe, Jr.

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
FEBRUARY 12, 2018
&
CITY COUNCIL
FEBRUARY 19, 2018**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, February 12, 2018, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, February 19, 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 P18-004: Request by Ahmad Adnan Aslam to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.32 acres of land legally described as Lots 11 & 12 Block 6 Main Street - Tomball, Harris County, Texas, generally located at the southeast corner of Barbara Street and Lawrence Street, from the Single-Family 6 District to the Old Town & Mixed Use District.

Zoning Case P18-008: Request by Daniel & Rebecca Morgan to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1 acre of land legally described as Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11A, 11B, 12A & 12B Block 8, Part of Lots 11 & 12 Main Street Tomball, Harris County, Texas, generally located on the east side of Raymond Street, between Barbara Street and Alma Street, from the Single-Family 6 District to the Old Town & Mixed Use 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 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 **8th** day of **February 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: March 5, 2018

Topic:

Adopt, on Second Reading, Ordinance No. 2018-10, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 1 Acre of Land, Legally Described Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11a, 11b, 12a & 12b Block 8, Part of Lots 11 & 12 Main Street - Tomball, within the City of Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town and Mixed Use District; Said Property Being Generally Located on the East Side of Raymond Street, between Barbara Street and Alma Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.

Background:

On February 12, 2018, after conducting a Public Hearing, the Planning and Zoning Commission recommended approval of the rezoning request with a 4-1 vote.

Origination:

Daniel and Rebecca Morgan

Recommendation:

Adopt Ordinance No. 2018-10 on Second Reading.

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 No. 2018-10

Staff Report

Property Owner Notification

Notice of Public Hearing

ORDINANCE NO. 2018-10

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 1 ACRE OF LAND, LEGALLY DESCRIBED LOTS 7, 8, 9 & 10 BLOCK 8 MAIN STREET ADDITION AND TRACT 11A, 11B, 12A & 12B BLOCK 8, PART OF LOTS 11 & 12 MAIN STREET - TOMBALL, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE SINGLE-FAMILY 6 DISTRICT TO THE OLD TOWN AND MIXED USE DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED ON THE EAST SIDE OF RAYMOND STREET, BETWEEN BARBARA STREET AND ALMA STREET; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

Whereas, Daniel and Rebecca Morgan have requested that approximately 1 acre of land, legally described as Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11A, 11B, 12A & 12B Block 8, Part of Lots 11 & 12 Main Street - Tomball, generally located at the southeast corner of Barbara Street and Lawrence Street, in the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

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

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

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

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

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

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

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

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

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

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

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

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

FIRST READING:

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

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

SECOND READING:

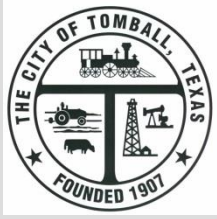
READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 5TH DAY OF MARCH 2018.

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

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: February 12, 2018

City Council Public Hearing Date: February 19, 2018

Rezoning Case: P18-008

Property Owner(s): Daniel & Rebecca Morgan

Applicant(s): Daniel & Rebecca Morgan

Legal Description: Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11A, 11B, 12A & 12B Block 8, Part of Lots 11 & 12 Main Street Tomball

Location: East side of Raymond Street, between Barbara Street and Alma Street (Exhibit "A")

Area: 1 acre

Comp Plan Designation: Mixed Use (Exhibit "B")

Present Zoning and Use: Single-Family 6 District (Exhibit "C") / Single-family residences (Exhibit "D")

Request: Rezone from the Single-Family 6 District to the Old Town & Mixed District

Adjacent Zoning & Land Uses:

- North:** Old Town & Mixed Use District / Undeveloped
- South:** General Retail District / Office building
- West:** Commercial District / Church
- East:** Single-Family 6 District / Single-family residences

BACKGROUND

City Staff met with the applicant to discuss the property in January 2018. The applicant expressed interest in rezoning the property to allow for residential or non-residential development.

ANALYSIS

The whole subject site is multiple lots totaling to approximately one acre. The properties are on the east side of Raymond Street, between Alma Street and Barbara Street. There are currently four single-family residences on the separate lots. Across Alma Street, there is an office building and a restaurant. Across Raymond Street, Tomball Assembly of God operates. On the north side

of Barbara Street, there is an undeveloped property and a medical office building and all other surrounding properties are single-family residences, separated by an alley.

The property is currently zoned Single-Family 6 District. Properties directly to the east are also zoned Single-Family 6 District. Properties to the north are zoned Old Town & Mixed Use, to the west, Commercial and to the south of the site is General Retail.

The property and all surrounding properties are designated as Mixed Use by the City's Comprehensive Plan Future Land Use Map. The purpose of the Mixed Use designation is to "include a mix of office, retail/commercial and high density residential uses in a master planned, integrated manner".

ZONING CONSIDERATIONS

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

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

The uses permitted in the Old Town & Mixed Use District appear to be appropriate for the immediate area. The established land uses in the area include single-family residences, office buildings and a church. The nature of the Old Town & Mixed Use District is a mixture of nonresidential and residential uses intergraded together throughout the district.

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

Adequate utilities are available to serve this property and the existing streets adjacent to the property can accommodate traffic generated by an Old Town & Mixed Use District development.

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

There is vacant land in the City zoned Old Town & Mixed Use. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

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

There has been steady development in the Old Town & Mixed Use District in the City.

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

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

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

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

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

The Future Land Use Map designates the property as Mixed Use which is intended for “a mix of office, retail/commercial, dense commercial uses, a civic core, and high density residential”. The request appears to be consistent with the Future Land Use Map. The Comprehensive Plan also endorses the continuation of the mixture of uses and specifically states that retail, office, single-family, duplex, and multifamily are the most appropriate uses in this area.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on January 26, 2018. The Notice of Public Hearing was published in the paper on January 31, 2018. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends APPROVAL of Zoning Case P18-008 for the following reasons:

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

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

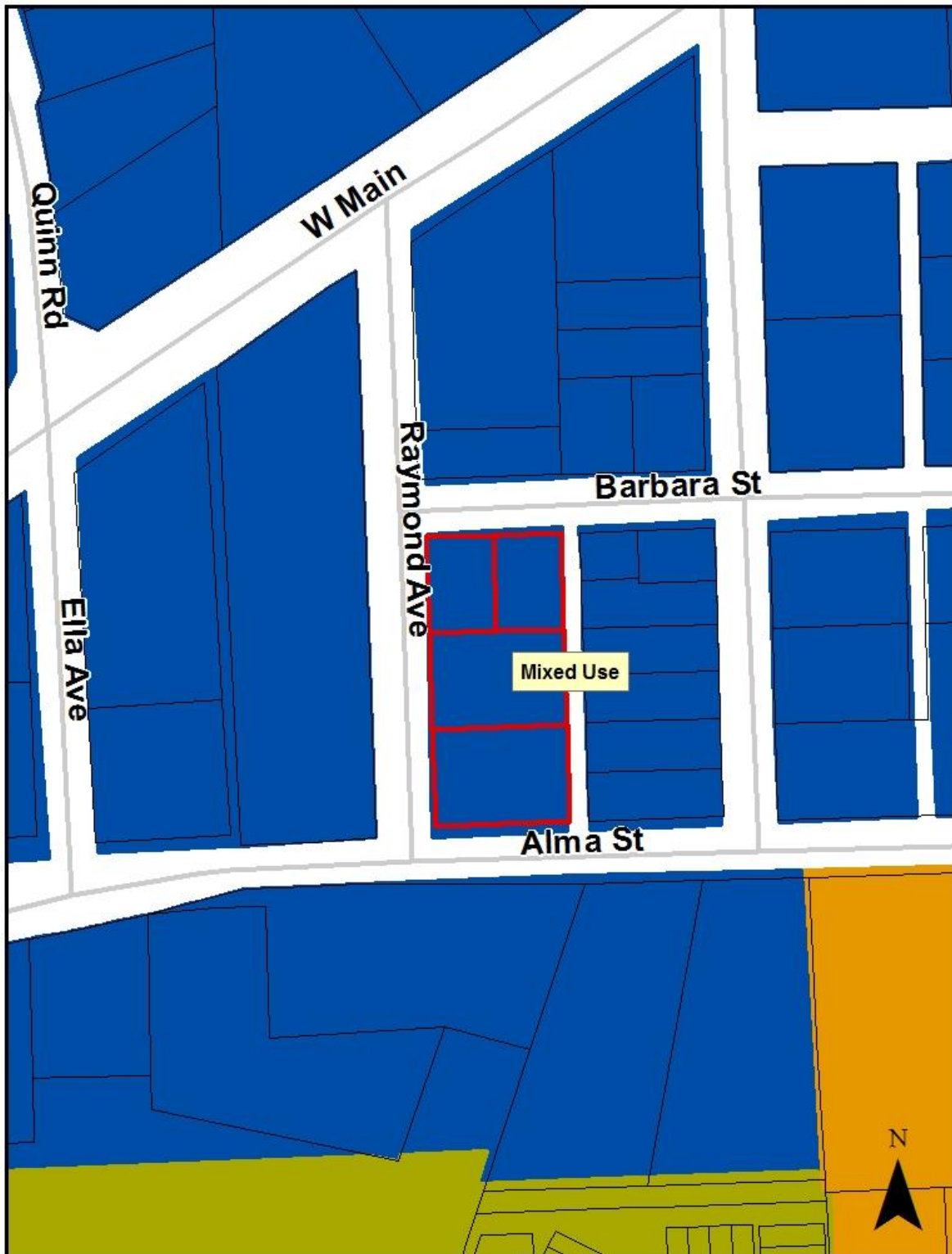
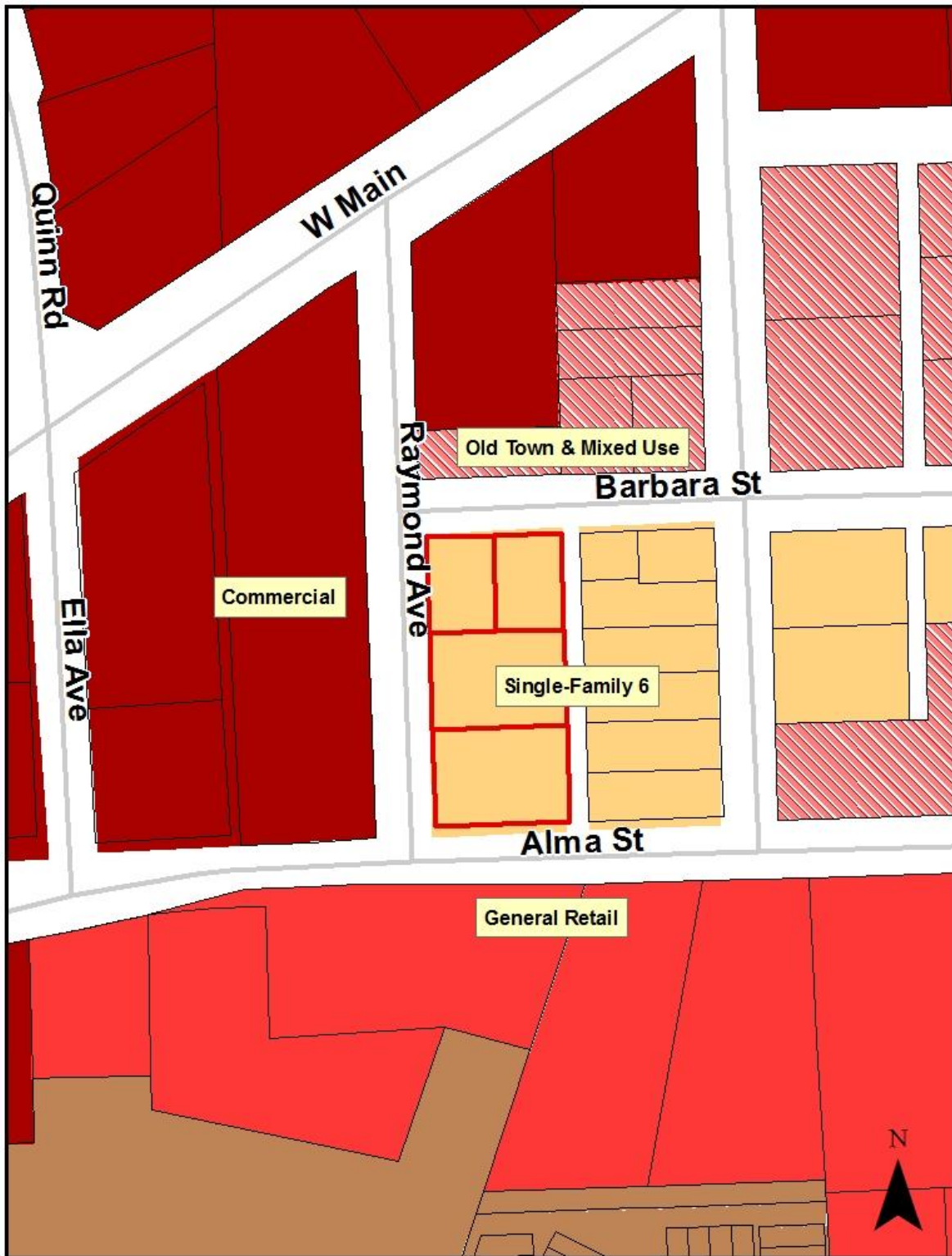


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Subject site view from Raymond Street



Subject site view from Barbara Street



Subject site view from Alma Street

Exhibit "E"
Application

Revised 5/19/15



18-008

APPLICATION FOR REZONING
Community Development Department
Planning Division



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

Applicant Abby Morgan

Name: Daniel & Rebecca Morgan Title: _____

Mailing Address: 26407 Dobbin Hufsmith City: Magnolia State: Tx

Zip: 77354

Phone: (713) 992-7545 Fax: (281) 259-8676 Email: mmleasing@att.net

Owner

Name: Same Title: _____

Mailing Address: _____ City: _____ State: _____

Zip: _____

Phone: (____) _____ Fax: (____) _____ Email: _____

Engineer/Surveyor (if applicable)

Name: _____ Title: _____

Mailing Address: _____ City: _____ State: _____

Zip: _____

Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: To Be Determined

Physical Location of Property: 203 Raymond, Tomball, tx. 77375

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

Legal Description of Property: Lots Nine & Ten, in Block 8 of Main St.

Addition in Harris County, Tx
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: S6

Current Use of Property: Residential

Proposed Zoning District: Old Town & Mixed Use

Proposed Use of Property: To Be Determined

HCAD Identification Number: 0670990080010 Acreage: _____

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

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

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

X Rebecca E. Morgan 1/5/18
Signature of Applicant Date

X Rebecca E. Morgan 1/5/18
Signature of Owner Date

CITY OF TOMBALL
281-351-5484

REC#: 01012026 1/05/2018 11:36 AM
OPER: LS TERM: 005
REF#: W 8035

TRAN: 130.0000 PLANNING AND ZONING
ABBY MORGAN RAYMOND STREET
100-5441
REZONING APPLICATIO 410.00CR

TENDERED: 410.00 CHECK
APPLIED: 410.00-

CHANGE: 0.00

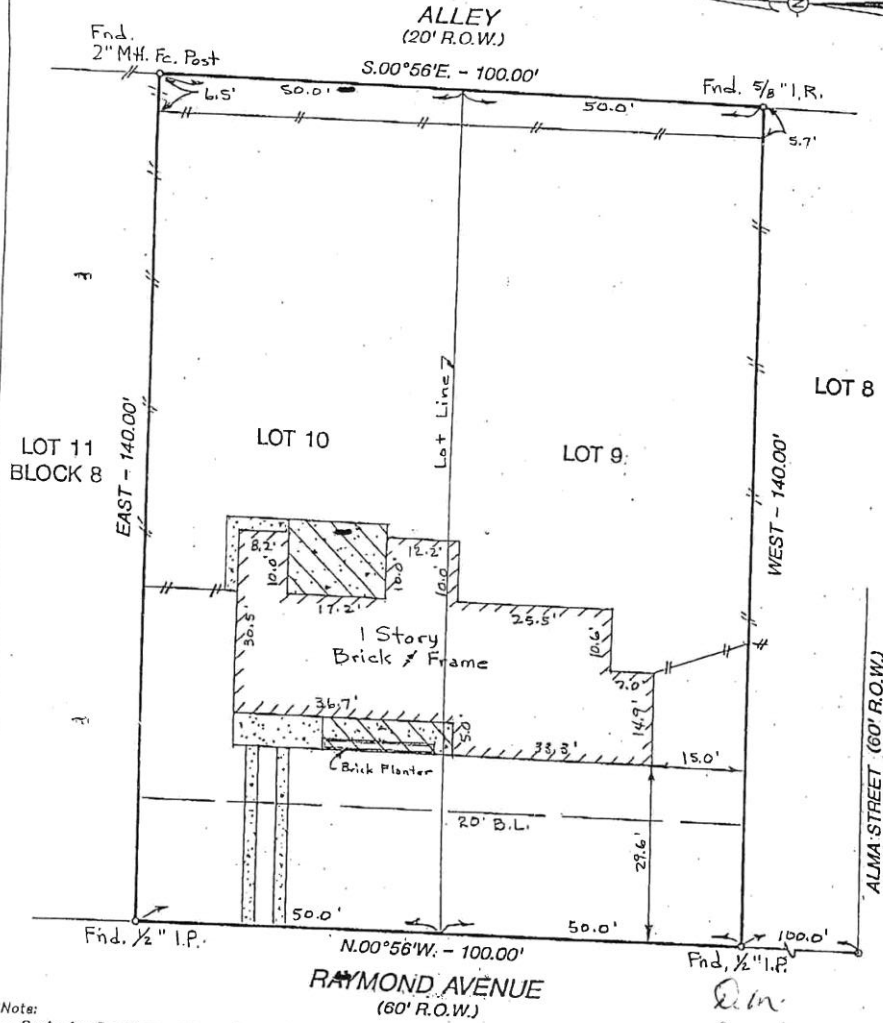
City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405

www.tomballtx.gov

This property is not located in the 100 year flood plain, & is in insurance rate map zone X, as per map 48201C0040G Dated 9-28-90

Scale: 1" = 20'

Note: All fences are 4' chlk. unless otherwise noted.



Note:
- Basis for Bearings: assumed as platted
- Distances shown are ground distances
- All abstracting done by title company

I hereby certify that this survey was made on the ground under my supervision on 28 July 1994 and that this plot represents the facts found at the time of survey.

D. E. West

D. E. West R.P.L.S. No. 1229 Date 7/29/94



LOT	9 & 10	BLK	8	SECTION	MAIN STREET ADDITION
RECORDS FOR	VOLUME 15, PAGE 43	MAP RECORDS	HARRIS	TEXAS	
ADDRESS	203 RAYMOND AVENUE	CITY	TOMBALL 77375	LOCATOR	NATIONS BANK MORTGAGE CORP.
PURCHASER	Geremia F. Mattera and wife, Judy A. Mattera	TITLE COMPANY	CHICAGO TITLE INS. COMPANY	ST/	189419

GULLETT & ASSOCIATES, INC.
P.O. BOX 230107
HOUSTON, TEXAS 77202

Mailing Address:
Information & Assistance Division
P.O. BOX 922004
Houston, TX 77292-2004



HARRIS COUNTY APPRAISAL DISTRICT

NOTICE OF APPRAISED VALUE FOR PROPERTY TAX PURPOSES

This is **NOT** a tax bill. Do **NOT** pay from this notice.

Tax Year: **2017**

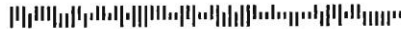
iFile Number: **01133190**

www.hcad.org/iFile

PROPERTY DESCRIPTION:
LTS 9 & 10 BLK 8
MAIN STREET - TOMBALL

03/31/2017

Please use this ACCOUNT NUMBER → **0670990080010**
when inquiring about your property.



26-2

2017 0670990080010 03/31/2017 0000040205

MORGAN DANIEL & REBECCA

26407 DOBBIN HUFFSMITH RD

MAGNOLIA TX 77354-4037

PROPERTY LOCATION:

203 RAYMOND ST
TOMBALL, TX 77375

Dear Property Owner:

This letter is your official notice of the 2017 property tax appraisal for the account listed above. Harris County Appraisal District (HCAD) appraises all of the property in Harris County for property tax purposes. Your county, city, school district, and other local governments use the appraisal in calculating your property taxes. Property taxes support critical services such as schools, police and fire protection, street maintenance, and many others.

By law, we must appraise property at market value. Market value is the price for which it would have sold on January 1 in the open market. You can find additional information about the reappraisal on our website at www.hcad.org and selecting Resources and then Reappraisal from the menu. If you have a homestead exemption and your 2017 market value increased by more than 10%, your 2017 appraised value may be less than the market value.

As of January 1, 2017, we appraised your property as shown below:

2017 Market Value: \$142,607

2017 Appraised Value: \$125,171

If you believe our market value appraisal is not accurate, you should file a protest with the Appraisal Review Board of Harris County. I have enclosed more information about the protest process with this letter. You can file until **May 31, 2017**, or 30 days after the date this letter was mailed, whichever is later.

I have also included a protest form, but the easiest way to protest is to file online at www.hcad.org/iFile, using the iFile number in the upper right corner of the page. You will need to create a user name and password if you have not already done so. After filing you may also wish to take advantage of our online settlement process, called iSettle™. You can find more information about iFile and iSettle™ at www.hcad.org.

Sincerely,

Roland Altinger, CAE, RPA, CTA
Chief Appraiser
Harris County Appraisal District

0059



201700048 0000040205



APPLICATION FOR REZONING

Community Development Department
Planning Division

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

Applicant

Name: Daniel & Rebecca Morgan Title: _____
 Mailing Address: 26407 Dobbin Hufsmith City: Magnolia State: Tx
 Zip: 77354
 Phone: (713) 992-7545 Fax: (281) 259-8676 Email: mmleasing@att.net

Owner

Name: Same Title: _____
 Mailing Address: _____ City: _____ State: _____
 Zip: _____
 Phone: (____) _____ Fax: (____) _____ Email: _____

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
 Mailing Address: _____ City: _____ State: _____
 Zip: _____
 Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: To Be Determined

Physical Location of Property: 201 Raymond, Tomball Tx 77375

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

Legal Description of Property: TRS 11B & 12B Block 8, PT LTS 11 & 12
Main Street Tomball

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

Current Zoning District: S6

Current Use of Property: Residential

Proposed Zoning District: Old Town & Mixed Use

Proposed Use of Property: To Be Determined

HCAD Identification Number: 0670990080012 Acreage: _____

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

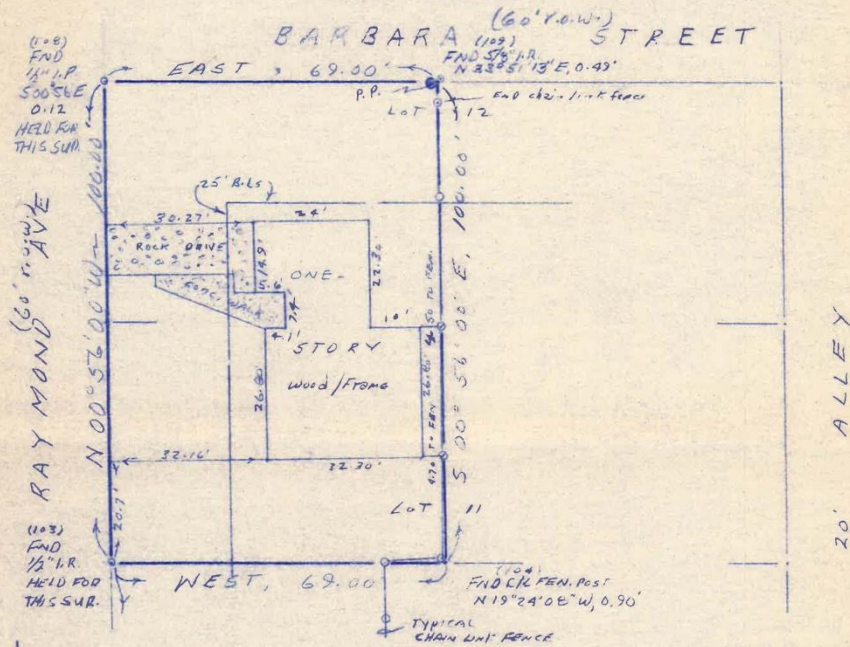
Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

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

X Renée E. Morgan 1/5/18
Signature of Applicant Date

X Renée E. Morgan 1/5/18
Signature of Owner Date

BURKLIN SURVEYING COMPANY
1431 GRAHAM DRIVE
TOMBALL, TEXAS 77375
PHONE 1-800-351-7153



PLAT
prepared for

DAN AND REBECCA MORGAN
located at 201 Raymond Avenue, Tomball, Texas

BEING THE WEST 69 FEET OF LOTS 11 AND 12, BLOCK 8 OF MAIN STREET ADDITION, AN ADDITION TO THE CITY OF TOMBALL, TEXAS IN THE JOSEPH HONE SURVEY, ABSTRACT 34, ACCORDING TO THE PLAT OR MAP THEREOF FILED FOR RECORD IN VOLUME 15, PAGE 43, MAP RECORD, HARRIS COUNTY, TEXAS. (see field notes attached)

FEDERAL INSURANCE RATE MAP FOR THE CITY OF TOMBALL, HARRIS COUNTY, MAP NO. 4820100040 G; EFFECTIVE DATE: SEPTEMBER 28, 1990 SHOWS THIS PARCEL OF LAND TO BE IN ZONE "2" AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN.

I hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.

ELMER E. COON
PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 1679

DATED: OCTOBER 12, 1994





APPLICATION FOR REZONING

Community Development Department
Planning Division

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

Applicant

Name: Daniel & Rebecca Morgan Title: _____

Mailing Address: 26407 Dobbin Hufsmith City: Magnolia State: Tx

Zip: 77354

Phone: (713) 992-7545 Fax: (281) 259-8676 Email: mmleasing@att.net

Owner

Name: Same Title: _____

Mailing Address: _____ City: _____ State: _____

Zip: _____

Phone: (____) _____ Fax: (____) _____ Email: _____

Engineer/Surveyor (if applicable)

Name: _____ Title: _____

Mailing Address: _____ City: _____ State: _____

Zip: _____

Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: To Be Determined

Physical Location of Property: 205 Raymond, Tomball, Tx.

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

Legal Description of Property: Lots 7 & 8 in Block 8 of Main St. Addition
to the city of Tomball, Harris County

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

Current Zoning District: S6

Current Use of Property: Residential

Proposed Zoning District: Old Town & Mixed Use

Proposed Use of Property: To Be Determined

HCAD Identification Number: 0670990080007 Acreage: _____

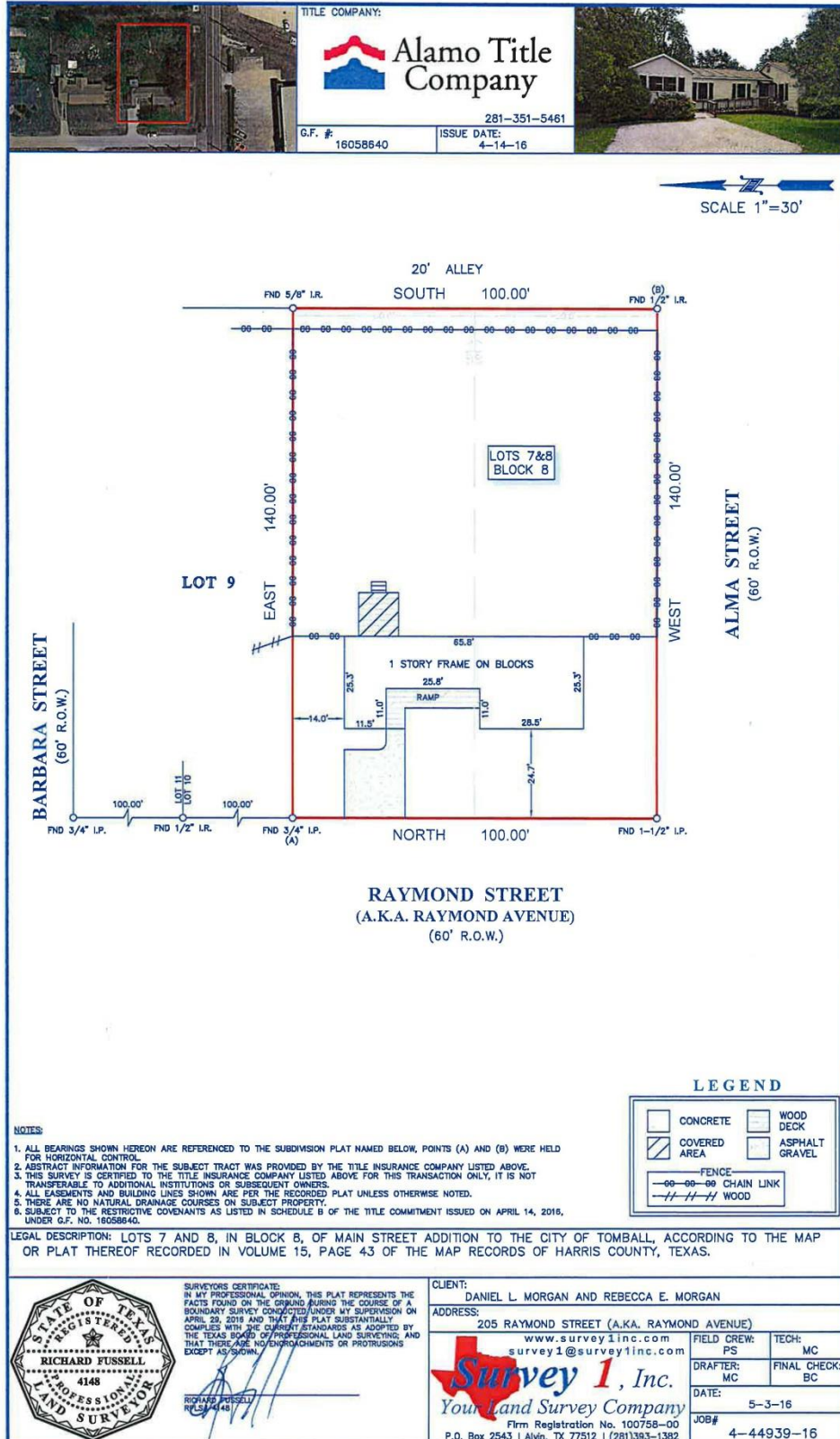
City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

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

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

X Rebecca E. Morgan 1/5/18
Signature of Applicant Date

X Rebecca E. Morgan 1/5/18
Signature of Owner Date





APPLICATION FOR REZONING

Community Development Department
Planning Division

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

Applicant

Name: Daniel & Rebecca Morgan Title: _____
 Mailing Address: 26407 Dobbin Hufsmith City: Magnolia State: Tx
 Zip: 77354
 Phone: (713) 992-7545 Fax: (281) 259-8676 Email: mmleasing@att.net

Owner

Name: Same Title: _____
 Mailing Address: _____ City: _____ State: _____
 Zip: _____
 Phone: (____) _____ Fax: (____) _____ Email: _____

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
 Mailing Address: _____ City: _____ State: _____
 Zip: _____
 Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: To Be Determined

Physical Location of Property: 1007 Barbara, Tomball, Tx. 77375

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

Legal Description of Property: Lots 11 & 12 in Block 8 of the Main St.
Addition to the city of Tomball, Harris County
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: S6

Current Use of Property: Residential

Proposed Zoning District: Old Town & Mixed Use

Proposed Use of Property: To Be Determined

HCAD Identification Number: 0670990080011 **Acreage:** _____

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

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

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X Rebecca E. Morgan 1/5/18
Signature of Applicant Date

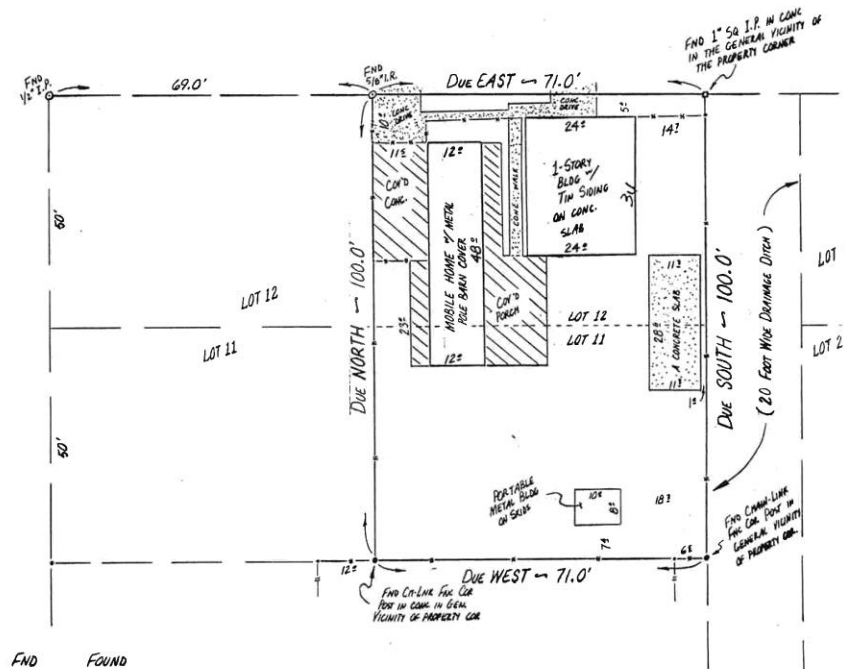
X Rebecca E. Morgan 1/5/18
Signature of Owner Date

A PLAT OF THE EAST 71 FEET OF LOTS 11 AND 12 IN
BLOCK 8 OF MAIN STREET ADDITION, AN ADDITION IN HARRIS
COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME
15, PAGE 43, OF THE MAP RECORDS OF HARRIS COUNTY.

Ex B

BARBARA STREET
(60 FT. R.O.W.)

RAYMOND AVENUE
(60 FT. R.O.W.)



FND FOUND
I.P. IRON PIPE
I.R. IRON ROD
— CHAIN-LINK FENCE

ADDRESS: 1007 BARBARA ST.

SCALE: 1"=20 FEET
0 10 20 30

I do hereby certify that this survey was made by me on the ground
of the property described and depicted above and is correct in all that it
implies. All improvements are shown and there are no conflicts, discrepancies,
shades in area or boundary lines, or any overlapping of improvements except
as shown herein. All visible easements and rights-of-way are shown.

Survey, stamped, and dated this 28th day of February, 1992.

PREPARED
for
TRAVIS WHITAKER
by
TONY SWONKE LAND SURVEYING
1002 N. Main St.
Tomball, TX 77375
(713) 351-SRVY (7789)



Ex A

BEING a tract of land out of Lots 11 and 12 in Block 8 of the Main Street Addition to the City of Tomball, Harris County, Texas, as shown by a map or plat thereof recorded in Volume 15, page 43 of the Map Records of Harris County, Texas, said tract of land being described by metes and bounds as follows:

BEGINNING at an iron pipe set for the Northwest corner of said Lot 12, same also being in the East line of Raymond Street and the South line of Barbara Street;

THENCE South 100 feet along the East line of Raymond Street to an iron pipe set for corner; said point also being the Southwest corner of Lot 11;

THENCE East 69 feet along the South line of said Lot 11 to an iron pipe set for corner;

THENCE North 100 feet, parallel to the West line of said Lot 11 and 12 to an iron pipe set for corner in the North line of the said Lot 12;

THENCE West 69 feet along the North line of said Lot 12 and the South line of Barbara Street to the PLACE OF BEGINNING.

PAGE 1 OF 1 EXHIBIT A PAGES



ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS HEREBY REPEALED AND MADE UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped herein by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

MAR 10 1992



Quita Rodriguez
COUNTY CLERK,
HARRIS COUNTY, TEXAS

Quita Rodriguez
COUNTY CLERK
HARRIS COUNTY, TEXAS

92 MAR 10 PM 2:33

FILED

RECORDER'S MEMORANDUM
AT THE TIME OF RECORDATION, THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBILITY, CARBON OR PHOTO COPY, DISCOLORED PAPER, ETC.

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.

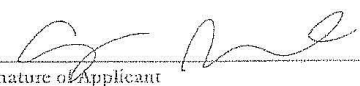
This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

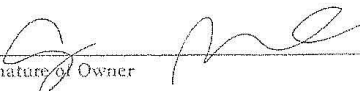
X Daniel L. Morgan 1/5/18
Signature of Applicant Date

X Daniel L. Morgan 1/5/18
Signature of Owner Date

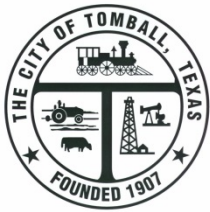
Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

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  1/4/18
Signature of Applicant Date

X  1/4/18
Signature of Owner Date

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



Notice of Public Hearing

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

CASE NUMBER: P18-008

APPLICANT/OWNER: Daniel & Rebecca Morgan

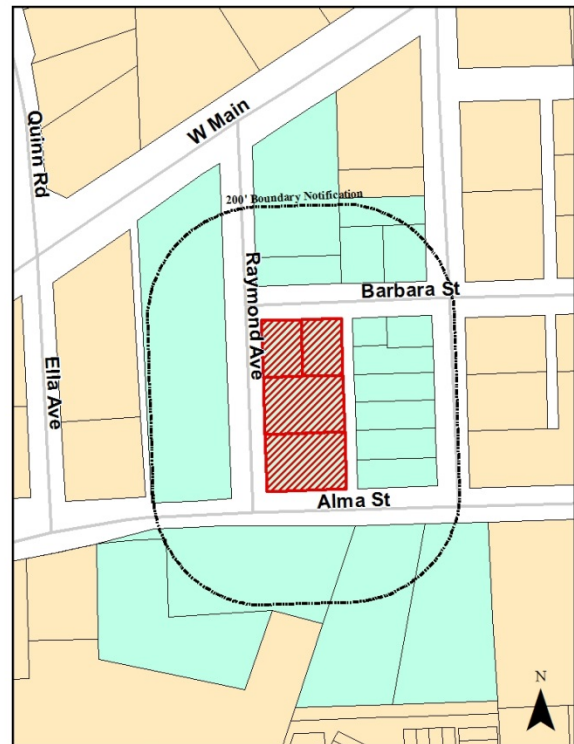
LOCATION: Generally located on the east side of Raymond Street, between Barbara Street and Alma Street

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1 acre of land legally described as Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11A, 11B, 12A & 12B Block 8, Part of Lots 11 & 12 Main Street Tomball, Harris County, Texas, from the Single-Family 6 District to the Old Town & Mixed Use District.

CONTACT: Amelia Lindley, Planner

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov



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

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

**Planning & Zoning Commission
Public Hearing:
Monday, February 12, 2018, 6:00 PM**

**City Council Public Hearing:
*Monday, February 19, 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.

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
FEBRUARY 12, 2018
&
CITY COUNCIL
FEBRUARY 19, 2018**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, February 12, 2018, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, February 19, 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 P18-004: Request by Ahmad Adnan Aslam to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.32 acres of land legally described as Lots 11 & 12 Block 6 Main Street - Tomball, Harris County, Texas, generally located at the southeast corner of Barbara Street and Lawrence Street, from the Single-Family 6 District to the Old Town & Mixed Use District.

Zoning Case P18-008: Request by Daniel & Rebecca Morgan to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1 acre of land legally described as Lots 7, 8, 9 & 10 Block 8 Main Street Addition and Tract 11A, 11B, 12A & 12B Block 8, Part of Lots 11 & 12 Main Street Tomball, Harris County, Texas, generally located on the east side of Raymond Street, between Barbara Street and Alma Street, from the Single-Family 6 District to the Old Town & Mixed Use 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 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 **8th** day of **February 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: March 5, 2018

Topic:

Adopt, on Second Reading, Ordinance No. 2018-11, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of This Ordinance

Background:

In December 2017, staff was contacted by Comquest Academy to express concerns regarding the posted speed limits along Peach Street. The basis for the concerns was that the street did not have an established school zone for their property located on the east side of Moore Street.

Staff conducted an engineering and traffic study, which has warranted certain revisions to the posted speed limits along sections of Peach Street.

Following the February 19th Council meeting, the hours established in the Ordinance were changed to read as follows for the new speed zone:

Along Peach Street, a school zone from Texas Street to 355.0 feet north to Moore Street, a distance of approximately 0.07 miles, 20 MPH during designated hours of: ~~7:00 AM—7:30 AM~~ 7:00 AM - 8:00 AM and 3:00 PM to 3:30 PM.

Once adopted, staff anticipates the new speed limits to be posted within 60 days, pending the delivery of the school zone signs.

Origination:

Public Works Department

Recommendation:

Adopt Ordinance Number 2018-11 on second reading.

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:

Ordinance No. 2018-11

ORDINANCE NO. 2018-11

AN ORDINANCE ALTERING THE *PRIMA FACIE* SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF §545.356, TEXAS TRANSPORTATION CODE, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF TOMBALL AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE IN AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR THE VIOLATION OF THIS ORDINANCE.

* * * * *

WHEREAS, §545.356, Texas Transportation Code, provides that, whenever the governing body of the City shall determine, upon the basis of an engineering and traffic investigation, any *prima facie* speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe *prima facie* speed limit thereat or there on by the passage of an Ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

Section 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of §545.356, Texas Transportation Code, the following *prima facie* speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

Along Peach Street, a school zone from Texas Street to 355.0 feet north to Moore Street, a distance of approximately 0.07 miles, 20 MPH during designated hours of: 7:00 AM – 8:00 AM and 3:00 PM to 3:30 PM.

Section 2. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not more than Two Hundred Dollars (\$200.00).

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 19TH DAY OF FEBRUARY 2018.

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

SECOND READING:

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

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

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball

Regular City Council

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

Reappoint/Appoint Members to the Board of Adjustments for Terms Expiring March 2, 2020.

Background:

The Board of Adjustments consists of five regular members and four alternate members with staggered two-year terms. On March 2nd, Regular Board Member Tina Roquemore and Regular Board Member April Gray's terms expired and both expressed their desire to be reappointed.

Origination:

Mayor Gretchen Fagan

Recommendation:**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
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Regular City Council

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

Approve Resolution No. 2018-05, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Dates, Times, and Places for Two Public Hearings at which All Interested Parties shall have an Opportunity to be Heard; Providing for Publication of Notices of Such Public Hearings; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (*374.9 Acres of Land Situated in the Chauncey Goodrich Survey, Abstract Number 305, the Auguste Senechal Survey, Abstract Number 722, and the Sam Lewis Survey, Abstract Number 1704, Harris County, Texas, Being All of a Called 20.000 Acres Tract of Land Conveyed to County of Harris by Jimmy C. Shaw, Et Ux by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas, Being All of a Called 117.9465 Acres Tract of Land, Described in Six (6) Tracts, Conveyed to County of Harris by Merenco Realty, Inc. by Deed dated October 17, 2014 and Recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas, Being All of a Called 229.772 Acres Tract, Described in Thirteen, (13), Tracts, Being All of a Called 4.992 Acres Tract and Being All of a Called 2.363 Acres Tract Conveyed to County of Harris by Harris County Improvement District No. 17 by Deed Dated September 11, 2017 and Recorded in County Clerk's File Rp-2017-402273 of the Official Public Records of Real Property of Harris County, Texas, Save and Except that Certain Portion of Land Out of a Called 3.693 Acres, a Called 2.088 Acres, a Called 3.709 Acres, and a Called 148.751 Acres Tracts that apparently lies within the Said Lewis Survey*)

Background:

Approval of Resolution No. 2018-05 will declare the City's intention to annex a 374.9-acre tract for the planned development/construction of Harris County's new service center, HCID 17 - Willow Creek, located within the City's ETJ, and to schedule the required public hearings.

A copy of the annexation calendar is included for Council review.

Section 43.063 of the Local Government Code requires two public hearings on proposed annexations. The hearings must be conducted on or after the 40th day but before the 20th day before the date of the first reading of the ordinance (a 21-39 day timeframe). Due to publication date constraints and Council's meeting schedule, staff's recommendation is that the public hearings be held during the regular Council meeting on April 2, 2018 and at the regular Council meeting on April 16, 2018.

If the recommended dates for the public hearings are acceptable, the first reading of the annexation ordinance will be adopted at the regular Council meeting on Monday, May 7, 2018 and the second reading of the ordinance will be adopted at the regular Council meeting on May 21, 2018. No special meetings will be required.

Melissa Hamous, with the Design Services Division of Harris County's Engineering Department, will be available to address additional questions.

Origination:

Harris County Engineering Department

Recommendation:

Approve Resolution No. 2018-05

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

City Secretary

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

ATTACHMENTS:

Resolution No. 2018-05

Annexation Calendar - HCID 17 - Willow Creek

Application for Annexation - HCID 17 - Willow Creek

RESOLUTION NO. 2018-05

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF TOMBALL, TEXAS, TO INSTITUTE PROCEEDINGS TO ANNEX CERTAIN TERRITORY; DESCRIBING SUCH TERRITORY; SETTING THE DATES, TIMES, AND PLACES FOR TWO PUBLIC HEARINGS AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF NOTICES OF SUCH PUBLIC HEARINGS; AND DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED (374.9 ACRES OF LAND SITUATED IN THE CHAUNCEY GOODRICH SURVEY, ABSTRACT NUMBER 305, THE AUGUSTE SENECHAL SURVEY, ABSTRACT NUMBER 722, AND THE SAM LEWIS SURVEY, ABSTRACT NUMBER 1704, HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 20.000 ACRES TRACT OF LAND CONVEYED TO COUNTY OF HARRIS BY JIMMY C. SHAW, ET UX BY DEED DATED OCTOBER 17, 2014 AND RECORDED IN COUNTY CLERK'S FILE 20140468595 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 117.9465 ACRES TRACT OF LAND, DESCRIBED IN SIX (6) TRACTS, CONVEYED TO COUNTY OF HARRIS BY MERENCO REALTY, INC. BY DEED DATED OCTOBER 17, 2014 AND RECORDED IN COUNTY CLERK'S FILE 20140471160 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, BEING ALL OF A CALLED 229.772 ACRES TRACT, DESCRIBED IN THIRTEEN, (13), TRACTS, BEING ALL OF A CALLED 4.992 ACRES TRACT AND BEING ALL OF A CALLED 2.363 ACRES TRACT CONVEYED TO COUNTY OF HARRIS BY HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 BY DEED DATED SEPTEMBER 11, 2017 AND RECORDED IN COUNTY CLERK'S FILE RP-2017-402273 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN PORTION OF LAND OUT OF A CALLED 3.693 ACRES, A CALLED 2.088 ACRES, A CALLED 3.709 ACRES, AND A CALLED 148.751 ACRES TRACTS THAT APPARENTLY LIES WITHIN THE SAID LEWIS SURVEY)

* * * * *

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

Section 1. The City Council of the City of Tomball hereby declares its intention to institute proceedings to annex to the City the territory described in Exhibit "A" attached hereto and made a part hereof by the passage of an ordinance of annexation extending the general corporate limits of the City of Tomball for all purposes to include such territory.

Section 2. The City Council of the City of Tomball hereby calls two public hearings at which all interested persons shall have the right and opportunity to appear and be heard upon such proposal to annex the territory described above. **No suitable location is available for a public hearing to be held on the**

property proposed for annexation. The first public hearing shall be held in the City Council Chambers, 401 Market Street, City of Tomball, Texas, during a Regular Council Meeting at **6:00 o'clock (6:00 p.m.), on April 2, 2018**. The second public hearing shall be held in the City Council Chambers, 401 Market Street, City of Tomball, Texas, during a Regular Council Meeting at **6:00 o'clock (6:00 p.m.), on April 16, 2018**.

The annexation proceeding, of which notice of intention to annex is given by this Resolution, shall be instituted not less than twenty (20) days nor more than forty (40) days subsequent to such public hearings.

Section 3. The City Secretary of the City of Tomball is hereby directed to cause notices of such public hearings to be given by publication in a newspaper having general circulation within the City of Tomball and within the territory proposed to be annexed, the publication of notice of each public hearing to be made at least once in such newspaper not more than twenty (20) days nor less than ten (10) days prior to the day of that public hearing.

Section 4. The City Engineer is hereby directed to cause to be prepared a service plan that provides for the extension of municipal services to the territory that is proposed to be annexed. The proposed service plan shall be made available for public inspection and shall be explained to the inhabitants of the territory at the public hearings called herein. Such service plan shall be prepared in accordance with the provisions of Chapter 43 of the TEXAS LOCAL GOVERNMENT CODE.

PASSED, APPROVED, AND RESOLVED this 5th day of March 2018.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

Doris Speer, City Secretary
City of Tomball

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CITY OF TOMBALL – WILLOW CREEK ANNEXATION

STATE OF TEXAS)
COUNTY OF HARRIS)

DESCRIPTION of 374.9 acres of land situated in the Chauncey Goodrich Survey, Abstract Number 305, the Auguste Senechal Survey, Abstract Number 722, and the Sam Lewis Survey, Abstract Number 1704, Harris County, Texas, being all of a called 20.000 acres tract of land conveyed to County of Harris by Jimmy C. Shaw, et ux by deed dated October 17, 2014 and recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas, being all of a called 117.9465 acres tract of land, described in six, (6), tracts, conveyed to County of Harris by Merenco Realty, Inc. by deed dated October 17, 2014 and recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas, being all of a called 229.772 acres tract, described in thirteen, (13), tracts, being all of a called 4.992 acres tract and being all of a called 2.363 acres tract conveyed to County of Harris by Harris County Improvement District No. 17 by deed dated September 11, 2017 and recorded in County Clerk's File RP-2017-402273 of the Official Public Records of Real Property of Harris County, Texas, save and except that certain portion of land out of a called 3.693 acres, a called 2.088 acres, a called 3.709 acres, and a called 148.751 acres tracts that apparently lies within the said Lewis Survey and further detailed on the map accompanying this exhibit as I.D. Numbers 8-11, this 374.9 acres tract is more particularly described by metes and bounds as follows, to wit:

NOTE: ALL BEARINGS AND COORDINATES DESCRIBED HEREIN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 AS DEFINED IN V.T.C.A., NATURAL RESOURCES CODE, §21.071-21.079, NAD83(2011) EPOCH 2010.00. ALL DISTANCES DESCRIBED HEREIN ARE SURFACE, HORIZONTAL, (U.S. SURVEY FEET), AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99994128. REFERENCE IS MADE TO THE MAP OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at an 1 inch iron pipe, found, in the North line of the said Senechal Survey, for the southwest corner of said Lewis Survey, same being the southwest corner of a called 160.3 acres tract conveyed to Sam Lewis by State of Texas by Letter Patent dated January 12, 1934 and recorded in Volume 942 at Page 191 of the Deed Records of Harris County, Texas, same being the southwest corner of a called 158.57 acres tract per field notes recorded in Texas General Land Office Scrap File 13411, for the southeast corner of the said Goodrich Survey, for the southeast corner of a called 73,123 square feet, (1.679 acres), more or less, tract conveyed to Harris County Flood Control District by Texas Commerce Bank N.A., Trustee of the Kaiser-Frapart Irrevocable Trust, et al by deed dated October 21, 1988 and recorded in County Clerk's File L951535 of the Official Public Records of Real Property, and for the southeast corner of said called Tract 4, called 148.751 acres, this beginning corner has a Texas Coordinate System of 1983 value of N = 13,948,447.64, E = 3,034,326.13 and Gamma, (γ) = +01° 39' 03", and from this corner a +/- 2" outside diameter iron pipe with top partially crushed, found, for the southeast corner of said Lewis Survey, same being the southeast corner of said called 160.3 acres tract, same being the southeast corner of said called 158.57 acres tract bears North 86° 13' 28" East, a distance of 1,099.74 feet, from said 1 inch iron pipe, found, a Train Rail, found, for the northwest corner of said Lewis Survey, same being the northwest corner of said called 160.3 acres tract, same being the northwest corner of said called 158.57 acres tract bears North 02° 57' 26" West, a distance of 6,852.38 feet, and from said Train Rail a 2 inch iron pipe with metal cap stamped, "NWCOR S LEWIS", bears South 51° West, a distance of 1.0 foot;

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THENCE South 87° 11' 27" West with the South line of said Tract 4, called 148.751 acres, the South line of the said Goodrich Survey, and the North line of said Senechal Survey, at a distance of 66.77 feet, a 2-1/2 inch iron pipe, (bent), found in line, in all a total distance of 689.05 feet to a 5/8 inch iron rod with “BASELINE” cap, found, for the northeast corner of Tract 12, called 16.750 acres;

THENCE South 01° 11' 10" East with the East line of said Tract 12, called 16.750 acres, at a distance of 194.86 feet, a 5/8 inch iron rod with “BASELINE” cap, found in line, in all a total distance of 253.19 feet to a point in the center of Willow Creek and for the southeast corner of said Tract 12, called 16.750 acres;

THENCE with the South line of said Tract 12, called 16.750 acres and the center of said Willow Creek, the following meanders:

South 57° 57' 11" West, a distance of 349.84 feet;

South 79° 08' 42" West, a distance of 131.06 feet;

North 74° 57' 48" West, a distance of 126.53 feet;

South 71° 09' 13" West, a distance of 166.28 feet;

South 81° 38' 12" West, a distance of 55.23 feet;

North 82° 40' 46" West, a distance of 167.31 feet;

North 88° 04' 48" West, a distance of 211.74 feet;

South 68° 12' 12" West, a distance of 82.35 feet;

South 40° 32' 12" West, a distance of 225.68 feet;

South 34° 04' 42" West, a distance of 341.77 feet to a point for the southwest corner of said Tract 12, called 16.750 acres;

THENCE North 02° 58' 20" West with the West line of said Tract 12, called 16.750 acres, at a distance of 743.02 feet an 1 inch iron pipe, found, bears South 87° 01' 40" West, a distance of 0.4 feet, in all a total distance of 872.20 feet to an 1 inch iron pipe, (bent), found, in the South line of said Goodrich Survey, in the South line of said Tract 4, called 148.751 acres, for the northeast corner of Texas General Land Office Mineral File 154694, for the apparent northwest corner of said Senechal Survey, and for the northwest corner of said Tract 12, called 16.750 acres;

THENCE South 87° 11' 27" West with the South line of said Tract 4, called 148.751 acres, the South line of said Goodrich Survey, and the North line of said Mineral File 154694, a distance of 987.37 feet to a point for the southeast corner of a called 171.87 acres tract conveyed to Nabors Property Holdings, II, LLC by Nabors Corporate Services, Inc. by deed dated December 16, 2015 and recorded in County Clerk's File 20160007046 of the Official Public Records of Real Property of Harris County, Texas, and for the southwest corner of said Tract 4, called 148.751 acres, from this corner an 1 inch iron pipe, found, for the apparent southwest corner of said Goodrich Survey bears South 87° 11' 27" West, a distance of 2,008.73 feet;

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THENCE with the common boundary line of said Tract 4, called 148.751 acres, and the East line of said called 171.87 acres tract, the following eight, (8), courses and distances:

- 1) North 02° 48' 33" West, a distance of 470.38 feet;
- 2) North 87° 11' 27" East, a distance of 439.22 feet;
- 3) North 02° 48' 33" West, a distance of 508.37 feet;
- 4) North 19° 54' 49" West, a distance of 281.78 feet;
- 5) South 87° 11' 27" West, a distance of 180.47 feet;
- 6) North 02° 48' 33" West, a distance of 300.00 feet;
- 7) North 87° 11' 27" East, a distance of 170.00 feet;
- 8) North 02° 48' 33" West, a distance of 460.92 feet to a point for the South corner of Tract 7, called 5.087 acres, and for a common corner of said called 171.87 acres tract and said Tract 4, called 148.751 acres;

THENCE with the common boundary line of said Tract 7, called 5.087 acres, and continuing with the East line of said called 171.87 acres tract, the following three, (3), courses and distances:

- 1) North 43° 57' 14" West, a distance of 1,062.68 feet to the point of curvature of a curve;
- 2) 1,166.81 feet along a curve to the right, concave northeast, having a central angle of 32° 36' 41", a radius of 2,050.00 feet, and a chord bearing and distance of North 27° 38' 54" West, 1,151.12 feet to the point of tangency of said curve;
- 3) North 11° 20' 33" West, a distance of 15.00 feet to the point of curvature of a curve, for the northwest corner of said Tract 7, called 5.087 acres, and for an exterior corner of Tract 10, called 10.313 acres;

THENCE with the common boundary line of said Tract 10, called 10.313 acres and continuing with the East and North line of said called 171.87 acres tract, the following six, (6), courses and distances:

- 1) 54.98 feet along a curve to the left, concave southwest, having a central angle of 90° 00' 00", a radius of 35.00 feet, and a chord bearing and distance of North 56° 20' 33" West, 49.50 feet to the point of tangency of said curve;

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- 2) South 78° 39' 27" West, a distance of 71.00 feet to the point of curvature of a curve;
- 3) 127.39 feet along a curve to the left, concave southeast, having a central angle of 07° 40' 59", a radius of 950.00 feet, and a chord bearing and distance of South 74° 48' 58" West, 127.29 feet to the point of tangency of said curve;
- 4) South 70° 58' 28" West, a distance of 522.69 feet to the point of curvature of a curve;
- 5) 311.99 feet along a curve to the right, concave northwest, having a central angle of 17° 01' 29", a radius of 1,050.00 feet, and a chord bearing and distance of South 79° 29' 13" West, 310.85 feet to the point of tangency of said curve;
- 6) South 87° 59' 57" West, a distance of 120.80 feet to a 5/8 inch iron rod with "BASELINE" cap, found, for the southeast corner of a residue of a called 617.6016 acres tract conveyed to CC Telge Road, L.P. by Capital Farm Credit, FLCA by deed dated April 28, 2010 and recorded in County Clerk's File 20100175659 of the Official Public Records of Real Property of Harris County, Texas, for the northeast corner of Willowcreek Ranch, Section 9, Subdivision, filed March 2, 2017 and recorded in Film Code Number 680721 of the Map Records of Harris County, Texas, for the northwest corner of said called 171.87 acres tract and for the southwest corner of said Tract 10, called 10.313 acres;

THENCE North 02° 44' 18" West with the West line of said Tract 10, called 10.313 acres, and the East line of said residue of called 617.6016 acres tract, a distance of 100.01 feet to a 5/8 inch iron rod with "HARRIS COUNTY" cap, found, for the southwest corner of the residue of a called 39.55 acres tract conveyed to Willow Creek Realty, LLC by Merenco Realty, Inc. by deed dated February 24, 2016 and recorded in County Clerk's File RP-2016-81535 of the Official Public Records of Real Property of Harris County, Texas and for the northwest corner of said Tract 10, called 10.313 acres;

THENCE with the common boundary line of said Tract 10, called 10.313 acres, the South or southeast and East line of said residue of called 39.55 acres tract, and the South or southeast and East line of a called 7.092 acres tract conveyed to Harris County Improvement District No. 17 by Willow Creek Realty, LLC by deed dated September 8, 2017 and recorded in County Clerk's File RP-2017-402811 of the Official Public Records of Real Property of Harris County, Texas, the following seven, (7), courses and distances:

- 1) North 87° 59' 57" East, a distance of 122.09 feet to the point of curvature of a curve;
- 2) 282.28 feet with a curve to the left, concave northwest, having a central angle of 17° 01' 29", a radius of 950.00 feet, and a chord bearing and distance of North 79° 29' 13" East, 281.24 feet to the point of tangency of said curve;

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- 3) North 70° 58' 28" East, a distance of 522.69 feet to the point of curvature of a curve;
- 4) 140.80 feet with a curve to the right, concave southeast, having a central angle of 07° 40' 59", a radius of 1,050.00 feet, and a chord bearing and distance of North 74° 48' 58" East, 140.69 feet to the point of tangency of said curve;
- 5) North 78° 39' 27" East, a distance of 71.00 feet to the point of curvature of a curve;
- 6) 54.98 feet along a curve to the left, concave northwest, having a central angle of 90° 00' 00", a radius of 35.00 feet, and a chord bearing and distance of North 33° 39' 27" East, 49.50 feet to the point of tangency of said curve;
- 7) North 11° 20' 33" West, a distance of 15.00 feet to a point for an exterior corner of said Tract 10, called 10.313 acres, for the southwest corner of Tract 8, called 2.932 acres, and for the point of curvature of a curve;

THENCE with the common boundary line of said Tract 8, called 2.932 acres, and continuing with the East line of said called 7.092 acres tract, and the East line of another residue of said called 39.55 acres tract, the following four, (4), courses and distances:

- 1) 622.29 feet along a curve to the right, concave East, having a central angle of 27° 57' 52", a radius of 1,275.00 feet, and a chord bearing and distance of North 02° 38' 23" East, 616.13 feet to the point of tangency of said curve;
- 2) North 16° 37' 19" East, a distance of 175.45 feet to the point of curvature of a curve;
- 3) 389.48 feet along a curve to the left, concave West, having a central angle of 18° 59' 31", a radius of 1,175.00 feet, and a chord bearing and distance of North 07° 07' 34" East, 387.70 feet to the point of tangency of said curve;
- 4) North 02° 22' 12" West, a distance of 97.79 feet to a point for the northeast corner of said residue of called 39.55 acres tract and for the northwest corner of said Tract 8, called 2.932 acres;

THENCE North 87° 37' 45" East with the North line of said Tract 8, called 2.932 acres, a distance of 100.00 feet to a point for the northeast corner of said Tract 8, called 2.932 acres and the northwest corner of a residue of called 606.1394 acres tract conveyed to Merenco Realty Inc. by Tandem Energy Corporation by deed dated April 28, 1999 and recorded in County Clerk's File T693301 of the Official Public Records of Real Property of Harris County, Texas;

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THENCE South 02° 22' 12" East with the East line of said Tract 8, called 2.932 acres, and the West line of said called 606.1394 acres residue tract, a distance of 59.40 feet, more or less to a point for the southwest corner of said called 606.1394 acres residue tract and for an exterior corner of Tract 1, called 75.1117 acres tract;

THENCE North 87° 38' 17" East with an interior line of said Tract 1, called 75.1117 acres, and the South line of said called 606.1394 acres residue tract, a distance of 1223.96 feet to a point for the southeast corner of said called 606.1394 acres residue tract and for an interior corner of said Tract 1, called 75.1117 acres;

THENCE North 02° 21' 43" West with an interior line of said Tract 1, called 75.1117 acres, and the East line of said called 606.1394 acres residue tract, a distance of 60.00 feet to a point for the northeast corner of said called 606.1394 acres residue tract and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE North 87° 38' 17" East with an exterior line of said Tract 1, called 75.1117 acres, a distance of 2,516.40 feet to a point in the southwest right of way line of State Highway Number 249, (called 350 feet wide right of way), and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE South 26° 16' 12" East with an exterior line of said Tract 1, called 75.1117 acres, and the southwest right of way line of said State Highway Number 249, a distance of 65.63 feet to a point for the northeast corner of another residue of said called 606.1394 acres tract and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE South 87° 38' 17" West with an interior line of said Tract 1, called 75.1117 acres, and the North line of said called 606.1394 acres residue tract, a distance of 449.75 feet to a point for the northwest corner of said called 606.1394 acres residue tract and for an interior corner of said Tract 1, called 75.1117 acres;

THENCE South 02° 12' 39" East with an interior line of said Tract 1, called 75.1117 acres, and the West line of said called 606.1394 acres residue tract, a distance of 265.61 feet to a point for the northeast corner of a called 7.7884 acres tract conveyed to Barron Family Properties, LLC by Uretek USA, Inc. by deed dated April 2, 2014 and recorded in County Clerk's File 20140134468 of the Official Public Records of Real Property of Harris County, Texas and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE South 88° 53' 08" West with an interior line of said Tract 1, called 75.1117 acres, and the North line of said called 7.7884 acres tract, a distance of 574.57 feet to a point for the northwest corner of said called 7.7884 acres tract and for an interior corner of said Tract 1, called 75.1117 acres;

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THENCE South 01° 54' 18" East with an interior line of said Tract 1, called 75.1117 acres, and the West line of said called 7.7884 acres tract, a distance of 363.97 feet to a point for the northeast corner of a called 18.9062 acres tract conveyed to Lone Star College System by Merenco Realty, Inc. by deed dated April 4, 2014 and recorded in County Clerk's File 20140138412 of the Official Public Records of Real Property of Harris County, Texas and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE with the common boundary line of said Tract 1, called 75.1117 acres, and the Northern and Western lines of said called 18.9062 acres tract, the following six, (6), courses and distances:

- 1) South 87° 34' 22" West, a distance of 439.20 feet;
- 2) North 05° 03' 04" West, a distance of 213.07 feet;
- 3) South 85° 17' 49" West, a distance of 417.30 feet;
- 4) South 02° 21' 53" East, a distance of 487.82 feet;
- 5) North 89° 45' 21" East, a distance of 54.69 feet;
- 6) South 02° 20' 27" East, a distance of 595.97 feet to a 5/8 inch iron rod with "HOVIS" cap, found, for the southwest corner of said called 18.9062 acres tract and for an exterior corner of Tract 5, called 4.969 acres;

THENCE North 87° 59' 59" East with the North line of said Tract 5, called 4.969 acres, the South line of said called 18.9062 acres tract and the South line of said called 7.7884 acres tract, a distance of 864.01 feet to a point for the most Southern, southeast corner of said called 7.7884 acres tract and for the southwest corner of Tract 15, called 2.363 acres;

THENCE North 01° 52' 05" West with the West line of said Tract 15, called 2.363 acres, and an interior line of said called 7.7884 acres tract, a distance of 740.12 feet to a point for an interior corner of said called 7.7884 acres tract and for the northwest corner of said Tract 15, called 2.363 acres;

THENCE North 87° 12' 40" East with the North line of said Tract 15, called 2.363 acres, and an interior line of said called 7.7884 acres tract, a distance of 293.88 feet to a point for the northwest corner of a residue of called 28.68 acres, more or less, tract, conveyed to Humble Oil & Refining Company by Socony Mobil Oil Company, Inc. by deed filed August 10, 1965 and recorded in Volume 6028 at Page 80, (County Clerk's File C139334), of the Deed Records of Harris County, Texas and for the northeast corner of said Tract 15, called 2.363 acres;

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THENCE South $01^{\circ} 55' 05''$ East with the East line of said Tract 15, called 2.363 acres, the East line of Tract 11, called 2.649 acres, and the West line of said residue of called 28.68 acres, more or less, tract, a distance of 744.16 feet to a point in the North line of said Tract 5, called 4.969 acres, for the southwest corner of said residue of called 28.68 acres, more or less, tract, and for the southeast corner of said Tract 11, called 2.649 acres;

THENCE North $87^{\circ} 59' 59''$ East with the North line of said Tract 5, called 4.969 acres, the South line of said residue of called 28.68 acres, more or less, tract, the South line of a called 9.26 acres, more or less, tract conveyed to Humble Oil & Refining Co. by Magnolia Petroleum Company by deed dated September 9, 1937 and recorded in Volume 1063 at Page 557 of the Deed Records of Harris County, Texas, and the South line of a residue of a called 145.78 acres tract conveyed to Ralph Lewis Frapart, et al by Frances Kaiser Frapart by deed dated December 10, 1976 and recorded in County Clerk's File F014298 of the Official Public Records of Real Property of Harris County, Texas, a distance of 777.19 feet to a $\frac{5}{8}$ inch iron rod with "BASELINE" cap, found, for the northeast corner of said Tract 5, called 4.969 acres, and for the northwest corner of said Tract 13, called 1.795 acres;

THENCE North $87^{\circ} 56' 11''$ East with the North line of said Tract 13, called 1.795 acres, the South line of the residue of said called 145.78 acres tract and the South line of a called 61,615 square feet, (1.415 acres), more or less tract, called Parcel "C", described in said County Clerk's File L951535, a distance of 739.97 feet to a point in the southwest line of said State Highway Number 249, (called 350 feet wide right of way), for the southeast corner of a residue of said called 145.78 acres tract and for the northeast corner of said Tract 13, called 1.795 acres;

THENCE with the East or northeast line of said Tract 13, called 1.795 acres, and the southwest right of way line of said State Highway Number 249, a curve to the left, concave northeast, having a central angle of $01^{\circ} 53' 37''$, a radius of 3994.73 feet, an arc length of 132.03 feet and a chord bearing and distance of South $42^{\circ} 49' 17''$ East, 132.02 feet to a point for the northeast corner of the residue of a called 2.180 acres tract of land conveyed to Harris County Flood Control District by Tandem Energy Corporation by deed dated March 15, 2005 and recorded in County Clerk's File Y461230 of the Official Public Records of Real Property of Harris County, Texas, and for the southeast corner of said Tract 13, called 1.795 acres;

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THENCE South 87° 56' 11" West with the South line of said Tract 13, called 1.795 acres, the North line of said residue of called 2.180 acres tract, the North line of a called 1.494 acres tract conveyed to Tortuga Operating Company by Harris County Flood Control District by deed dated March 11, 2010 and recorded in County Clerk's File 20100094479 of the Official Public Records of Real Property of Harris County, Texas, the North line of the residue of a called 64.767 acres tract conveyed to Harris County Flood Control District by Richard Ray Frapart, et al by deed dated May 25, 2005 and recorded in County Clerk's File Y495627 of the Official Public Records of Real Property of Harris County, Texas, the North line of a called 164,385 square feet, (3.774 acres), more or less tract, called Parcel "B", in said County Clerk's File L951535, and the North line of a called 3.2528 acres tract of land conveyed to Nabors Property Holdings II, LLC by Merenco Realty, Inc. by deed dated November 3, 2016 and recorded in County Clerk's File RP-2016-500174 of the Official Public Records of Real Property of Harris County, Texas, a distance of 824.82 feet to a 3/4 inch iron rod with aluminum cap stamped, "PACE", found, for the northwest corner of said called 3.2528 acres tract, for the northeast corner of a called 22.145 acres tract conveyed to Nabors Property Holdings II, LLC by Turner Coatings, LLC by deed dated February 29, 2016 and recorded in County Clerk's File RP-2016-86222 of the Official Public Records of Real Property of Harris County, Texas, for the southwest corner of said Tract 13, called 1.795 acres, and for the southeast corner of said Tract 5, called 4.969 acres;

THENCE South 87° 59' 59" West with the South line of said Tract 5, called 4.969 acres, and the North line of said called 22.145 acres tract a distance of 704.36 feet to a point for the northwest corner of said called 22.145 acres tract and for the northeast corner of said called 20.000 acres tract;

THENCE South 02° 00' 18" East with the East line of said called 20.000 acres tract and the West line of said called 22.145 acres tract, a distance of 194.56 feet to a point for an angle in the West or northwest line of said called 22.145 acres tract and for an angle in the East or southeast line of said called 20.000 acres tract;

THENCE South 34° 15' 24" West with the southeast line of said called 20.000 acres tract and the northwest line of said called 22.145 acres tract, a distance of 822.27 feet to a point for the West or southwest corner of said called 22.145 acres tract and for the North or northwest corner of Tract 5, called 15.0725 acres;

THENCE South 55° 43' 33" East with the North line of said Tract 5, called 15.0725 acres, and the South line of said called 22.145 acres tract, a distance of 333.04 feet to a point for an angle in the South line of said called 22.145 acres tract and for an angle in the North line of said Tract 5, called 15.0725 acres;

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City of Tomball – Willow Creek Annexation

THENCE North 87° 09' 56" East with the North line of said Tract 5, called 15.0725 acres, and the South line of said called 22.145 acres tract, a distance of 841.39 feet to a point in a curve in the West line of a called 266,854 square feet, (6.126 acres), more or less, tract described in Right of Way Easement conveyed to Harris County Flood Control District by Exxon Corporation by instrument dated August 31, 1995 and recorded in County Clerk's File R649324 of the Official Public Records of Real Property of Harris County, Texas;

THENCE with the West line of said called 266,854 square feet, (6.126 acres), more or less, tract, a curve to the right, concave southeast, having a central angle of 06° 53' 36", a radius of 1,275.00 feet, an arc length of 153.39 feet and a chord bearing and distance of North 18° 06' 05" East, 153.30 feet to a point for the point of tangency of said curve in the West line of said called 266,854 square feet, (6.126 acres), more or less tract;

THENCE North 21° 32' 52" East continuing with the West line of said called 266,854 square feet, (6.126 acres), more or less, tract, a distance of 84.76 feet to a point for the most Northern corner of said called 266,854 square feet, (6.126 acres), more or less, tract, the West or southwest corner of said called 164,385 square feet, (3.774 acres), more or less tract, called Parcel "B", in said County Clerk's File L951535, in the East line of said Goodrich Survey and in the West line of said Lewis Survey;

THENCE South 02° 57' 26" East with the East line of said called 266,854 square feet, (6.126 acres), more or less, tract, the most Southern, West line of said called 164,385 square feet, (3.774 acres), more or less tract, called Parcel "B", in said County Clerk's File L951535, the most Northern, West line of a called 102,584 square feet, (2.355 acres), more or less tract, called Parcel "A" in said County Clerk's File L951535, the West line of said called 73,123 square feet, (1.679 acres), more or less tract, the East line of the said Goodrich Survey and the West line of the said Lewis Survey, a distance of 2,779.32 feet to the PLACE OF BEGINNING, and containing within said boundaries 374.9 acres of land.

I, John P. Engle, Registered Professional Land Surveyor Number 5568, do hereby certify that this document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

WITNESS, my hand and seal at Houston, Texas, this the 14th day of February, A.D., 2018.



John P. Engle
Registered Professional
Land Surveyor Number 5568

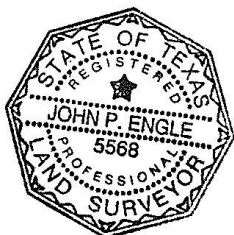


Exhibit “A” – Page 11

HCAD Account List and Tract Reference

Called 229.772 acres conveyed to County of Harris by Harris County Improvement District No. 17 by deed dated September 11, 2017 and recorded in County Clerk's File RP-2017-402273 of the Official Public Records of Real Property of Harris County, Texas

Deed Tract	Acreage	Survey ID	Survey	HCAD
1	3.693	8	C. Goodrich, Abstract 305	0421750000177
2	2.088	9	C. Goodrich, Abstract 305	0421750000178
3	3.709	10	C. Goodrich, Abstract 305	0421750000179
4	148.751	11	C. Goodrich, Abstract 305	0421750000180
5	4.969	12	C. Goodrich, Abstract 305	0421750000181
6	2.518	13	C. Goodrich, Abstract 305	0421750000168
7	5.087	14	C. Goodrich, Abstract 305	0421750000169
8	2.932	15	C. Goodrich, Abstract 305	0421750000170
9	24.518	16	C. Goodrich, Abstract 305	0421750000171
10	10.313	17	C. Goodrich, Abstract 305	0421750000172
11	2.649	18	C. Goodrich, Abstract 305	0421750000176
12	16.75	19	Auguste Senechal Survey, Abstract 722	0450260000003
13	1.795	20	Sam Lewis Survey, Abstract 1704	0482410000109
14	4.992	21	C. Goodrich, Abstract 305	0421750000173
15	2.363	22	C. Goodrich, Abstract 305	0421750000009

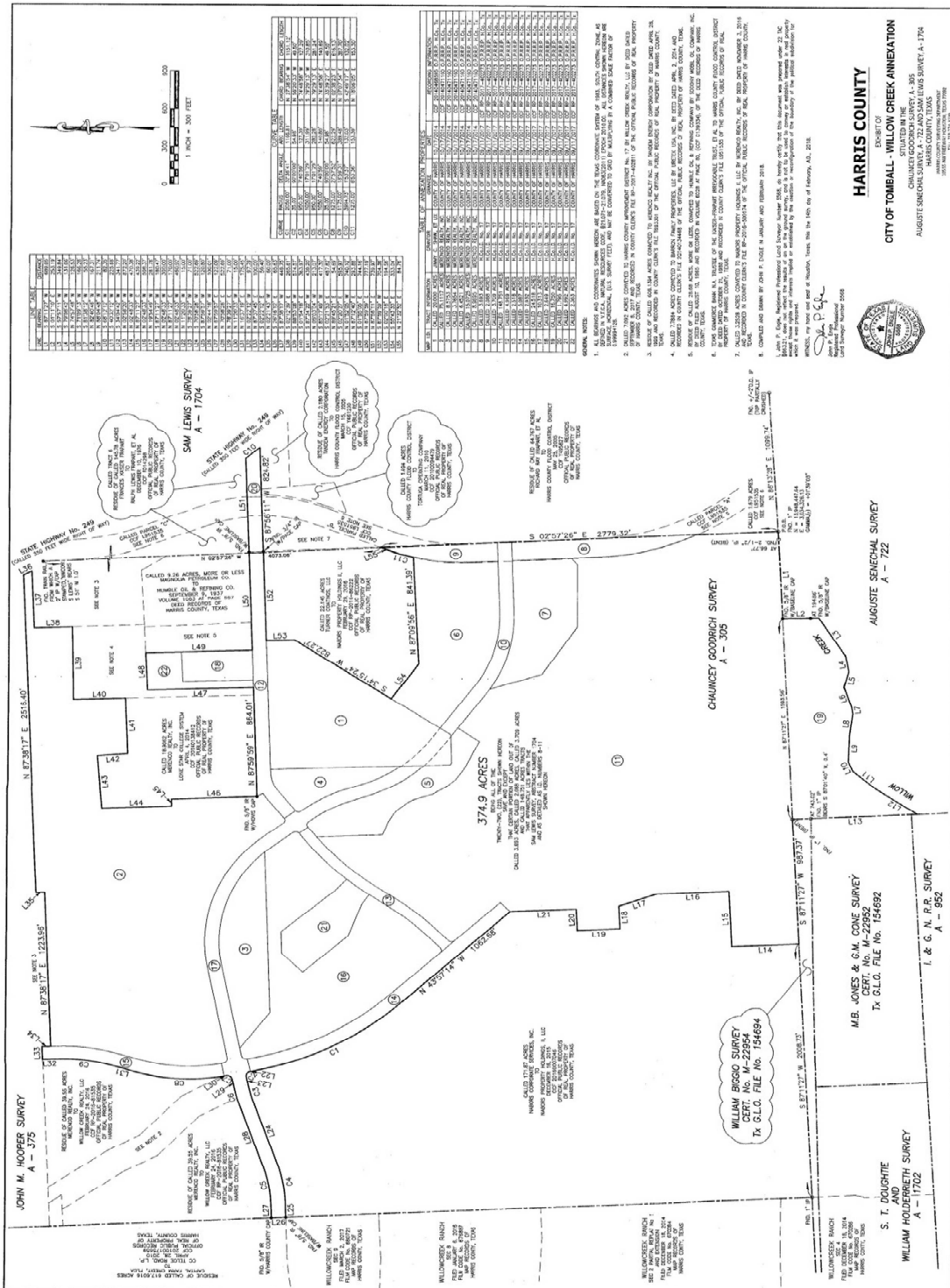
Called 20.000 acres conveyed to County of Harris by Jimmy C. Shaw, et ux by deed dated October 17, 2014 and recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas

Deed Tract	Acreage	Survey ID	Survey	HCAD
N/A	20	1	C. Goodrich, Abstract 305	0421750000157

Called 117.9465 acres conveyed to County of Harris by Merenco Realty, Inc. by deed dated October 17, 2014 and recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas

Deed Tract	Acreage	Survey ID	Survey	HCAD
1	75.1117	2	C. Goodrich, Abstract 305	0421750000158
2	8.5753	3	C. Goodrich, Abstract 305	0421750000159
3	3.7654	4	C. Goodrich, Abstract 305	0421750000157
4	6.4521	5	C. Goodrich, Abstract 305	0421750000157
5	15.0725	6	C. Goodrich, Abstract 305	0421750000157
6	8.9695	7	C. Goodrich, Abstract 305	0421750000160

Exhibit "A" – Page 12



PROPOSED ANNEXATION – HCID#17 – WILLOW CREEK

Council approves annexation request on 3/5/2018 by adopting Resolution and sets 4/2 and 4/16 (12 days apart) as dates for public hearings (regular Council meetings). Send to paper on 3/6 to run in paper on 3/21 (12 days' notice for 4/2 meeting) and again on 3/28 (19 days' notice for 4/16 meeting) – NO Special Council meetings required.

Publish Dates & Public Hearing Dates – Complete Annexation on 1/15/2018	Publish Date	First Public Hearing at Regular Meeting	Publish Date	Second Public Hearing at Regular Meeting	First Reading of Ordinance at Regular Meeting	Second Reading of Ordinance at Regular Meeting
Council approves annexation on 3/5 and sets dates for Public Hearings as 4/2 and 4/16:	3/21/2018	Regular Mtg 4/2/2018	3/28/2018	4/16/2018	5/7/2018	5/21/2018
1 st public hearing to 1 st reading is 35 days total; 63 days to complete annexation from resolution approval	12 days' notice to 4/2		19 days' notice to 4/16	14 days from 4/2	21 days from 4/16; 35 days from 4/2	
	To paper 3/6 to run on 3/21 and 3/28		Reminder to paper 3/21 to run 3/28			
(49 days from first publication notice to first reading/institution of proceedings)	(-49 days) to 1 st reading	(-35 days) to 1 st reading		(-21 days) to 1 st reading	(Day 0)	(+14 days)

Publication date – more than 10 days' notice, less than 20 days' notice for public hearings [LGC, Sec. 43.063(c)] – **12 and 19 days' notice for P.H.s**
Public Hearings must be at least 10 business days apart (Sec. 43.0673)

Public hearings – more than 20 days, less than 40 days between first public hearing and first reading of ordinance per LGC, Sec. 43.063(a)

NOTE: MUST have a minimum of **21 days** between the **second public hearing and the first reading of the ordinance**. – **21 days**

MUST have NO MORE than **40 days** between the first public hearing and the first reading of the ordinance.—**35 days**

(We will set public hearing dates between 21 and 39 days)

Annexation must be completed within 90 days of 1st reading of ordinance [*institution of proceedings*, LGC, Sec. 43.064] – 14 days after 1st reading

City must give notice regarding intention to annex area 30 days before first public hearing to public and private entities – county, fire department, emergency services districts, utility companies [LGC, Sec. 43.062(b)] – **Requirement is not mandatory if we annex by request, but is policy.**

Resolution No. 2108-XX on the 3/5/2018 agenda for Council to approve and to set public hearing and special Council meeting dates.

New requirements under Sec. 43.0673 for Tier 2 Municipalities:

Sec. 43.0673. PUBLIC HEARINGS. (a) Requires the governing body of a municipality, before the municipality may adopt an ordinance annexing an area under this section, to conduct at least two public hearings.

(b) Requires that the hearings be conducted not less than 10 business days apart.

(c) Requires the governing body, during the first public hearing, to provide persons interested in the *annexation* area the opportunity to be heard. Authorizes the governing body, during the final public hearing, to adopt an ordinance annexing the area.

(d) Requires the municipality to post notice of the hearings on the municipality's Internet website if the municipality has an Internet website and publish notice of the hearings in a newspaper of general circulation in the municipality and in the area proposed for *annexation*. Requires that the notice for each hearing be published at least once on or after the 20th day but before the 10th day before the date of the hearing. Requires that the notice for each hearing be posted on the municipality's Internet website on or after the 20th day but before the 10th day before the date of the hearing and remain posted until the date of the hearing.

Annexation Request



The City of Tomball requires annexation as a condition of extending municipal water, wastewater and/or other utility services to property located outside of the City's full-purpose jurisdiction. Following annexation, available utility services will be provided to the annexed property under the same terms and conditions as for other property located within the City of Tomball.

The undersigned property owner requests full-purpose annexation of the subject tract into the City of Tomball's full purpose jurisdiction in accordance with Chapter 43 of the Texas Local Government Code.

Requesting annexation does not change the City's obligation to provide municipal services in accordance with Chapter 43 of the Texas Local Government Code.

For information regarding the City's annexation process, please contact the City Secretary at 281-290-1002 or the Community Development Department at 281-290-1405.

Annexation must be completed prior to extension of water, wastewater, and/or other utilities.

I/We, the undersigned, am/are the current owner(s) of the tract described above and I/we request annexation into the City of Tomball for full-purposes in accordance with Chapter 43 of the Texas Local Government Code.

Harris County

Name of Owner(s) (Type or Print)

Owner's Signature

For Harris Coun

Date

19 Feb 2018

Received by City Secretary

Date

Received by Community Development Department

CITY OF TOMBALL
ANNEXATION REQUEST APPLICATION
Part A: Statement of Request

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

Mayor and Council:

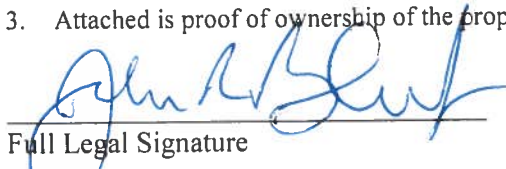
1. I (we) the undersigned being the owner(s) of the property legally described as:

Please see metes and bounds attached hereto.

hereby request the annexation of described property into the City of Tomball. Included with this request for annexation are all pertinent property Harris County Appraisal District Account Numbers:
Please see list of HCAD account numbers attached hereto.

(Obtainable through the County Clerk's Office)

2. The described property is contiguous to the City of Tomball's corporate city limits - X Yes No.
3. Attached is proof of ownership of the property by the undersigned - X Yes No.


Full Legal Signature

John R. Blount, P. E., County Engineer
Name (print)

Harris County
Company Name (if applicable)

1001 Preston, 5th Floor
Mailing Address (print)

Houston, TX 77002
City, State, Zip

713-274-3600
Phone Number

John.Blount@hcpid.org
E-mail Address (print)

19 Feb 2018
Date

Full Legal Signature

Name (print)

Company Name (if applicable)

Mailing Address (print)

City, State, Zip

Phone Number

E-mail Address (print)

Date

Attachment B

Part B: Annexation Property Evaluation & Anticipated Development Information

(Please print or type.)

1. Agent's Contact Information:

Please list any agents acting on behalf of the annexation property owner that should be notified of information pertaining to this annexation request.

(Attach a list of additional agents, if necessary.) _____

Name: Melissa Hamous

Company Name: Harris County Engineering Department

Mailing Address: 1001 Preston, 7th Floor, Houston, TX 77002
City/State/Zip

Phone Number: 713-274-3638

E-mail Address: Melissa.Hamous@hcpid.org

2. Property Addresses:

Please list all property addresses associated with the proposed annexation property.

(Attach a list of additional property addresses, if necessary.)

a. 27201 SH 249, Tomball, TX 77377

b. 14444 Holderrieth Rd, Tomball, TX 77377

c. _____

d. _____

e. _____

f. _____

g. _____

h. _____

i. _____

j. _____

k. _____

3. Nature of Existing Property:

Property Location: SH 249 @ Humble Road Number of Acres: 374.9

Existing Zoning: Agricultural

Is development in conformance with existing zoning districts?

Yes ___ No X Don't know ___

Current Assessed Valuation of Land: \$15,628,348.00

Improvements: \$19,921,971.00

Total: \$35,550,319.00

_____ Check if this property does not currently contain any structures, then proceed to #4.

Attachment B

a.) **Residential (existing)**

X Check here if there are no residential structures on the property.

No. of Units _____
No. of Lots _____ or Acres _____
Single-Family _____
Duplexes _____
Four-Plex _____
Patio Homes _____
Townhouses _____
Apartments _____

b.) **Office and Commercial (existing)**

_____ Check here if there are no office or commercial structures on the property.

Size (Sq. Ft.) 58,000
Structure Office, storage/maintenance
Exterior Site Improvements Parking, detention, sidewalks, on-site
Sewage, landscaping
Total Site Coverage 358,000 sf

c.) **Institutional (existing)**

X Check here if there are no institutional structures on the property.

Size (Sq. Ft.) _____
Structure _____
Exterior Site Improvements _____
Total Site Coverage _____

d.) **Industrial (existing)**

X Check here if there are no industrial structures on the property.

Size (Sq. Ft.) _____
Structure _____
Exterior Site Improvements _____
Total Site Coverage _____

4. **Anticipated Development**

a.) **Platting Status** *(Please check the applicable box below)*

X A plat pertaining to this property has been submitted to the Community Development Department for review

X A plat pertaining to this property will be submitted to the Community Development Department in the near future

_____ A plat will not be submitted within the next 6 months

b.) **Zoning Status** - Please note that properties are annexed as Agricultural "AG", unless zoning reclassification is requested by the property owner in conjunction with annexation.

X If a zoning reclassification is desired in conjunction with the annexation process, please check this box and contact the Community Development Department.

Attachment B

Will zoning changes be required and requested in the future to accommodate anticipated development?
____ Yes If yes, please describe: _____ acres of _____
X ____ No

c.) Residential (anticipated)

X ____ Check here if no residential structures are anticipated on the proposed property.

No. of Units _____ Value of Units _____
No. of Lots or Acres _____ Total Estimated Value _____

Single-Family _____
Duplexes _____
Four-Plex _____
Patio Homes _____
Townhouses _____
Apartments _____
Total _____

d.) Office and Commercial (anticipated)

____ Check here if no office and/or commercial structures are anticipated on the proposed property.

Size (Sq. Ft.) 182,000*
Unit Value (\$/Sq. Ft.) \$300.00*
Total Estimated Value \$54,600,000.00*

Structure Office, storage/warehouse, community center, courthouse annex,
library, park, trails*

Exterior Site Improvements parking lots, sidewalks, landscaping, detention*
Total Site Coverage 1,012,000 sf*

* Estimations for purposes of this application for annexation only. All future development is contingent on authorization by Harris County Commissioners Court. These estimates do not commit Harris County to any further development of the property being annexed.

e.) Institutional (anticipated)

X ____ Check here if no institutional structures are anticipated on the proposed property.

Size (Sq. Ft.) _____
Unit Value (\$/Sq. Ft.) _____
Total Estimated Value _____
Structure _____
Exterior Site Improvements _____
Total Site Coverage _____

f.) Industrial (anticipated)

X ____ Check here if no industrial structures are anticipated on the proposed property.

Size (Sq. Ft.) _____
Unit Value (\$/Sq. Ft.) _____
Total Estimated Value _____
Structure _____
Exterior Site Improvements _____

Attachment B

Total Site Coverage _____
Estimated Number of Employees _____

g.) Staging of Anticipated Development (In %)

	Current						
	Yr	Yr2	Yr3	Yr4	Yr5	Yr10	Yr20
Residential	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Office / Commercial	<u>20</u>	<u>20*</u>	<u>20*</u>	<u>20*</u>	<u>50*</u>	<u>80*</u>	<u>100*</u>
Institutional	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Industrial	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

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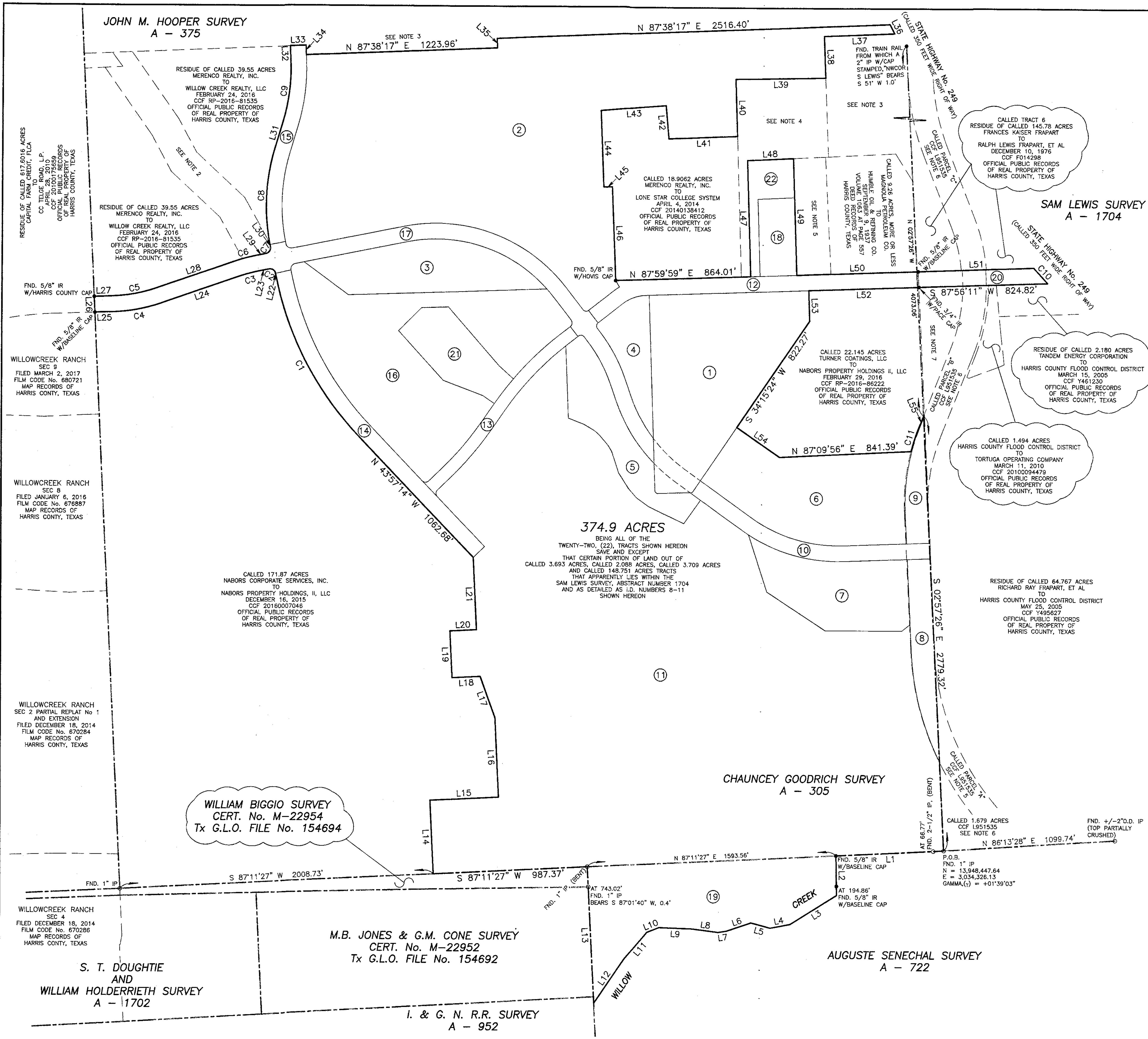
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4	6.4521	5	C. Goodrich, Abstract 305	0421750000157
5	15.0725	6	C. Goodrich, Abstract 305	0421750000157
6	8.9695	7	C. Goodrich, Abstract 305	0421750000160



LINE	BEARING	DISTANCE
L1	S 87°11'27" W	689.05'
L2	S 01°11'10" E	253.19'
L3	S 57°57'11" W	349.84'
L4	S 79°08'42" W	131.06'
L5	N 74°57'48" W	126.53'
L6	S 71°09'13" W	166.28'
L7	S 81°38'12" W	55.23'
L8	N 82°40'46" W	167.31'
L9	N 88°04'48" W	211.74'
L10	S 68°12'12" W	82.35'
L11	S 40°52'12" W	225.68'
L12	S 34°04'42" W	341.77'
L13	N 02°58'20" W	872.20'
L14	N 02°48'33" W	470.38'
L15	N 87°11'27" E	439.22'
L16	N 02°48'33" W	508.37'
L17	N 19°54'49" W	281.78'
L18	S 87°11'27" W	180.47'
L19	N 02°48'33" W	300.00'
L20	N 87°11'27" E	170.00'
L21	N 02°48'33" W	460.92'
L22	N 11°20'33" W	15.00'
L23	S 78°39'27" E	71.00'
L24	S 70°58'28" W	522.69'
L25	S 87°59'57" W	120.80'
L26	N 02°44'18" W	100.01'
L27	N 87°59'57" E	122.09'
L28	N 70°58'28" E	522.69'
L29	N 78°39'27" E	71.00'
L30	N 11°20'33" W	15.00'
L31	N 16°37'19" E	175.45'
L32	N 02°22'12" W	87.78'
L33	N 87°37'45" E	100.00'
L34	S 02°22'12" E	59.40'
L35	N 02°21'43" W	60.00'
L36	S 26°16'12" E	65.63'
L37	S 87°38'17" W	449.75'
L38	S 02°23'08" W	255.61'
L39	S 88°53'08" W	574.57'
L40	S 01°54'18" E	363.97'
L41	S 87°34'22" W	439.20'
L42	N 05°03'04" W	213.07'
L43	S 85°17'49" W	417.30'
L44	S 02°21'33" E	487.82'
L45	N 89°45'21" E	54.69'
L46	S 02°20'27" E	595.97'
L47	N 01°52'05" W	740.12'
L48	N 87°12'40" E	293.88'
L49	S 01°55'05" E	744.16'
L50	N 87°59'59" E	777.19'
L51	N 87°56'11" E	739.97'
L52	S 87°59'59" W	704.36'
L53	S 02°00'18" E	194.56'
L54	S 55°43'53" E	333.04'
L55	N 21°32'52" E	84.78'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2050.00'	32°38'41"	1166.81'	N 27°38'54" W	1151.12'
C2	35.00'	90°00'00"	54.98'	N 56°20'33" W	49.50'
C3	950.00'	7°40'59"	127.39'	S 74°48'58" W	127.29'
C4	1050.00'	17°01'29"	311.89'	S 79°29'13" W	310.85'
C5	950.00'	17°01'29"	282.28'	N 79°29'13" E	281.24'
C6	1050.00'	7°40'59"	140.80'	N 74°48'58" E	140.69'
C7	35.00'	90°00'00"	54.98'	N 33°39'27" E	49.50'
C8	1275.00'	27°57'52"	622.29'	N 02°38'23" E	616.13'
C9	1175.00'	18°59'31"	389.48'	N 07°07'34" E	387.70'
C10	3994.73'	1°53'37"	132.03'	S 42°49'17" E	132.02'
C11	1275.00'	6°53'36"	153.39'	N 18°06'05" E	153.30'

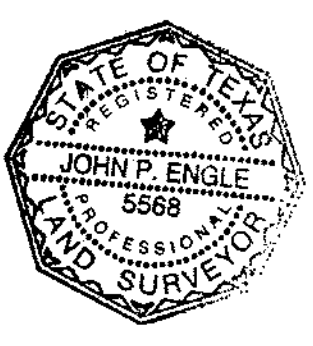
MAP I.D.	TRACT INFORMATION	GRANTOR	GRANTEE	DATE	RECORDING INFORMATION
1	20.000 ACRES	JIMMY C. SHAW, ET UX	COUNTY OF HARRIS	10/17/2014	CCF 20140468595 O.P.R.R.P. H.Co., Tx
2	75.117 ACRES	MERENCO REALTY, INC.	COUNTY OF HARRIS	10/17/2014	CCF 20140471160 O.P.R.R.P. H.Co., Tx
3	8.575 ACRES	MERENCO REALTY, INC.	COUNTY OF HARRIS	10/17/2014	CCF 20140471160 O.P.R.R.P. H.Co., Tx
4	3.764 ACRES	MERENCO REALTY, INC.	COUNTY OF HARRIS	10/17/2014	CCF 20140471160 O.P.R.R.P. H.Co., Tx
5	6.451 ACRES	MERENCO REALTY, INC.	COUNTY OF HARRIS	10/17/2014	CCF 20140471160 O.P.R.R.P. H.Co., Tx
6	15.072 ACRES	MERENCO REALTY, INC.	COUNTY OF HARRIS	10/17/2014	CCF 20140471160 O.P.R.R.P. H.Co., Tx
7	8.965 ACRES	MERENCO REALTY, INC.	COUNTY OF HARRIS	10/17/2014	CCF 20140471160 O.P.R.R.P. H.Co., Tx
8	3.583 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
9	2.088 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
10	3.709 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
11	148.751 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
12	4.969 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
13	2.516 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
14	5.087 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
15	2.932 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
16	24.518 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
17	10.313 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
18	2.649 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
19	18.750 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
20	1.795 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
21	4.992 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx
22	2.363 ACRES	H.CO.I.D. No. 17	COUNTY OF HARRIS	09/11/2017	CCF RP-2017-402273 O.P.R.R.P. H.Co., Tx

- GENERAL NOTES:
- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AS DEFINED IN V.T.C.A., NATURAL RESOURCES CODE, §21.071-21.079, NAD83(2011) EPOCH 2010.00. ALL DISTANCES SHOWN HEREON ARE SURFACE, HORIZONTAL, (U.S. SURVEY FEET), AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99994128.
 - 7.092 ACRES CONVEYED TO HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 BY WILLOW CREEK REALTY, LLC BY DEED DATED SEPTEMBER 8, 2017 AND RECORDED IN COUNTY CLERK'S FILE RP-2017-402811 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS.
 - RESIDUE OF CALLED 608.1384 ACRES CONVEYED TO MERENCO REALTY INC. BY TANDEM ENERGY CORPORATION BY DEED DATED APRIL 28, 1999 AND RECORDED IN COUNTY CLERK'S FILE T693301 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS.
 - CALLED 7.7884 ACRES CONVEYED TO BARRON FAMILY PROPERTIES, LLC BY URETEK USA, INC. BY DEED DATED APRIL 2, 2014 AND RECORDED IN COUNTY CLERK'S FILE 20140134468 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS.
 - RESIDUE OF CALLED 28.68 ACRES, MORE OR LESS, CONVEYED TO HUMBLE OIL & REFINING COMPANY BY SOCIETY MOBIL OIL COMPANY, INC. BY DEED FILED AUGUST 10, 1965 AND RECORDED IN VOLUME 6028 AT PAGE 80, (CCF C139334), OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS.
 - TEXAS COMMERCE BANK N.A. TRUSTEE OF THE KAISER-FRAPART IRREVOCABLE TRUST, ET AL TO HARRIS COUNTY FLOOD CONTROL DISTRICT BY DEED DATED OCTOBER 21, 1988 AND RECORDED IN COUNTY CLERK'S FILE L951535 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS.
 - CALLED 3.2528 ACRES CONVEYED TO NABORS PROPERTY HOLDINGS II, LLC BY MERENCO REALTY, INC. BY DEED DATED NOVEMBER 3, 2016 AND RECORDED IN COUNTY CLERK'S FILE RP-2016-500174 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS.
 - COMPILED AND DRAWN BY JOHN P. ENGLE IN JANUARY AND FEBRUARY 2018.

I, John P. Engle, Registered Professional Land Surveyor Number 5568, do hereby certify that this document was prepared under 22 TAC §66.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

WITNESS, my hand and seal at Houston, Texas, this the 14th day of February, A.D., 2018.

John P. Engle
Registered Professional
Land Surveyor Number 5568



HARRIS COUNTY
EXHIBIT OF
CITY OF TOMBALL - WILLOW CREEK ANNEXATION
SITUATED IN THE
CHAUNCEY GOODRICH SURVEY, A - 305
AUGUSTE SENECHAL SURVEY, A - 722 AND SAM LEWIS SURVEY, A - 1704
HARRIS COUNTY, TEXAS
HARRIS COUNTY SURVEYING DEPARTMENT
10555 NW FREEWAY HOUSTON, TEXAS 77062
TEL: 713-274-3739

CITY OF TOMBALL – WILLOW CREEK ANNEXATION

STATE OF TEXAS)
COUNTY OF HARRIS)

DESCRIPTION of 374.9 acres of land situated in the Chauncey Goodrich Survey, Abstract Number 305, the Auguste Senechal Survey, Abstract Number 722, and the Sam Lewis Survey, Abstract Number 1704, Harris County, Texas, being all of a called 20.000 acres tract of land conveyed to County of Harris by Jimmy C. Shaw, et ux by deed dated October 17, 2014 and recorded in County Clerk's File 20140468595 of the Official Public Records of Real Property of Harris County, Texas, being all of a called 117.9465 acres tract of land, described in six, (6), tracts, conveyed to County of Harris by Merenco Realty, Inc. by deed dated October 17, 2014 and recorded in County Clerk's File 20140471160 of the Official Public Records of Real Property of Harris County, Texas, being all of a called 229.772 acres tract, described in thirteen, (13), tracts, being all of a called 4.992 acres tract and being all of a called 2.363 acres tract conveyed to County of Harris by Harris County Improvement District No. 17 by deed dated September 11, 2017 and recorded in County Clerk's File RP-2017-402273 of the Official Public Records of Real Property of Harris County, Texas, save and except that certain portion of land out of a called 3.693 acres, a called 2.088 acres, a called 3.709 acres, and a called 148.751 acres tracts that apparently lies within the said Lewis Survey and further detailed on the map accompanying this exhibit as I.D. Numbers 8-11, this 374.9 acres tract is more particularly described by metes and bounds as follows, to wit:

NOTE: ALL BEARINGS AND COORDINATES DESCRIBED HEREIN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 AS DEFINED IN V.T.C.A., NATURAL RESOURCES CODE, §21.071-21.079, NAD83(2011) EPOCH 2010.00. ALL DISTANCES DESCRIBED HEREIN ARE SURFACE, HORIZONTAL, (U.S. SURVEY FEET), AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99994128. REFERENCE IS MADE TO THE MAP OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at an 1 inch iron pipe, found, in the North line of the said Senechal Survey, for the southwest corner of said Lewis Survey, same being the southwest corner of a called 160.3 acres tract conveyed to Sam Lewis by State of Texas by Letter Patent dated January 12, 1934 and recorded in Volume 942 at Page 191 of the Deed Records of Harris County, Texas, same being the southwest corner of a called 158.57 acres tract per field notes recorded in Texas General Land Office Scrap File 13411, for the southeast corner of the said Goodrich Survey, for the southeast corner of a called 73,123 square feet, (1.679 acres), more or less, tract conveyed to Harris County Flood Control District by Texas Commerce Bank N.A., Trustee of the Kaiser-Frapart Irrevocable Trust, et al by deed dated October 21, 1988 and recorded in County Clerk's File L951535 of the Official Public Records of Real Property, and for the southeast corner of said called Tract 4, called 148.751 acres, this beginning corner has a Texas Coordinate System of 1983 value of N = 13,948,447.64, E = 3,034,326.13 and Gamma, (γ) = +01° 39' 03", and from this corner a +/- 2" outside diameter iron pipe with top partially crushed, found, for the southeast corner of said Lewis Survey, same being the southeast corner of said called 160.3 acres tract, same being the southeast corner of said called 158.57 acres tract bears North 86° 13' 28" East, a distance of 1,099.74 feet, from said 1 inch iron pipe, found, a Train Rail, found, for the northwest corner of said Lewis Survey, same being the northwest corner of said called 160.3 acres tract, same being the northwest corner of said called 158.57 acres tract bears North 02° 57' 26" West, a distance of 6,852.38 feet, and from said Train Rail a 2 inch iron pipe with metal cap stamped, "NWCOR S LEWIS", bears South 51° West, a distance of 1.0 foot;

THENCE South 87° 11' 27" West with the South line of said Tract 4, called 148.751 acres, the South line of the said Goodrich Survey, and the North line of said Senechal Survey, at a distance of 66.77 feet, a 2-1/2 inch iron pipe, (bent), found in line, in all a total distance of 689.05 feet to a 5/8 inch iron rod with "BASELINE" cap, found, for the northeast corner of Tract 12, called 16.750 acres;

THENCE South 01° 11' 10" East with the East line of said Tract 12, called 16.750 acres, at a distance of 194.86 feet, a 5/8 inch iron rod with "BASELINE" cap, found in line, in all a total distance of 253.19 feet to a point in the center of Willow Creek and for the southeast corner of said Tract 12, called 16.750 acres;

THENCE with the South line of said Tract 12, called 16.750 acres and the center of said Willow Creek, the following meanders:

South 57° 57' 11" West, a distance of 349.84 feet;

South 79° 08' 42" West, a distance of 131.06 feet;

North 74° 57' 48" West, a distance of 126.53 feet;

South 71° 09' 13" West, a distance of 166.28 feet;

South 81° 38' 12" West, a distance of 55.23 feet;

North 82° 40' 46" West, a distance of 167.31 feet;

North 88° 04' 48" West, a distance of 211.74 feet;

South 68° 12' 12" West, a distance of 82.35 feet;

South 40° 32' 12" West, a distance of 225.68 feet;

South 34° 04' 42" West, a distance of 341.77 feet to a point for the southwest corner of said Tract 12, called 16.750 acres;

THENCE North 02° 58' 20" West with the West line of said Tract 12, called 16.750 acres, at a distance of 743.02 feet an 1 inch iron pipe, found, bears South 87° 01' 40" West, a distance of 0.4 feet, in all a total distance of 872.20 feet to an 1 inch iron pipe, (bent), found, in the South line of said Goodrich Survey, in the South line of said Tract 4, called 148.751 acres, for the northeast corner of Texas General Land Office Mineral File 154694, for the apparent northwest corner of said Senechal Survey, and for the northwest corner of said Tract 12, called 16.750 acres;

THENCE South 87° 11' 27" West with the South line of said Tract 4, called 148.751 acres, the South line of said Goodrich Survey, and the North line of said Mineral File 154694, a distance of 987.37 feet to a point for the southeast corner of a called 171.87 acres tract conveyed to Nabors Property Holdings, II, LLC by Nabors Corporate Services, Inc. by deed dated December 16, 2015 and recorded in County Clerk's File 20160007046 of the Official Public Records of Real Property of Harris County, Texas, and for the southwest corner of said Tract 4, called 148.751 acres, from this corner an 1 inch iron pipe, found, for the apparent southwest corner of said Goodrich Survey bears South 87° 11' 27" West, a distance of 2,008.73 feet;

THENCE with the common boundary line of said Tract 4, called 148.751 acres, and the East line of said called 171.87 acres tract, the following eight, (8), courses and distances:

- 1) North 02° 48' 33" West, a distance of 470.38 feet;
- 2) North 87° 11' 27" East, a distance of 439.22 feet;
- 3) North 02° 48' 33" West, a distance of 508.37 feet;
- 4) North 19° 54' 49" West, a distance of 281.78 feet;
- 5) South 87° 11' 27" West, a distance of 180.47 feet;
- 6) North 02° 48' 33" West, a distance of 300.00 feet;
- 7) North 87° 11' 27" East, a distance of 170.00 feet;
- 8) North 02° 48' 33" West, a distance of 460.92 feet to a point for the South corner of Tract 7, called 5.087 acres, and for a common corner of said called 171.87 acres tract and said Tract 4, called 148.751 acres;

THENCE with the common boundary line of said Tract 7, called 5.087 acres, and continuing with the East line of said called 171.87 acres tract, the following three, (3), courses and distances:

- 1) North 43° 57' 14" West, a distance of 1,062.68 feet to the point of curvature of a curve;
- 2) 1,166.81 feet along a curve to the right, concave northeast, having a central angle of 32° 36' 41", a radius of 2,050.00 feet, and a chord bearing and distance of North 27° 38' 54" West, 1,151.12 feet to the point of tangency of said curve;
- 3) North 11° 20' 33" West, a distance of 15.00 feet to the point of curvature of a curve, for the northwest corner of said Tract 7, called 5.087 acres, and for an exterior corner of Tract 10, called 10.313 acres;

THENCE with the common boundary line of said Tract 10, called 10.313 acres and continuing with the East and North line of said called 171.87 acres tract, the following six, (6), courses and distances:

- 1) 54.98 feet along a curve to the left, concave southwest, having a central angle of 90° 00' 00", a radius of 35.00 feet, and a chord bearing and distance of North 56° 20' 33" West, 49.50 feet to the point of tangency of said curve;

- 2) South 78° 39' 27" West, a distance of 71.00 feet to the point of curvature of a curve;
- 3) 127.39 feet along a curve to the left, concave southeast, having a central angle of 07° 40' 59", a radius of 950.00 feet, and a chord bearing and distance of South 74° 48' 58" West, 127.29 feet to the point of tangency of said curve;
- 4) South 70° 58' 28" West, a distance of 522.69 feet to the point of curvature of a curve;
- 5) 311.99 feet along a curve to the right, concave northwest, having a central angle of 17° 01' 29", a radius of 1,050.00 feet, and a chord bearing and distance of South 79° 29' 13" West, 310.85 feet to the point of tangency of said curve;
- 6) South 87° 59' 57" West, a distance of 120.80 feet to a 5/8 inch iron rod with "BASELINE" cap, found, for the southeast corner of a residue of a called 617.6016 acres tract conveyed to CC Telge Road, L.P. by Capital Farm Credit, FLCA by deed dated April 28, 2010 and recorded in County Clerk's File 20100175659 of the Official Public Records of Real Property of Harris County, Texas, for the northeast corner of Willowcreek Ranch, Section 9, Subdivision, filed March 2, 2017 and recorded in Film Code Number 680721 of the Map Records of Harris County, Texas, for the northwest corner of said called 171.87 acres tract and for the southwest corner of said Tract 10, called 10.313 acres;

THENCE North 02° 44' 18" West with the West line of said Tract 10, called 10.313 acres, and the East line of said residue of called 617.6016 acres tract, a distance of 100.01 feet to a 5/8 inch iron rod with "HARRIS COUNTY" cap, found, for the southwest corner of the residue of a called 39.55 acres tract conveyed to Willow Creek Realty, LLC by Merenco Realty, Inc. by deed dated February 24, 2016 and recorded in County Clerk's File RP-2016-81535 of the Official Public Records of Real Property of Harris County, Texas and for the northwest corner of said Tract 10, called 10.313 acres;

THENCE with the common boundary line of said Tract 10, called 10.313 acres, the South or southeast and East line of said residue of called 39.55 acres tract, and the South or southeast and East line of a called 7.092 acres tract conveyed to Harris County Improvement District No. 17 by Willow Creek Realty, LLC by deed dated September 8, 2017 and recorded in County Clerk's File RP-2017-402811 of the Official Public Records of Real Property of Harris County, Texas, the following seven, (7), courses and distances:

- 1) North 87° 59' 57" East, a distance of 122.09 feet to the point of curvature of a curve;
- 2) 282.28 feet with a curve to the left, concave northwest, having a central angle of 17° 01' 29", a radius of 950.00 feet, and a chord bearing and distance of North 79° 29' 13" East, 281.24 feet to the point of tangency of said curve;

- 3) North 70° 58' 28" East, a distance of 522.69 feet to the point of curvature of a curve;
- 4) 140.80 feet with a curve to the right, concave southeast, having a central angle of 07° 40' 59", a radius of 1,050.00 feet, and a chord bearing and distance of North 74° 48' 58" East, 140.69 feet to the point of tangency of said curve;
- 5) North 78° 39' 27" East, a distance of 71.00 feet to the point of curvature of a curve;
- 6) 54.98 feet along a curve to the left, concave northwest, having a central angle of 90° 00' 00", a radius of 35.00 feet, and a chord bearing and distance of North 33° 39' 27" East, 49.50 feet to the point of tangency of said curve;
- 7) North 11° 20' 33" West, a distance of 15.00 feet to a point for an exterior corner of said Tract 10, called 10.313 acres, for the southwest corner of Tract 8, called 2.932 acres, and for the point of curvature of a curve;

THENCE with the common boundary line of said Tract 8, called 2.932 acres, and continuing with the East line of said called 7.092 acres tract, and the East line of another residue of said called 39.55 acres tract, the following four, (4), courses and distances:

- 1) 622.29 feet along a curve to the right, concave East, having a central angle of 27° 57' 52", a radius of 1,275.00 feet, and a chord bearing and distance of North 02° 38' 23" East, 616.13 feet to the point of tangency of said curve;
- 2) North 16° 37' 19" East, a distance of 175.45 feet to the point of curvature of a curve;
- 3) 389.48 feet along a curve to the left, concave West, having a central angle of 18° 59' 31", a radius of 1,175.00 feet, and a chord bearing and distance of North 07° 07' 34" East, 387.70 feet to the point of tangency of said curve;
- 4) North 02° 22' 12" West, a distance of 97.79 feet to a point for the northeast corner of said residue of called 39.55 acres tract and for the northwest corner of said Tract 8, called 2.932 acres;

THENCE North 87° 37' 45" East with the North line of said Tract 8, called 2.932 acres, a distance of 100.00 feet to a point for the northeast corner of said Tract 8, called 2.932 acres and the northwest corner of a residue of called 606.1394 acres tract conveyed to Merenco Realty Inc. by Tandem Energy Corporation by deed dated April 28, 1999 and recorded in County Clerk's File T693301 of the Official Public Records of Real Property of Harris County, Texas;

THENCE South 02° 22' 12" East with the East line of said Tract 8, called 2.932 acres, and the West line of said called 606.1394 acres residue tract, a distance of 59.40 feet, more or less to a point for the southwest corner of said called 606.1394 acres residue tract and for an exterior corner of Tract 1, called 75.1117 acres tract;

THENCE North 87° 38' 17" East with an interior line of said Tract 1, called 75.1117 acres, and the South line of said called 606.1394 acres residue tract, a distance of 1223.96 feet to a point for the southeast corner of said called 606.1394 acres residue tract and for an interior corner of said Tract 1, called 75.1117 acres;

THENCE North 02° 21' 43" West with an interior line of said Tract 1, called 75.1117 acres, and the East line of said called 606.1394 acres residue tract, a distance of 60.00 feet to a point for the northeast corner of said called 606.1394 acres residue tract and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE North 87° 38' 17" East with an exterior line of said Tract 1, called 75.1117 acres, a distance of 2,516.40 feet to a point in the southwest right of way line of State Highway Number 249, (called 350 feet wide right of way), and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE South 26° 16' 12" East with an exterior line of said Tract 1, called 75.1117 acres, and the southwest right of way line of said State Highway Number 249, a distance of 65.63 feet to a point for the northeast corner of another residue of said called 606.1394 acres tract and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE South 87° 38' 17" West with an interior line of said Tract 1, called 75.1117 acres, and the North line of said called 606.1394 acres residue tract, a distance of 449.75 feet to a point for the northwest corner of said called 606.1394 acres residue tract and for an interior corner of said Tract 1, called 75.1117 acres;

THENCE South 02° 12' 39" East with an interior line of said Tract 1, called 75.1117 acres, and the West line of said called 606.1394 acres residue tract, a distance of 265.61 feet to a point for the northeast corner of a called 7.7884 acres tract conveyed to Barron Family Properties, LLC by Urettek USA, Inc. by deed dated April 2, 2014 and recorded in County Clerk's File 20140134468 of the Official Public Records of Real Property of Harris County, Texas and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE South 88° 53' 08" West with an interior line of said Tract 1, called 75.1117 acres, and the North line of said called 7.7884 acres tract, a distance of 574.57 feet to a point for the northwest corner of said called 7.7884 acres tract and for an interior corner of said Tract 1, called 75.1117 acres;

THENCE South 01° 54' 18" East with an interior line of said Tract 1, called 75.1117 acres, and the West line of said called 7.7884 acres tract, a distance of 363.97 feet to a point for the northeast corner of a called 18.9062 acres tract conveyed to Lone Star College System by Merenco Realty, Inc. by deed dated April 4, 2014 and recorded in County Clerk's File 20140138412 of the Official Public Records of Real Property of Harris County, Texas and for an exterior corner of said Tract 1, called 75.1117 acres;

THENCE with the common boundary line of said Tract 1, called 75.1117 acres, and the Northern and Western lines of said called 18.9062 acres tract, the following six, (6), courses and distances:

- 1) South 87° 34' 22" West, a distance of 439.20 feet;
- 2) North 05° 03' 04" West, a distance of 213.07 feet;
- 3) South 85° 17' 49" West, a distance of 417.30 feet;
- 4) South 02° 21' 53" East, a distance of 487.82 feet;
- 5) North 89° 45' 21" East, a distance of 54.69 feet;
- 6) South 02° 20' 27" East, a distance of 595.97 feet to a 5/8 inch iron rod with "HOVIS" cap, found, for the southwest corner of said called 18.9062 acres tract and for an exterior corner of Tract 5, called 4.969 acres;

THENCE North 87° 59' 59" East with the North line of said Tract 5, called 4.969 acres, the South line of said called 18.9062 acres tract and the South line of said called 7.7884 acres tract, a distance of 864.01 feet to a point for the most Southern, southeast corner of said called 7.7884 acres tract and for the southwest corner of Tract 15, called 2.363 acres;

THENCE North 01° 52' 05" West with the West line of said Tract 15, called 2.363 acres, and an interior line of said called 7.7884 acres tract, a distance of 740.12 feet to a point for an interior corner of said called 7.7884 acres tract and for the northwest corner of said Tract 15, called 2.363 acres;

THENCE North 87° 12' 40" East with the North line of said Tract 15, called 2.363 acres, and an interior line of said called 7.7884 acres tract, a distance of 293.88 feet to a point for the northwest corner of a residue of called 28.68 acres, more or less, tract, conveyed to Humble Oil & Refining Company by Socony Mobil Oil Company, Inc. by deed filed August 10, 1965 and recorded in Volume 6028 at Page 80, (County Clerk's File C139334), of the Deed Records of Harris County, Texas and for the northeast corner of said Tract 15, called 2.363 acres;

THENCE South 01° 55' 05" East with the East line of said Tract 15, called 2.363 acres, the East line of Tract 11, called 2.649 acres, and the West line of said residue of called 28.68 acres, more or less, tract, a distance of 744.16 feet to a point in the North line of said Tract 5, called 4.969 acres, for the southwest corner of said residue of called 28.68 acres, more or less, tract, and for the southeast corner of said Tract 11, called 2.649 acres;

THENCE North 87° 59' 59" East with the North line of said Tract 5, called 4.969 acres, the South line of said residue of called 28.68 acres, more or less, tract, the South line of a called 9.26 acres, more or less, tract conveyed to Humble Oil & Refining Co. by Magnolia Petroleum Company by deed dated September 9, 1937 and recorded in Volume 1063 at Page 557 of the Deed Records of Harris County, Texas, and the South line of a residue of a called 145.78 acres tract conveyed to Ralph Lewis Frapart, et al by Frances Kaiser Frapart by deed dated December 10, 1976 and recorded in County Clerk's File F014298 of the Official Public Records of Real Property of Harris County, Texas, a distance of 777.19 feet to a 5/8 inch iron rod with "BASELINE" cap, found, for the northeast corner of said Tract 5, called 4.969 acres, and for the northwest corner of said Tract 13, called 1.795 acres;

THENCE North 87° 56' 11" East with the North line of said Tract 13, called 1.795 acres, the South line of the residue of said called 145.78 acres tract and the South line of a called 61,615 square feet, (1.415 acres), more or less tract, called Parcel "C", described in said County Clerk's File L951535, a distance of 739.97 feet to a point in the southwest line of said State Highway Number 249, (called 350 feet wide right of way), for the southeast corner of a residue of said called 145.78 acres tract and for the northeast corner of said Tract 13, called 1.795 acres;

THENCE with the East or northeast line of said Tract 13, called 1.795 acres, and the southwest right of way line of said State Highway Number 249, a curve to the left, concave northeast, having a central angle of 01° 53' 37", a radius of 3994.73 feet, an arc length of 132.03 feet and a chord bearing and distance of South 42° 49' 17" East, 132.02 feet to a point for the northeast corner of the residue of a called 2.180 acres tract of land conveyed to Harris County Flood Control District by Tandem Energy Corporation by deed dated March 15, 2005 and recorded in County Clerk's File Y461230 of the Official Public Records of Real Property of Harris County, Texas, and for the southeast corner of said Tract 13, called 1.795 acres;

THENCE South 87° 56' 11" West with the South line of said Tract 13, called 1.795 acres, the North line of said residue of called 2.180 acres tract, the North line of a called 1.494 acres tract conveyed to Tortuga Operating Company by Harris County Flood Control District by deed dated March 11, 2010 and recorded in County Clerk's File 20100094479 of the Official Public Records of Real Property of Harris County, Texas, the North line of the residue of a called 64.767 acres tract conveyed to Harris County Flood Control District by Richard Ray Frapart, et al by deed dated May 25, 2005 and recorded in County Clerk's File Y495627 of the Official Public Records of Real Property of Harris County, Texas, the North line of a called 164,385 square feet, (3.774 acres), more or less tract, called Parcel "B", in said County Clerk's File L951535, and the North line of a called 3.2528 acres tract of land conveyed to Nabors Property Holdings II, LLC by Merenco Realty, Inc. by deed dated November 3, 2016 and recorded in County Clerk's File RP-2016-500174 of the Official Public Records of Real Property of Harris County, Texas, a distance of 824.82 feet to a 3/4 inch iron rod with aluminum cap stamped, "PACE", found, for the northwest corner of said called 3.2528 acres tract, for the northeast corner of a called 22.145 acres tract conveyed to Nabors Property Holdings II, LLC by Turner Coatings, LLC by deed dated February 29, 2016 and recorded in County Clerk's File RP-2016-86222 of the Official Public Records of Real Property of Harris County, Texas, for the southwest corner of said Tract 13, called 1.795 acres, and for the southeast corner of said Tract 5, called 4.969 acres;

THENCE South 87° 59' 59" West with the South line of said Tract 5, called 4.969 acres, and the North line of said called 22.145 acres tract a distance of 704.36 feet to a point for the northwest corner of said called 22.145 acres tract and for the northeast corner of said called 20.000 acres tract;

THENCE South 02° 00' 18" East with the East line of said called 20.000 acres tract and the West line of said called 22.145 acres tract, a distance of 194.56 feet to a point for an angle in the West or northwest line of said called 22.145 acres tract and for an angle in the East or southeast line of said called 20.000 acres tract;

THENCE South 34° 15' 24" West with the southeast line of said called 20.000 acres tract and the northwest line of said called 22.145 acres tract, a distance of 822.27 feet to a point for the West or southwest corner of said called 22.145 acres tract and for the North or northwest corner of Tract 5, called 15.0725 acres;

THENCE South 55° 43' 33" East with the North line of said Tract 5, called 15.0725 acres, and the South line of said called 22.145 acres tract, a distance of 333.04 feet to a point for an angle in the South line of said called 22.145 acres tract and for an angle in the North line of said Tract 5, called 15.0725 acres;

THENCE North 87° 09' 56" East with the North line of said Tract 5, called 15.0725 acres, and the South line of said called 22.145 acres tract, a distance of 841.39 feet to a point in a curve in the West line of a called 266,854 square feet, (6.126 acres), more or less, tract described in Right of Way Easement conveyed to Harris County Flood Control District by Exxon Corporation by instrument dated August 31, 1995 and recorded in County Clerk's File R649324 of the Official Public Records of Real Property of Harris County, Texas;

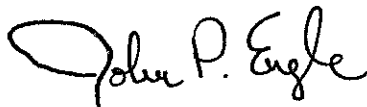
THENCE with the West line of said called 266,854 square feet, (6.126 acres), more or less, tract, a curve to the right, concave southeast, having a central angle of 06° 53' 36", a radius of 1,275.00 feet, an arc length of 153.39 feet and a chord bearing and distance of North 18° 06' 05" East, 153.30 feet to a point for the point of tangency of said curve in the West line of said called 266,854 square feet, (6.126 acres), more or less tract;

THENCE North 21° 32' 52" East continuing with the West line of said called 266,854 square feet, (6.126 acres), more or less, tract, a distance of 84.76 feet to a point for the most Northern corner of said called 266,854 square feet, (6.126 acres), more or less, tract, the West or southwest corner of said called 164,385 square feet, (3.774 acres), more or less tract, called Parcel "B", in said County Clerk's File L951535, in the East line of said Goodrich Survey and in the West line of said Lewis Survey;

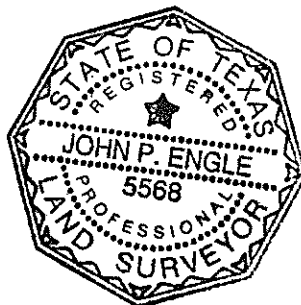
THENCE South 02° 57' 26" East with the East line of said called 266,854 square feet, (6.126 acres), more or less, tract, the most Southern, West line of said called 164,385 square feet, (3.774 acres), more or less tract, called Parcel "B", in said County Clerk's File L951535, the most Northern, West line of a called 102,584 square feet, (2.355 acres), more or less tract, called Parcel "A" in said County Clerk's File L951535, the West line of said called 73,123 square feet, (1.679 acres), more or less tract, the East line of the said Goodrich Survey and the West line of the said Lewis Survey, a distance of 2,779.32 feet to the PLACE OF BEGINNING, and containing within said boundaries 374.9 acres of land.

I, John P. Engle, Registered Professional Land Surveyor Number 5568, do hereby certify that this document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

WITNESS, my hand and seal at Houston, Texas, this the 14th day of February, A.D., 2018.



John P. Engle
Registered Professional
Land Surveyor Number 5568



Regular City Council

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

Presentation by John Ford from Tomball Sports Medicine Center and Eric Evans from Tomball Regional Hospital regarding a possible joint venture with the City of Tomball, Harris County, Tomball Regional Medical Center and Tomball Regional Health Foundation for a Community Wellness Center

Background:

Eric Evans, CEO from Tomball Regional Medical Center approached Mayor Fagan and myself regarding a possible partnership between the City of Tomball, Harris County, Tomball Regional Health Foundation regarding the Sports Medicine Center located on Highway 249 Business. We had a preliminary meeting with Harris County Commissioner Jack Cagle and some of his programming staff regarding their thoughts. Commissioner Cagle is interested in pursuing a partnership with the other entities. Representatives from the Hospital made a presentation to the Health Foundation on Wednesday, February 28th. They are interested in a possible partnership, however they need more details.

John Ford from the Tomball Sports Medicine Center will be making a presentation to the City Council Monday night regarding the project. (Note: John Ford will be representing the Sports Medicine Center and not the City of Tomball).

There was discussion at the Health Foundation of appointing several members from each entity to be a working group to further gather more information. At this early stage in the process, there are no breakdown of who will do what, who will be financial responsible, or how the center would be run. These are all areas to be explored.

Origination:

Tomball Sports Medicine Center and Tomball Regional Medical Center

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

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

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

Approve Resolution No. 2018-06, Canceling the Regular City Officer's Election Scheduled to be held on the 5th Day of May, 2018, in Accordance with Section 2.053(a) of the Texas Election Code; Directing the Giving of Notice of Such Cancellation of Election; and Providing Details Relating to the Cancellation of Such Election

Aprobar la Resolución Nro. 2018-06 Cancelando la Elección Regular de Funcionarios Municipales programada para celebrarse el día 5 de mayo de 2018 de acuerdo con la Sección 2.053(a) del Código Electoral de Texas; instruyendo que se de aviso de tal cancelación de elección; y proveyendo detalles relativos a la cancelación de tal elección.

Chấp thuận Nghị Quyết số 2018-06, Hủy Bỏ Cuộc Bầu Cử Viên Chức Thành Phố Thường Kỳ Dự Kiến sẽ được tổ chức vào ngày 5 tháng Năm, 2018, Chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Texas; Chỉ thị việc đưa ra Thông Báo về Hủy Bỏ Cuộc Bầu Cử đó; và Cung Cấp Thông Tin Chi Tiết Liên quan đến việc Hủy Bỏ Cuộc Bầu Cử đó.

通過決議案2018-06, 取消一般市府官員應於2018年5月5日的選舉計畫, 其是根據德克薩斯州選舉法 2.053(a)節; 茲此通知該選舉取消; 以及提供關於取消該選舉的詳情。

Background:

All filing deadlines having passed, we have unopposed incumbents for Position 2, Mark A. Stoll, and for Position 4, Derek S. Townsend, Sr., for the May 5, 2018 Regular City Officer's Election.

Section 2.052, Election Code, requires the City Secretary to deliver the Certification of Unopposed Candidates to City Council and request Council to accept the Certification and declare the election canceled.

Resolution No. 2018-06 cancels the election scheduled to be held on May 5, 2018 and includes the Order of Cancellation. A copy of the Order of Cancellation will be posted on Election Day at City Hall, the polling location for all City elections.

Candidates elected through cancellation shall be declared elected "in the same manner and at the same time as provided for a candidate elected at the election" (Election Code, Sec. 2.053(c)] and shall take the oaths of office the same as candidates elected at an election.

The suggested date at which the election will be canvassed and the oaths of office and election of Mayor Pro Tem will take place is Tuesday, May 8, 2018 (Special Council meeting) at 5:30 p.m.

Origination:

City Secretary

Recommendation:

Approval of Resolution No. 2018-06 and the Order of Cancellation

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

City Secretary

ACTION TAKEN

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

Certificate of Unopposed Candidates

Resolution No. 2018-06 and Order of Cancellation

**CERTIFICATION OF UNOPPOSED CANDIDATES
(CERTIFICACIÓN DE CANDIDATOS ÚNICOS)**

To: Presiding Officer of Governing Body
Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 5, 2018.

(Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son condidatos únicos para elección para un cargo en la elección que se llevará a cabo el 5 de mayo de 2018.)

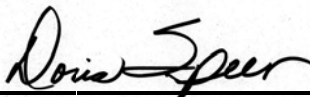
List offices and names of candidates:
(Lista de cargos y nombres de los candidatos:)

Offices (Cargos)

Council Position 2 (Concejal Posición 2)
Council Position 4 (Concejal Posición 4)

Candidates (Candidatos)

Mark A. Stoll
Derek S. Townsend, Sr.



Signature (Firma)

Doris Speer

Printed Name (Nombre en letra de molde)

City Secretary

Title (Puesto)

March 1, 2018

Date of Signing (Fecha de firma)

(seal) (sello)

RESOLUTION NO. 2018-06

A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, CANCELING THE REGULAR CITY OFFICER'S ELECTION SCHEDULED TO BE HELD ON THE 5TH DAY OF MAY, 2018, IN ACCORDANCE WITH SECTION 2.053(a) OF THE TEXAS ELECTION CODE; DIRECTING THE GIVING OF NOTICE OF SUCH CANCELLATION OF ELECTION; AND PROVIDING DETAILS RELATING TO THE CANCELLATION OF SUCH ELECTION

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

Section 1: It is hereby ordered that the Regular Election, scheduled to be held in the City of Tomball on the 5th day of May 2018, at which election the following officers were to be elected by the qualified voters of the City, is canceled in accordance with Section 2.053(a) of the Texas Election Code.

POSITION:	COUNCIL POSITION 2
	COUNCIL POSITION 4

Section 2: The following candidates have been certified as unopposed and are hereby elected as follows:

<u>Candidate</u>	<u>Office Sought</u>
Mark A. Stoll	Council Position 2
Derek S. Townsend, Sr.	Council Position 4.

Section 3: A copy of the Order of Cancellation, attached herein and made part of Resolution No. 2018-06, will be posted on Election Day at the following polling place, which would have been used in the election:

POLLING PLACE
Tomball City Hall
401 Market Street
Tomball, Texas 77375

PASSED, APPROVED and RESOLVED this 5th day of March, 2018.

Gretchen Fagan, Mayor
City of Tomball

ATTEST:

Doris Speer, City Secretary
City of Tomball

RESOLUCIÓN Nro. 2018-06

RESOLUCIÓN DE LA CIUDAD DE TOMBALL, TEXAS, CANCELANDO LA ELECCIÓN REGULAR DE FUNCIONARIOS MUNICIPALES PROGRAMADA PARA EL DÍA 5 DE MAYO DE 2018 DE ACUERDO CON LA SECCIÓN 2.053(A) DEL CÓDIGO ELECTORAL DE TEXAS; INSTRUYENDO QUE SE DE AVISO DE TAL CANCELACIÓN DE ELECCIÓN; Y PROVEYENDO DETALLES RELATIVOS A LA CANCELACIÓN DE TAL ELECCIÓN

EL CONSEJO MUNICIPAL DE LA CIUDAD DE TOMBALL, TEXAS, RESUELVE:

Sección 1: Por la presente se ordena que la Elección Regular, programada para celebrarse en la Ciudad de Tomball el 5 de mayo de 2018, en la cual los votantes calificados de la Ciudad habrían votado para elegir a los siguientes funcionarios, sea cancelada de acuerdo con la sección 2.053(a) del Código Electoral de Texas.

POSICIÓN:	POSICIÓN 2 EN EL CONSEJO
	POSICIÓN 4 EN EL CONSEJO

Sección 2: Los siguientes candidatos han sido certificados como candidatos únicos y por la presente son electos como sigue a continuación:

<u>Candidato</u>	<u>Cargo que aspira ocupar</u>
Mark A. Stoll	Posición 2 del Consejo
Derek S. Townsend, Sr.	Posición 4 del Consejo

Sección 3: Una copia de la Orden de Cancelación, adjunta al presente y hecha parte de la Resolución Nro. 2018-06, será colocada el Día de Elección en el siguiente lugar de votación que se hubiera utilizado en la elección:

LUGAR DE VOTACIÓN
Tomball City Hall
401 Market Street
Tomball, Texas 77375

PASADA, APROBADA y RESUELTA este día 5 de marzo de 2018.

Gretchen Fagan, Alcaldesa
City of Tomball

ATESTIGUA:

Doris Speer, Secretaria de la Ciudad
Ciudad de Tomball

NGHỊ QUYẾT SỐ 2018-06

MỘT NGHỊ QUYẾT CỦA THÀNH PHỐ TOMBALL, TIỂU BANG TEXAS, HỦY BỎ CUỘC BẦU CỬ VIÊN CHỨC THÀNH PHỐ THƯỜNG KỲ DỰ KIẾN SẼ ĐƯỢC TỔ CHỨC VÀO NGÀY 5 THÁNG NĂM, 2018, CHIẾU THEO MỤC 2.053(a) CỦA BỘ LUẬT TUYỂN CỬ TEXAS; CHỈ THỊ VIỆC ĐƯA RA THÔNG BÁO VỀ HỦY BỎ CUỘC BẦU CỬ ĐÓ; VÀ CUNG CẤP THÔNG TIN CHI TIẾT LIÊN QUAN ĐẾN VIỆC HỦY BỎ CUỘC BẦU CỬ ĐÓ.

HỘI ĐỒNG THÀNH PHỐ CỦA THÀNH PHỐ TOMBALL, TEXAS QUYẾT NGHỊ:

Mục 1: Theo đây ra lệnh rằng Cuộc Bầu Cử Thường Kỳ, dự kiến sẽ được tổ chức tại Thành Phố Tomball vào ngày 5 tháng Năm 2018, tại đó cuộc bầu cử các viên chức sau đây đã được lựa chọn bởi các cử tri hội đủ điều kiện của Thành Phố, bị hủy bỏ chiếu theo Mục 2.053(a) của Bộ Luật Tuyển Cử Texas.

VỊ TRÍ:	ỦY VIÊN HỘI ĐỒNG VỊ TRÍ 2
	ỦY VIÊN HỘI ĐỒNG VỊ TRÍ 4

Mục 2: Các ứng cử viên sau đây đã được xác nhận là không có đối thủ và theo đây được đặc cử như sau:

<u>Ứng Cử Viên</u>	<u>Vị Trí Đắc Cử</u>
Mark A. Stoll	Ủy Viên Hội Đồng Vị Trí 2
Derek S. Townsend, Sr.	Ủy Viên Hội Đồng Vị Trí 4

Mục 3: Một bản sao của Lệnh Hủy Bỏ, được đính kèm theo Nghị Quyết này và trở thành một phần của Nghị Quyết số 2018-06, sẽ được niêm yết vào Ngày Bầu Cử tại địa điểm bỏ phiếu sau đây, mà lẽ ra được sử dụng trong cuộc bầu cử:

ĐỊA ĐIỂM BỎ PHIẾU
Tomball City Hall
401 Market Street
Houston, Texas 77375

ĐƯỢC CHẤP THUẬN VÀ THÔNG QUA hôm nay ngày 5 tháng Ba, 2018.

Gretchen Fagan, Thị Trưởng
Thành Phố Tomball

CHỨNG THỰC:

Doris Speer, Bí Thư Thành Phố
Thành Phố Tomball

決議案編號2018-06

一德克薩斯州，TOMBALL市決議案，取消一般市府官員應於2018年5月5日的選舉計畫，其是根據德克薩斯州選舉法2.053(a)節；茲此通知該選舉取消；以及提供關於取消該選舉的詳情

特此由德克薩斯州，TOMBALL市決議:

第1條:

茲此命令計畫在德克薩斯州，TOMBALL市2018年5月5日舉行的選舉，在該選舉應由本市合乎資格選民選出下列官職，根據德克薩斯州選舉法2.053(a)節該選舉已取消。

席位: 委員席位 2
 委員席位 4

第2條: 下列候選人已被證實為無競爭對手當選候選人:

<u>候選人</u>	<u>當選職位</u>
Mark A. Stoll	委員席位 2
Derek S. Townsend, Sr.	委員席位 4

第3條: 本取消令命令副本，在此附上以及成為決議案編號2018-06的一部分，將於選舉日張貼在在下列可能啟用的投票場所。

投票場所
Tomball市政廳
401 Market Street
Tomball, Texas 77375

在2018年3月5日通過，批准及決議。

Gretchen Fagan市長
Tomall市

此證:

Doris Speer, 市秘書
Tomall市

ORDER OF CANCELLATION
(ORDEN DE CANCELACIÓN)
Đơn đặt hàng của CANCELLATION
取消命令

The City of Tomball, Texas hereby cancels the election scheduled to be held on May 5, 2018 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

(El Ciudad de Tomball por la presente cancela la elección que, de lo contrario se hubiera celebrado el 5 de mayo de 2018 de conformidad, con la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se halla indicado a continuación:)

[The thành phố Tomball, Texas hướng hủy bỏ cuộc bầu cử dự kiến sẽ được tổ chức vào ngày 5 tháng năm 2018 phù hợp với phần 2.053(a) của luật bầu cử Texas. Các ứng cử viên sau đã chứng nhận là mà và hướng được bầu làm như sau]:

(市Tomball, 得克薩斯特此取消預定的競選舉舉行2018年5月5日符合第2.053部分(a)得克薩斯競選代碼。以下候選人被證明了作為不受反對和特此被選舉如下):

Candidate (*Candidato*) [Ứng cử viên]

(候選人; 應試者, 攻讀學位者; 候補者; 求職應徵者)

Mark A. Stoll

Derek S. Townsend, Sr.

Office Sought (*Cargo al que presenta candidatura*)

[Văn phòng tìm kiếm con dấu]

(被尋找的辦公室)

Council Position 2 (*Concejal Posición 2*)

[hội đồng vị trí 2] (委員會位置2)

Council Position 4 (*Concejal Posición 4*)

[hội đồng vị trí 4] (委員會位置4)

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

(El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.)

[A bản sao của lệnh này sẽ được đăng trên ngày bầu cử tại mỗi địa điểm phòng phiếu nào đã được sử dụng trong cuộc bầu cử.] (這秩序的拷貝在選舉日將被張貼在用於競選的每個投票所。)

Mayor (*Alcalde*) (*Chữ ký của Thị Trưởng*) (市長簽名)

Secretary (*Secretaria*) [Bí thư] (秘書)

(seal) (*sello*) [con dấu] (封印)

Date of Adoption (*Fecha de Adopción*) [ngày nhận con dấu]

Regular City Council

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

Approve Resolution No. 2018-04, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2017-2018

Background:

Per the new requirements of the Texas Railroad Commission, we are required to offer our customers an option to install an Excess Flow Valve (EFV) to existing natural gas service lines leading to their homes and/or businesses.

EFV's are mechanical shut-off devices that can be installed that will shut off the flow of natural gas automatically if the service line breaks for any reason, for example an excavation accident.

Customers may request that the City install an EFV on the gas line at their expense based on the proposed fee of \$500.00. Any new taps will be required to have the EFV installed at the time the gas tap is completed, this cost has been reflected in the commercial and domestic gas tap fees.

Origination:

Public Works Department

Recommendation:

Staff recommends approving the changes proposed to the 2017-2018 Master Fee Schedule.

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
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ATTACHMENTS:

Resolution No. 2018-04

Excess Flow Valve Resident Letter

RESOLUTION NO. 2018-04

**A RESOLUTION OF THE CITY OF TOMBALL, TEXAS,
AMENDING THE MASTER FEE SCHEDULE FOR FISCAL YEAR
2017-2018.**

* * * * *

WHEREAS, on August 7, 2017, the Tomball City Council adopted a Master Fee Schedule for Fiscal Year 2017-18 to provide easier access for Tomball residents and commercial interests; and

WHEREAS, on March 5, 2018, the Tomball City Council approved a new fee for the installation of Excess Flow Valves to natural gas meters as per the requirements of the Texas Railroad Commission, resulting in an additional fee under the section title "Utility Fees" of the Master Fee Schedule for Fiscal Year 2017-2018; and

WHEREAS, on March 5, 2018, the Tomball City Council approved the revised fee for commercial and domestic tap fees to account for the installation of Excess Flow Valves to natural gas service lines as per the requirements of the Texas Railroad Commission, resulting in a revision to the fees under the section title "Building Permit Fees" of the Master Fee Schedule for Fiscal Year 2017-2018; **NOW, THEREFORE**

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

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

Section 2. Pages 15 and 69 of the Master Fee Schedule for the City of Tomball, Texas for Fiscal Year 2017-2018 are hereby amended, copies of which are attached hereto as Exhibit "A" and Exhibit "B" and incorporated into the Master Fee Schedule.

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

PASSED, APPROVED, AND RESOLVED this 5th day of March 2018.

Gretchen Fagan
Mayor

ATTEST:

Doris Speer
City Secretary

Exhibit “A” – Page 1

NATURAL GAS RATES

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

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

CONNECTION AND DISCONNECTION FEES

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

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

EXCESS FLOW VALVE

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

DAMAGES TO UTILITY FUNCTIONS/TAMPERING FEES

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

DELINQUENT ACCOUNT FEES

Delinquent Accounts.

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

BUILDING PERMIT FEES

DOMESTIC AND COMMERCIAL SEWER TAP FEES

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

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

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

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

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

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

For 8" service lead, a \$75.00 per foot of right-of-way width boring fee will be charged.

SEWER LINE MAINTENANCE AND CONSTRUCTION
(CHAPTER 46)

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

DOMESTIC AND COMMERCIAL GAS TAP FEES

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

<u>BTUs</u>	<u>TOTAL COST **</u>	<u>METER SIZE</u>
0 to 345,000	\$ 665.00 \$695.00	250 – 275
345,001 to 450,000	\$ 800.00 \$830.00	415 – 450
451,001 to 1,760,000*	\$1,460.00 \$1,490.00	750 – 880
2,420,001 to 5,500,000*	\$3,740.00 \$3,770.00	3,000
5,500,001 to 11,000,000*	\$4,945.00 \$4,975.00	5,000

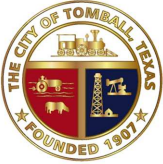
If pounds (lbs.) Are needed, must add an emcorector to total cost (total cost +\$1,175.00 = total price for pounds).

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

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

Requirements above 450,001 BTUs, add \$350.00 to connection fee schedule.

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



City of Tomball

Gretchen Fagan
Mayor

George Shackelford
City Manager

Dear Resident,

In accordance with recent Federal regulations from the Texas Railroad Commission, the City of Tomball is required to notify all eligible customers of their right to request an Excess Flow Valves (EFV) be installed on their existing natural gas service line. EFV's are mechanical shut-off devices that can be installed in the gas pipe running to the gas meter at your property (the "service line"). The device is designed to shut off the flow of natural gas automatically if the service line breaks for any reason, for example an excavation accident. Stopping the flow of gas from a broken service line significantly reduces the risk of natural gas fire, explosion, personal injury and/or property damage.

EFVs are not designed to close if a leak occurs beyond the gas meter, either on house piping or appliances; additionally the device may not close if the leak on the service line is small. There is the possibility of closure from additional gas flow if the customer were to add additional load to their service such as a standby generator, pool heater, etc.

As a resident you may request that City of Tomball install an excess flow valve (EFV) on the gas line to your property. ~~There are Costs~~ associated with the installation of the device ranging from \$1,000 to \$1,200 depending on individual circumstances. These fees must be paid in full before installation will be scheduled.

In the event after installation maintenance or replacement is required, this will be done at no additional cost. EFV replacement may be necessary if you add additional gas appliances, such as a pool heater or emergency generator that exceeds the capacity of the EFV or if the EFV malfunctions (sticks open or closed); however industry experience is that EFVs rarely malfunction.

EFVs cannot be installed on some service lines due to high gas flow, low pressure or other factors. If you request an EFV we will inform you if your service line cannot accommodate an EFV.

EFVs will not be installed on your service lines if:

- The service line does not operate at a pressure of 10 psig or greater throughout the year;
- The EFV could interfere with proper operation or cause loss of service;
- An EFV could interfere with necessary operation or maintenance activities;

501 JAMES STREET • TOMBALL, TEXAS 77375 • 281-290-1400

Commented [GS1]: Do we need to put a date on this letter for documentation?

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Commented [GS2]: Does city replace at no charge?

Commented [GS3]: ??

or

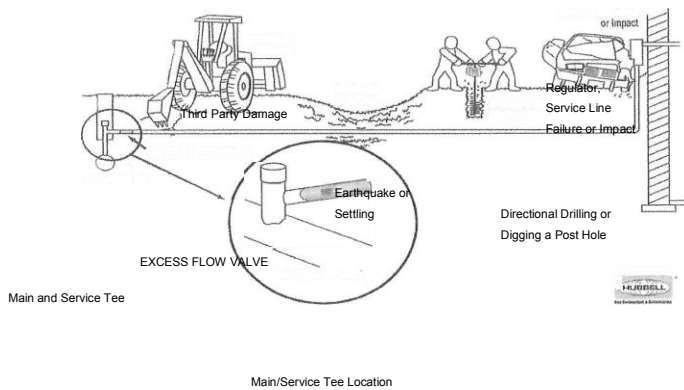
- The capacity of the meter on the service line exceeds 1,000 standard cubic feet per hour or 1,000,000 BTU

If you request an EFV we will inform you if your service line meets any of these conditions.

After notification to the City that you would like an EFV, and after payment of all associated fees is received, we will contact you to set up a mutually agreed upon date and time for the installation of the device.

For your safety always call 811 to have gas lines and other buried utilities marked before allowing anyone to dig in your yard.

Diagram to illustrate EFVs



Any questions or concerns please contact our Gas Foreman, Dewayne Osgood, at (281) 290-1432.

Sincerely,

David Esquivel
Public Works Director

501 JAMES STREET • TOMBALL, TEXAS 77375 • 281-290-1400

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Regular City Council

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

Approve Abandonment of a City of Tomball Utility Easement and Adopt, on First Reading, Ordinance No. 2018-13, an Ordinance of the City of Tomball, Texas, Finding and Determining that the Public Convenience and Necessity no longer require the Continued Existence of a Certain Portion of a City of Tomball Utility Easement across a Certain 0.129 Acre Tract of Land Being Out of Lot 1 in Block 1 of the Fourteen Six Hundred Business Park Subdivision of Which is Recorded in Film Code 680728 of the Map Records of Harris County, Texas; Vacating, Abandoning, and Closing Said Portion of Such City of Tomball Utility Easement; Authorizing the City Manager to Execute and the City Secretary to Attest a Quitclaim Deed Quitclaiming the City's Interest in Said Abandoned Easement; and Containing Other Provisions Relating to the Subject

Background:

With the proposed construction of new office/warehouses at Brown Road and Park Place Drive, it is necessary to abandon a portion of an existing 20' wide City of Tomball Utility Easement to accommodate the development. The project is outside the city limits, but within the Extraterritorial Jurisdiction (ETJ) of Tomball. The City does not anticipate the need for the easement since the properties along Park Place Drive to the north are outside the City and on their independent utility systems. For this reason, Community Development has no concerns with the proposed abandonment.

Origination:

Russell McKee, PFG Construction LLC

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 No. 2018-13

Quitclaim Deed

Map

ORDINANCE NO. 2018-13

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A CERTAIN PORTION OF A CITY OF TOMBALL UTILITY EASEMENT ACROSS A CERTAIN 0.129 ACRE TRACT OF LAND BEING OUT OF LOT 1 IN BLOCK 1 OF THE FOURTEEN SIX HUNDRED BUSINESS PARK SUBDIVISION OF WHICH IS RECORDED IN FILM CODE 680728 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS; VACATING, ABANDONING, AND CLOSING SAID PORTION OF SUCH CITY OF TOMBALL UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY SECRETARY TO ATTEST A QUITCLAIM DEED QUITCLAIMING THE CITY'S INTEREST IN SAID ABANDONED EASEMENT; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, the City of Tomball, Texas ("City") owns a twenty-foot (20') wide City of Tomball Utility Easement containing 0.129 acres of land being out of Lot 1 in Block 1 of the Fourteen Six Hundred Business Park Subdivision of which is recorded in film code 680728 of the Map Records of Harris County, Texas and is more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes ("Easement"); and

WHEREAS, the City Council of the City has determined that public necessity and convenience no longer require the existence of the Easement; and

WHEREAS, the City Council has determined that the Easement should be vacated, abandoned, and closed for the reason that it is no longer needed by the City; and

WHEREAS, the City Council desires to convey the Easement to the owner of the property on which the Easement exists; now, therefore,

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

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

Section 2. That the City Council of the City of Tomball, Texas, hereby finds and determines that the public convenience and necessity no longer require the continued existence of the Easement described in Section 3 hereof.

Section 3. That the portion of that certain City of Tomball Utility Easement dedicated to the public and containing 0.129 acres of land being out of Lot 1 in Block 1 of the Fourteen Six Hundred Business Park Subdivision of which is recorded in film code 680728 of the Map Records of Harris County, Texas and is more particularly described in Exhibit “A”, is hereby vacated, abandoned, and closed.

Section 4. That the City Manager is authorized to execute a quitclaim deed quitclaiming Easement described in Section 3 hereof to the owners of the property on which the Easement is located in exchange for the receipt of fair market value for the Easement.

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 MARCH 2018.

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

SECOND READING:

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

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

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Gretchen Fagan, Mayor, City of Tomball, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed same for the purposes and consideration therein expressed and in the capacity therein stated, and as the act and deed of said City.

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

NOTARY PUBLIC, in and for the
STATE OF TEXAS

(SEAL)

My Commission Expires: _____

After Recording, Return To:

**Doris Speer
City Secretary
City of Tomball
401 Market Street
Tomball, TX 77375**

QUITCLAIM DEED

Date: March __, 2018

Grantor: City of Tomball

Grantor's Mailing Address (including County):

401 Market Street
Tomball, Harris County, Texas 77375

Grantee: PFG Construction LLC

Grantee's Address (including County):

P.O. Box 2003
Cypress, Harris County, Texas 77410

Consideration:

Ten and No/100 Dollars (\$10.00) and other good and valuable consideration.

Property:

A certain tract or parcel containing 0.129 acre tract of land being out of Lot 1 in Block 1 of the Fourteen Six Hundred Business Park Subdivision of which is recorded in Film Code 680728 of the Map Records of Harris County, Texas; more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

For the consideration, Grantor quitclaims to Grantee all of Grantor's right, title and interest in and to the property, to have and to hold it to Grantee and Grantee's successors or assigns forever. Neither Grantor nor Grantor's heirs, executors, administrators, successors, or assigns shall have, claim, or demand any right or title to the property or any part of it.

Grantee accepts the property in "AS IS" condition, subject to any environmental conditions that might have or still exist on said property and subject to the rights of any parties in possession of the property. When the context requires, singular nouns and pronouns include the plural.

EXECUTED this the ____ day _____ 2018.

GRANTOR:

CITY OF TOMBALL, TEXAS

Gretchen Fagan, Mayor

ATTEST:

By: _____
Doris Speer, City Secretary

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Gretchen Fagan, Mayor, City of Tomball, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed same for the purposes and consideration therein expressed and in the capacity therein stated, and as the act and deed of said City.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____day of _____, 2018.

NOTARY PUBLIC, in and for the
STATE OF TEXAS

(SEAL)

My Commission Expires: _____

After Recording, Return To:
Doris Speer
City Secretary
City of Tomball
401 Market Street
Tomball, TX 77375

Exhibit "A" – Page 1



SURVEYING COMPANY

12345 Jones Road, Suite 270
Houston, TX 77070
281-955-2772 • Fax 281-955-6678
www.eicsurveying.com • eic@eicsurveying.com

FIRM NO. 100334-00

BEING a strip of land 20.00 feet in width containing 5,627.27 square feet of land for utility easement purposes out of Lot 1 in Block 1 of Fourteen Six Hundred Business Park, a subdivision in Harris County, Texas according to the map or plat thereof filed for record under Film Code No. 680728 of the Harris County Map Records, said 20.00 foot strip of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with EIC cap (found) marking the in the East right-of-way line of Park Place Drive, (60.00 feet in width), marking the Southwest corner of that certain call 1.0000 acre tract of land out of Tract 22 in Park Place Estates, (unrecorded), as described in a deed filed for record under Harris County Clerk's File No. N097400, the Northwest corner of said Lot 1 and the Northwest corner of the corner of the herein described 20.00 foot strip of land;

THENCE N 88°01'12" E, a distance of 20.00 feet along the common line of said 1.0000 acre tract of land and said Lot 1 to a point for corner marking the Northeast corner of the herein described 20.00 foot strip of land;

THENCE S 01°35'28" E, a distance of 272.30 feet to an angle point;

THENCE S 48°54'48" E, a distance of 9.59 feet to the Southeast corner of the herein described 20.00 foot easement;

THENCE S 83°45'54" W, a distance of 27.14 feet to a point for corner in the in the East right-of-way line of said Park Place Drive and the West line of said Lot 1 marking the Southwest corner of the herein described 20.00 foot easement;

THENCE N 01°35'28" W, a distance of 280.86 feet along the East right-of-way line of said Park Place Drive and the West line of said Lot 1 to the POINT OF BEGINNING and containing 5,627.27 square feet of land.

Surveyed on the ground February 19, 2018. Revised February 22, 2018.

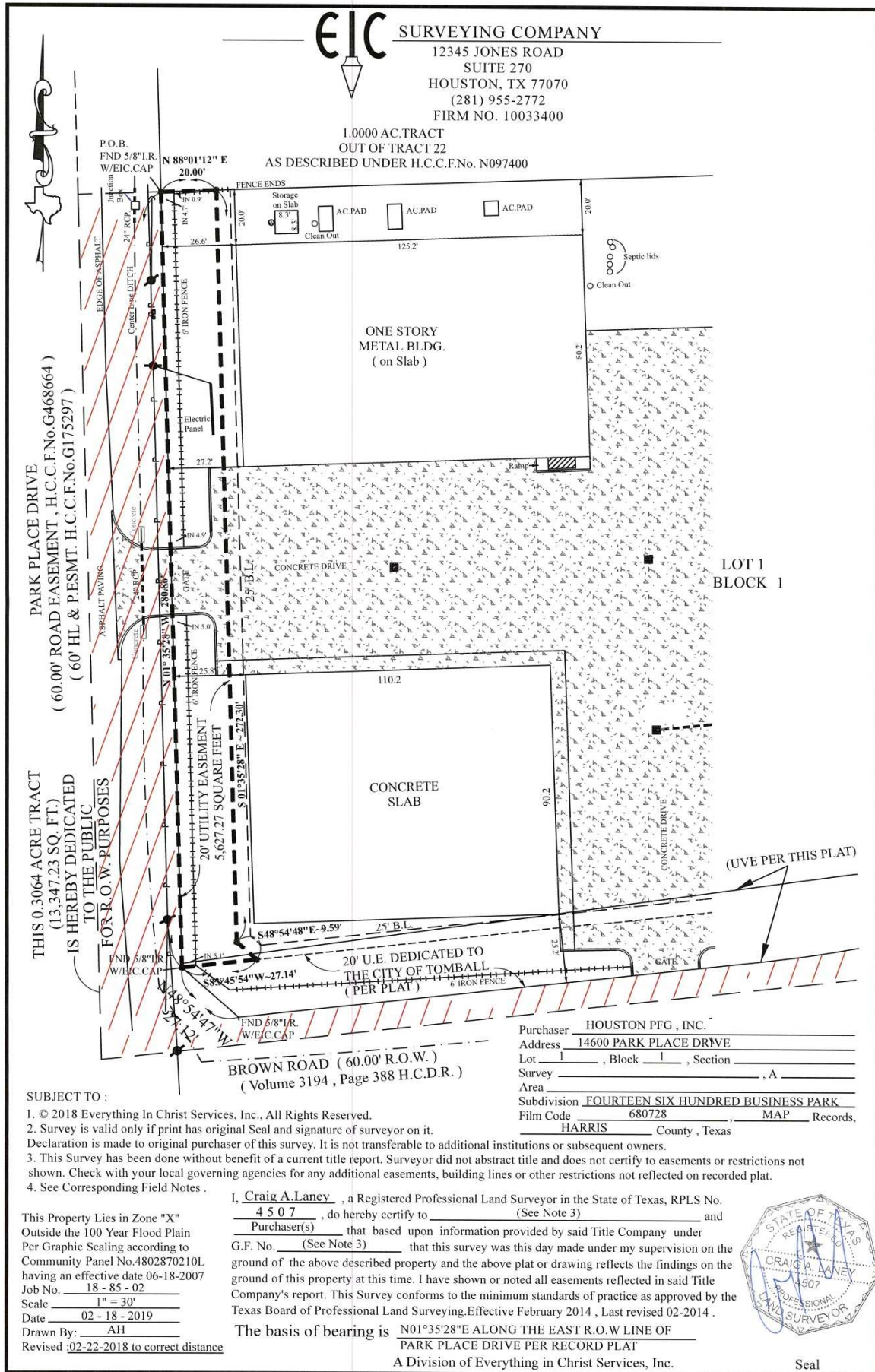
Job No. 18-85-02. (See corresponding plat)

The basis of bearing is N 01°35'28" E along the East right-of-way line of Park Place Drive per record plat.



Land Boundary • Topographic Surveying
A Division of Everything in Christ Services, Inc.

Exhibit "A" – Page 2



SUBJECT TO :

1. © 2018 Everything In Christ Services, Inc., All Rights Reserved.
2. Survey is valid only if print has original Seal and signature of surveyor on it.
3. Declaration is made to original purchaser of this survey. It is not transferable to additional institutions or subsequent owners.
3. This Survey has been done without benefit of a current title report. Surveyor did not abstract title and does not certify to easements or restrictions not shown. Check with your local governing agencies for any additional easements, building lines or other restrictions not reflected on recorded plat.
4. See Corresponding Field Notes .

This Property Lies in Zone "X"
Outside the 100 Year Flood Plain
Per Graphic Scaling according to
Community Panel No.4802870210L
having an effective date 06-18-2007
Job No. 18 - 85 - 02
Scale 1" = 30'
Date 02 - 18 - 2019
Drawn By: AH
Revised 02-22-2018 to correct distance

I, Craig A. Laney, a Registered Professional Land Surveyor in the State of Texas, RPLS No. 4507, do hereby certify to HOUSTON PFG, INC. and Purchaser(s) that based upon information provided by said Title Company under G.F. No. (See Note 3) that this survey was this day made under my supervision on the ground of the above described property and the above plat or drawing reflects the findings on the ground of this property at this time. I have shown or noted all easements reflected in said Title Company's report. This Survey conforms to the minimum standards of practice as approved by the Texas Board of Professional Land Surveying. Effective February 2014, Last revised 02-2014.

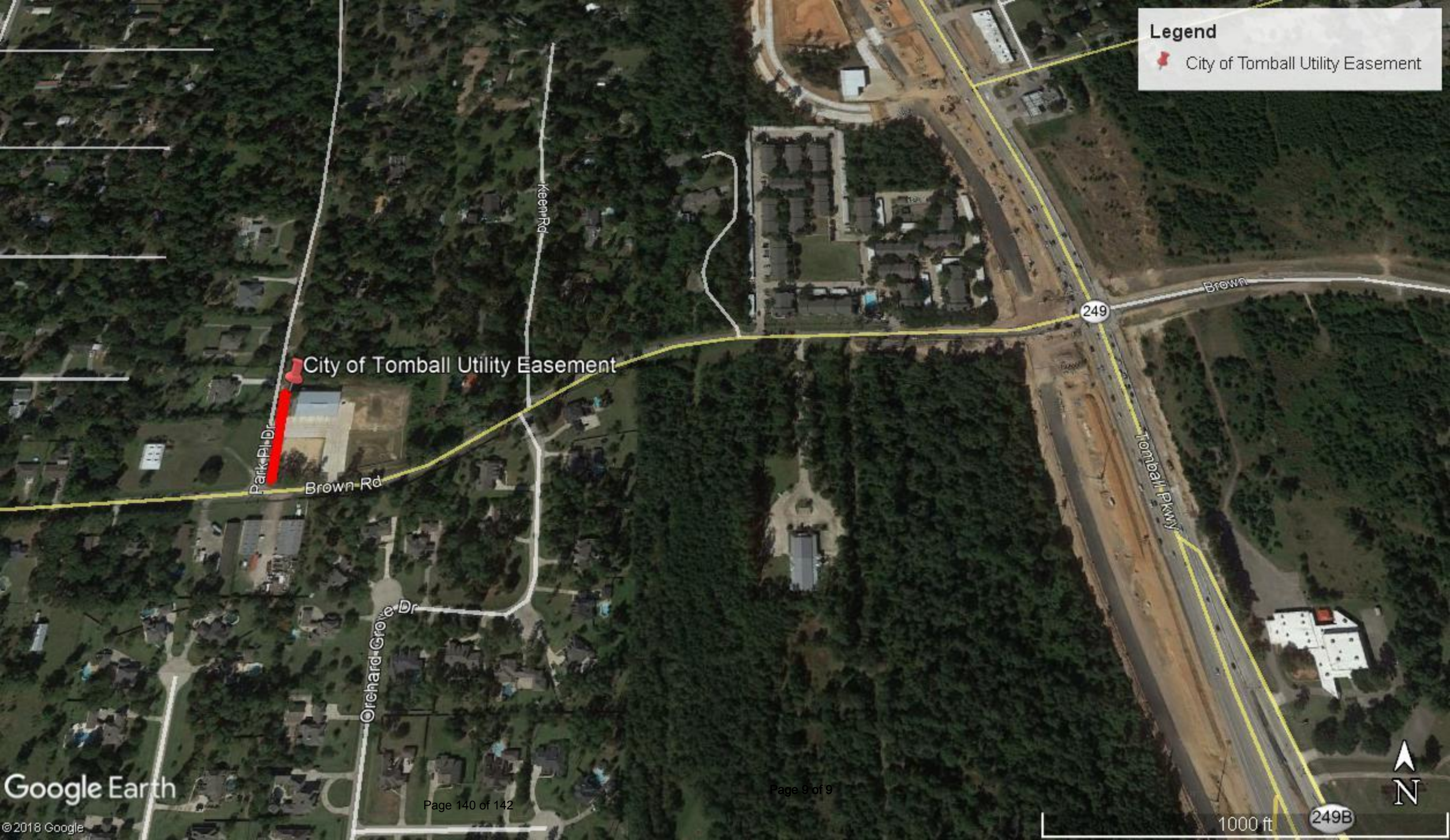
The basis of bearing is N01°35'28"E ALONG THE EAST R.O.W LINE OF PARK PLACE DRIVE PER RECORD PLAT
A Division of Everything in Christ Services, Inc.



Seal

Legend

 City of Tomball Utility Easement



Regular City Council

Agenda Item

Data Sheet

Meeting Date: March 5, 2018

Topic:

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

- Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager
- Sec. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

Background:**Origination:**

City Council, City Manager, City Attorney

Recommendation:

N/A

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

City Secretary

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: March 5, 2018

Topic:
Consideration and Possible Action regarding Purchase of 1.838-Acre Tract of Land out of Reserve “C” of Calvary Baptist of Tomball Subdivision, located East of Hufsmith Kohrville Road and Owned by D S Services

Background:

Origination:
City Manager

Recommendation:
N/A

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

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