

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



TUESDAY, SEPTEMBER 5, 2017

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Tuesday, September 5, 2017 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Pastor Les Herron, The Journey Church, Tomball

3.0 Pledges to U.S. and Texas Flags

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

5.0 Presentations:

- Proclamation – “Hirma Gomez, Pastor - 50th Anniversary Appreciation Day”
- TPD Explorers

6.0 Reports and Announcements

- September 30, 2017 – **7th Annual Beetles, Brew & Barbeque Festival** – 10:00 a.m. to 6:00 p.m.
- October 7, 2017 – **5th “Annual Paces for Pink” 5K Run**
- October 14, 2017 – **“Zomball in Tomball”**
- October 21, 2017– **2nd Annual Freight Train Food Truck Festival** – 11:00 a.m. to 5:00 p.m.
- October 28, 2017 – **6th Annual Tomball Bluegrass Festival** – 11:30 a.m. to 6:00 p.m.
- Reports by City staff and members of council about items of community interest on which no action will be taken

7.0 Approve the Minutes of the August 21, 2017 Regular Tomball City Council Meeting and the August 28, 2017 Special Tomball City Council Meeting

8.0 Old Business:

- 8.1 Adopt, on Second Reading, Ordinance No. 2017-27, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Catalyst Technical Group, Inc. to Operate a “Motel”; said Property Being Approximately 2.1879 Acres, and Being Legally Described as Lot 1 Block 1 Dixie Properties, Harris County, Texas, Generally Located on the South Side of FM 2920 East of Tomball Cemetery Road; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability
- 8.2 Adopt, on Second Reading, Ordinance No. 2017-28, 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 One Acre Of Land, Legally Described Lot 2 Block 1 Park Manor, Within The City Of Tomball, Harris County, Texas, From The Agricultural District To The Commercial District; Said Property Being Generally Located On The South Side Of Medical Complex Drive, West Of School Street; Providing For The Amendment Of The Official Zoning Map Of The City; Providing For Severability; Providing For A Penalty Of An Amount Not To Exceed \$2,000 For Each Day Of Violation Of Any Provision Hereof, Making Findings Of Fact; And Providing For Other Related Matters.

9.0 New Business:

- 9.1 Ratify the FY 2017-2018 Budget and Find that the Proposed Tax Rate of \$.341455/\$100 Exceeds the Effective Tax Rate and Will Generate More Property Tax Revenue than the FY 2016-2017 Budget.
- 9.2 Set Dates for the Required Public Hearings on the Proposed 2017 Tax Rate
- 9.3 Set the Dates for the Vote on the Proposed 2017 Tax Rate and Announce that Voting on the Proposed 2017 Tax Rate will be held at a Special Regular Council

Meeting on October 9, 2017 at 5:00 p.m. and at a Regular Council Meeting on October 16, 2017 at 6:00 p.m.

- 9.4 Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2017-2018 Budget
 - 9.5 Approve Spring Creek County Historical Association Request for \$30,000 fiscal budget for 2017-2018 Annual Operations
 - 9.6 Approve Tomball Sister City Organization Request for Support, Funding, and Road Closures, in the amount of \$57,750 for the 2017 Tomball German Christmas Market, to be held December 7 through December 10, 2017, and in the amount of \$57,750 for the 2018 Tomball German Heritage Festival, to be held March 22 through March 25, 2018.
 - 9.7 Approve Resolution No. 2017-13, a Resolution of the City of Tomball, Texas regarding Release of an Approximately 18.739-Acre Tract of Land located at 16000 FM 2920 from the Extraterritorial Jurisdiction of the City of Houston (Tomball Golf Driving Range)
 - 9.8 Approve Agreement for Professional and Administrative Services Involving the Management of the City of Tomball Public Improvement Districts (the "PIDs") between the City of Tomball and Hawes Hill & Associates, LLP
- 10.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 31st day of August 2017 by 4:00 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: September 5, 2017

Topic:

- Led by Pastor Les Herron, The Journey Church, Tomball

Background:

Origination:

Recommendation:

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

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 5, 2017

Topic:

- Proclamation – “Hirma Gomez, Pastor - 50th Anniversary Appreciation Day”
- TPD Explorers

Background:

Origination:

Fire Chief

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:

Proclamation - Hirma Gomez 50th Anniversary

Office of the Mayor
Tomball, Texas



Proclamation



- WHEREAS,** **Hirma Gómez**, Pastor of **Templo La Hermosa**, was born in Sullivan City, Texas on June 5, 1950, and is the proud mother of five children; and
- WHEREAS,** at the age of 22, **Hirma** married José Ángel Jasso and together they served in active ministry for 39 years. Hirma continued alone another 7 years, with missionary journeys through Latin America, Mexico, Europe (Germany, France and Luxembourg) and the United States, before coming to Tomball in 1989; and
- WHEREAS,** **Hirma Gómez** established **Templo La Hermosa** as the first Hispanic church in Tomball in 1989, and has served the Tomball community, the **Templo La Hermosa** congregation, and prison ministries, held a Hispanic Bible School and a weekly television program for several years, and always participated at City Hall on National Police Day; and
- WHEREAS,** since 1989, the congregation of **Templo La Hermosa** has met for prayer under the flags at Four Corners every Sunday to pray for our community and our leaders, and annually, prior to Halloween, **Pastor Gómez** and some of the **Templo La Hermosa** leaders board a plane to pray for Tomball from the sky; and
- WHEREAS,** the members of **Templo La Hermosa**, with a membership of 150, celebrated the 50th ministerial anniversary of **Pastor Hirma Gómez** on July 29, 2017; and
- WHEREAS,** **Hirma Gómez's** legacy can be seen in her five children, three of whom are in full-time ministry, as well are four grandchildren who serve in worship and youth ministry and two who are youth pastors; and
- WHEREAS,** it is eminently fitting and proper that the citizens of Tomball acknowledge the services performed for our community by the members of **Templo La Hermosa** and **Pastor Hirma Gómez** and express our gratitude to God for them; and

NOW, THEREFORE, I, GRETCHEN FAGAN, Mayor of the City of Tomball, do hereby proclaim Tuesday, September 5, 2017, as:

“HIRMA GOMEZ, PASTOR - 50th ANNIVERSARY APPRECIATION DAY”



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

[Signature]
Attest: *[Signature]*
Date: *September 5, 2017*

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 5, 2017

Topic:

- September 30, 2017 – **7th Annual Beetles, Brew & Barbeque Festival** – 10:00 a.m. to 6:00 p.m.
- October 7, 2017 – **5th “Annual Paces for Pink” 5K Run**
- October 14, 2017 – **“Zomball in Tomball”**
- October 21, 2017– **2nd Annual Freight Train Food Truck Festival** – 11:00 a.m. to 5:00 p.m.
- October 28, 2017 – **6th Annual Tomball Bluegrass Festival** – 11:30 a.m. to 6:00 p.m.
- Reports by City staff and members of council about items of community interest on which no action will be taken

Background:

Origination:

Various

Recommendation:

N/A

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

City Secretary

ACTION TAKEN

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

Meeting Date: September 5, 2017

Topic:

Approve the Minutes of the August 21, 2017 Regular Tomball City Council Meeting and the August 28, 2017 Special Tomball City Council Meeting

Background:

Origination:

City Secretary

Recommendation:

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

City Secretary

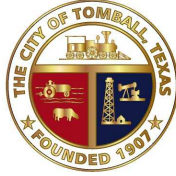
ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Draft Minutes of the August 21, 2017 Regular Tomball City Council Meeting

Draft Minutes of the August 28, 2017 Special Tomball City Council Meeting

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, AUGUST 21, 2017
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 Townsend
Councilman Klein Quinn

Others present:

City Manager – George Shackelford
Assistant City Manager – Rob Hauck
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
City Engineer – Beth Jones
City Planner – Amelia Lindley
Assistant City Secretary – Tracy Garcia
Community Center Director – Rosalie Dillon
Fire Marshal – Joe Sykora
Police Officer-Investigations – Jason Smith

2.0 The invocation was led by Father Tommy Hopper, St. Anne's Catholic Church, Tomball

3.0 The pledges to U. S. and Texas Flags were led by Boy Scout Troop #113.

4.0 The following Public Comment was received:

Bruce Hillegeist 20339 Telge, 77375	-	Expressed GTACC's appreciation for City of Tomball's support for another successful Tomball Night.
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5.0 Presentations: Mayor Fagan and Chief Parr made the following presentations:

- Fire Department:
 - Dave Harrington – Promotion to Lieutenant
 - Matt Jones – Promotion to Driver/Operator
 - Curtis Garland – Promotion to Driver/Operator.

6.0 Reports and Announcements:

- ***Tomball City Pool – 2017 Swim Season - Jerry Matheson Park Pool*** will operate with normal hours through August 20. From August 21 through September 3, the pool will be open on Saturday and Sunday only. The pool will be closed every Monday during swim season 2017, except Memorial Day (May 29), July 4th, and Labor Day (September 4). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- August 26, 2017 – **Tomball Texas Music Festival**
- September 30, 2017 – **7th Annual Beetles, Brew & Barbeque Festival** – 10:00 a.m. to 6:00 p.m.
- October 7, 2017 – **5th “Annual Paces for Pink” 5K Run**
- October 14, 2017 – **“Zomball in Tomball”**
- October 21, 2017– **2nd Annual Freight Train Food Truck Festival** – 11:00 a.m. to 5:00 p.m.
- October 28, 2017 – **6th Annual Tomball Bluegrass Festival** – 11:30 a.m. to 6:00 p.m.
- 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 period ending June 30, 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 June 30, 2017, the City had total cash and cash equivalents in the amount of \$68,386,720.

7.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the Minutes of the August 7, 2017 Regular Tomball City Council Meeting and the August 14, 2017 Special Tomball City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

- 8.1 Motion was made by Councilman Degges, second by Councilman Ford, to approve the salary and benefits for City Employees as included in the FY 2017-2018 Budget. Councilman Townsend stated that he would abstain from discussion and

vote on salary and benefits, due to a family member being a City employee, and had filed an Affidavit with the City Secretary. Vote was as follows:

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

Motion carried unanimously.

Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2017-26, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2017-2018; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2016-2017 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance. Vote was as follows:

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

Motion carried unanimously.

- 8.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2017-24, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, by Adding a New Section 44-167, Parking in Designated Areas Unlawful during Special Events and Festivals, of Division 1, Generally, of Article V, Stopping, Standing, and Parking, of Chapter 44, Traffic and Vehicles; Making it Unlawful to Park in Designated Areas during Special Events and Festivals and Providing for Removal of Such Unlawfully Parked Vehicles; Providing for a Penalty of an Amount Not to Exceed \$200.00 for Each Violation Hereof, with Each Day Constituting a New Violation; Making Findings of Fact; and Providing for Other Matters. Vote was as follows:

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

Motion carried unanimously.

- 8.3 Motion was made by Councilman Ford, second by Councilman Klein Quinn, to adopt, on Second Reading, Ordinance No. 2017-25, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, by Amending Section 16-100, Definitions, of Division 1, Generally, of Article III, Emergency Medical Services and Ambulance Regulations, of Chapter 16, Emergency Services, to Add a Definition of Paratransit Vehicle; Amending Section 16-162, Permit Required; Exception, of Division 3, Nonemergency Transfer Services, of Article III, Emergency Medical Services and Ambulance Regulations, of Chapter 16, Emergency Services; to Incorporate Paratransit Vehicles in the Exception to the Permit Requirement; Providing a Penalty in an Amount Not to Exceed \$2,000.00 for Any Violation of Any Provision of This Ordinance; Repealing All Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; and Providing for Severability. Vote was as follows:

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

Motion carried unanimously.

9.0 New Business:

- 9.1 Consideration to Approve Zoning Case P17-0077: Request by Catalyst Technical Group, Inc. for a Conditional Use Permit to operate a motel. The property is approximately 2.1879 acres, legally described as Lot 1 Block 1 Dixie Properties, generally located on the south side of FM 2920, east of Tomball Cemetery Road and is zoned Commercial District.

- Mayor Fagan called the Public Hearing on Zoning Case P17-0077 to order at 6:27 p.m.

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

- Motion was made by Councilman Degges, second by Councilman Stoll, to read Ordinance No. 2017-27 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2017-27, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Catalyst Technical Group, Inc. to Operate a “Motel”;

said Property Being Approximately 2.1879 Acres, and Being Legally Described as Lot 1 Block 1 Dixie Properties, Harris County, Texas, Generally Located on the South Side of FM 2920 East of Tomball Cemetery Road; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability. Vote was as follows:

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

Motion carried unanimously.

- 9.2 Consideration to Approve Zoning Case P17-0083: Request by Shane Estes, on behalf of Vaquero Ventures, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Lot 2 Block 1 Park Manor of Tomball, Harris County, Texas, generally located on the south side of Medical Complex Drive, west of School Street, from the Agricultural District to the Commercial District.

- Mayor Fagan called the Public Hearing on Zoning Case P17-0083 to order at 6:33 p.m.

Receiving no comments, Mayor Fagan closed the Public Hearing at 6:33 p.m.

- Motion was made by Councilman Ford, second by Councilman Townsend, to read Ordinance No. 2017-28 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Degges, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2017-28, 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 One Acre of Land, Legally Described Lot 2 Block 1 Park Manor, within the City of Tomball, Harris County, Texas, from the Agricultural District to the commercial district; Said Property Being Generally Located on the South Side of Medical Complex Drive, West of School Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

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

Motion carried unanimously.

- 9.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2017-29 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Degges, to adopt, on First Reading, Ordinance No. 2017-29, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, Deleting All of Article VI, Use of Public Rights-of-Way, of Chapter 38, Streets, Sidewalks and Other Public Places, and Replacing it with a New Article VI, Right-of-Way Management; Updating the City's Right-of-Way Management Regulations; Deleting All of Article VII, Use of Rights-of-Way by Providers of Telecommunication Services, of Chapter 38, Streets, Sidewalks and Other Public Places, and Replacing it with a New Article VII, Telecommunications and Wireless Facilities; Regulating the Physical Use, Occupancy and Maintenance of the City's Rights-of-Way by Telecommunications Service and Wireless Network Providers; Providing Procedures for Applications for Permits; Establishing Time Periods for Approval of Permit Applications; Providing Permit Fees and Public Rights-Of-Way Rental Rates; Requiring Land Use Approval Prior to Placement of Network Nodes and Node Support Poles in Parks, Residential Areas, Historic Areas, Underground Areas and Design Areas; Adopting a Design Manual Under Chapter 284 of the Texas Local Government Code; and Providing a Savings Clause. Vote was as follows:

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

Motion carried unanimously.

- 9.4 Discussion was held regarding Implementing Commercial Alleyway Improvements within the Old Town Area of Tomball. City staff received direction from Council and will bring this item back for Council consideration at a future meeting.

No action taken.

9.5 Executive Session: The City Council recessed at 7:30 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:

- Sec. 551.071 - Private Consultation with Attorney in Closed Meeting Regarding a Matter of Potential Litigation that the Duty of the Attorney Requires be Held in Closed Session.

Upon reconvening into regular session, no action was taken.

10.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adjourn.

Motion carried unanimously.

Meeting adjourned.

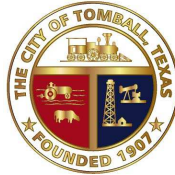
PASSED AND APPROVED this the 5th day of September 2017.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

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

MONDAY, AUGUST 28, 2017



5:00 P.M.

1.0 Call to Order

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

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

Assistant City Manager – Rob Hauck
Director of Community Development – Craig Meyers

2.0 No Public Comments were received.

3.0 New Business:

- 3.1 Motion was made by Councilman Townsend, second by Councilman Degges, to adopt, on Second Reading, Ordinance No. 2017-29, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, Deleting All of Article VI, Use of Public Rights-of-Way, of Chapter 38, Streets, Sidewalks and Other Public Places, and Replacing it with a New Article VI, Right-of-Way Management; Updating the City's Right-of-Way Management Regulations; Deleting All of Article VII, Use of Rights-of-Way by Providers of Telecommunication Services, of Chapter 38, Streets, Sidewalks and Other Public Places, and Replacing it with a New Article VII, Telecommunications and Wireless Facilities; Regulating the Physical Use, Occupancy and Maintenance of the City's Rights-of-Way by Telecommunications Service and Wireless Network Providers; Providing Procedures for Applications for Permits; Establishing Time Periods for Approval of

Permit Applications; Providing Permit Fees and Public Rights-Of-Way Rental Rates; Requiring Land Use Approval Prior to Placement of Network Nodes and Node Support Poles in Parks, Residential Areas, Historic Areas, Underground Areas and Design Areas; Adopting a Design Manual Under Chapter 284 of the Texas Local Government Code; and Providing a Savings Clause. Vote was as follows:

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

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 5th day of September 2017.

Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 5, 2017

Topic:

Adopt, on Second Reading, Ordinance No. 2017-27, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Catalyst Technical Group, Inc. to Operate a "Motel"; said Property Being Approximately 2.1879 Acres, and Being Legally Described as Lot 1 Block 1 Dixie Properties, Harris County, Texas, Generally Located on the South Side of FM 2920 East of Tomball Cemetery Road; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability

Background:

On Monday, August 14th, after conducting a public hearing, the Planning & Zoning Commission voted to recommend to unanimously approve the rezoning request.

Origination:

Community Development Department

Recommendation:

Approval

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

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

Ordinance No., 2017-27

P17-0077 Staff Report

Notice of Public Hearing

Property Owner Notification

P17-0077 Response Form

ORDINANCE NO. 2017-27

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY GRANTING A CONDITIONAL USE PERMIT (CUP) TO CATALYST TECHNICAL GROUP, INC. TO OPERATE A “MOTEL”; SAID PROPERTY BEING APPROXIMATELY 2.1879 ACRES, AND BEING LEGALLY DESCRIBED AS LOT 1 BLOCK 1 DIXIE PROPERTIES, HARRIS COUNTY, TEXAS, GENERALLY LOCATED ON THE SOUTH SIDE OF FM 2920 EAST OF TOMBALL CEMETERY ROAD; PROVIDING REQUIREMENTS AND CONDITIONS FOR THIS CUP; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATIONS HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

Whereas, Catalyst Technical Group, Inc. has requested a CUP to operate a “motel” on approximately 2.1879 acres of land, legally described Lot 1 Block 1 Dixie Properties, Harris County, Texas, generally located on the south side of FM 2920 east of Tomball Cemetery Road, in the City of Tomball, Harris County, Texas, (the "Property"), and

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

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

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

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

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

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

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

Section 2. A CUP to operate a “motel” at the Property and subject to the terms and conditions set forth below is hereby granted to Catalyst Technical Group, Inc.

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

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

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

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

- 1) The site shall be developed and operated in substantial compliance with Exhibit “A”.

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

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

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 21ST DAY OF AUGUST 2017.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</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 SEPTEMBER 2017.

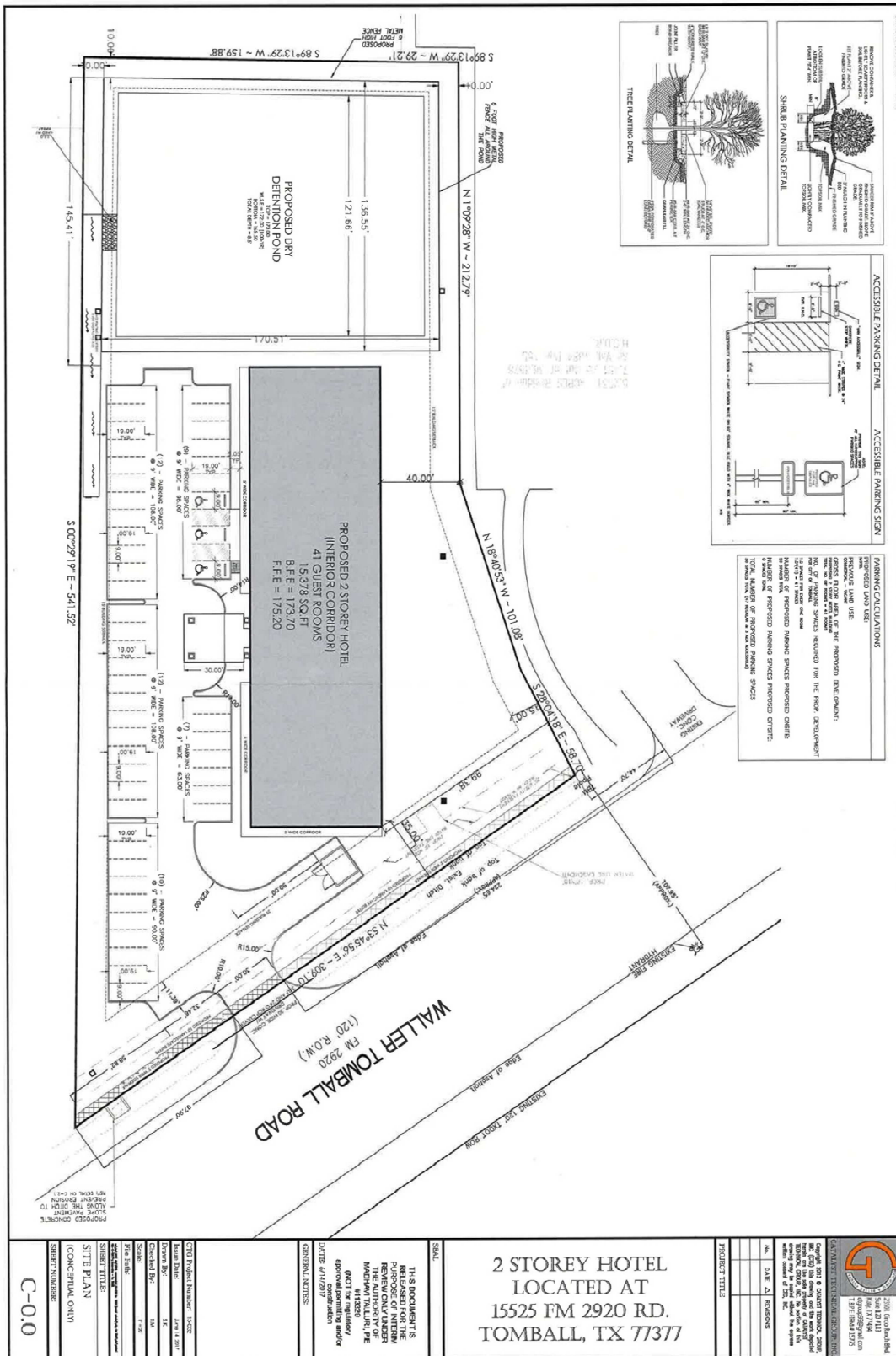
COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

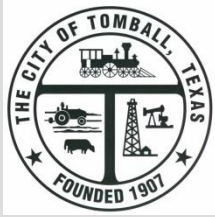
Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

Exhibit "A"





Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: August 14, 2017

City Council Public Hearing Date: August 21, 2017

Rezoning Case: P17-0077

Property Owner(s): Shree Vinayak Hospitality Inc. / Tushar Patel

Applicant(s): Catalyst Technical Group, Inc.

Legal Description: Lot 1 Block 1 Dixie Properties

Location: South side of FM 2920, east of Tomball Cemetery Road (Exhibit "A")

Area: 2.1879 acres

Comp Plan Designation: Business / Industrial (Exhibit "B")

Present Zoning and Use: Commercial District (Exhibit "C") / Undeveloped land (Exhibit "D")

Proposed Use(s): 41 Room Two Story Motel

Request: Conditional Use Permit (CUP) to allow the operation of a *motel*

Adjacent Zoning & Land Uses:

- North:** Commercial / FM 2920 and Undeveloped land
- South:** Commercial / Undeveloped land
- West:** Commercial / Southland Bakery
- East:** Commercial / Undeveloped land

BACKGROUND

In February 2016, City Staff received a site plan application for a proposed motel at the subject site. After the site plan application expired, it was resubmitted in June 2016. The application again expired, however, the requirements for motels in the Commercial Zoning District changed to require approval of a Conditional Use Permit. The applicant was notified of the change in the requirements and submitted a Conditional Use Permit application for consideration.

ANALYSIS

In August 2016, City Council approved Ordinance No. 2016-20, a text amendment to Chapter 50 (Zoning) of the Code of Ordinances changing various land uses including Hotel and Motel. Motels are only allowed in the Old Town & Mixed Use and Commercial Zoning Districts with the approval of a Conditional Use Permit.

According to Section 50-81 (f) of the Chapter 50 (Zoning), when considering applications for a Conditional Use Permit, the City shall, on the basis of the concept plan and other information submitted, evaluate the impact of the conditional use on and the compatibility of the use with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. Specific considerations shall include the extent to which:

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

The Comprehensive Plan's Future Land Use Map identifies the subject site as Business/Industrial. The purpose of this designation is to provide industrial and intensive employment activities including heavy truck or rail transportation support. A motel could provide support to industrial businesses in the area.

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

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

According to Section 50-77, the purpose of the Commercial District is to "provide a location for commercial and service-related establishments". The proposed use appears to meet the general purpose and intent of the Commercial District regulations.

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

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

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

The proposed use appears to be compatible with the adjacent developments. There is a similar development, America's Best Value Inn and Suites, within a half-mile of the subject site.

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

Staff does not anticipate any adverse effects on surrounding properties.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on July 25, 2017. A sign was placed on the property and Notice of Public Hearing was published in the paper on August 2, 2017. 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 P17-0077 with the following condition:

- 1) The site shall be developed in substantial compliance with the concept plan (Exhibit “F”).

EXHIBITS

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

Exhibit "A"
Aerial Photo

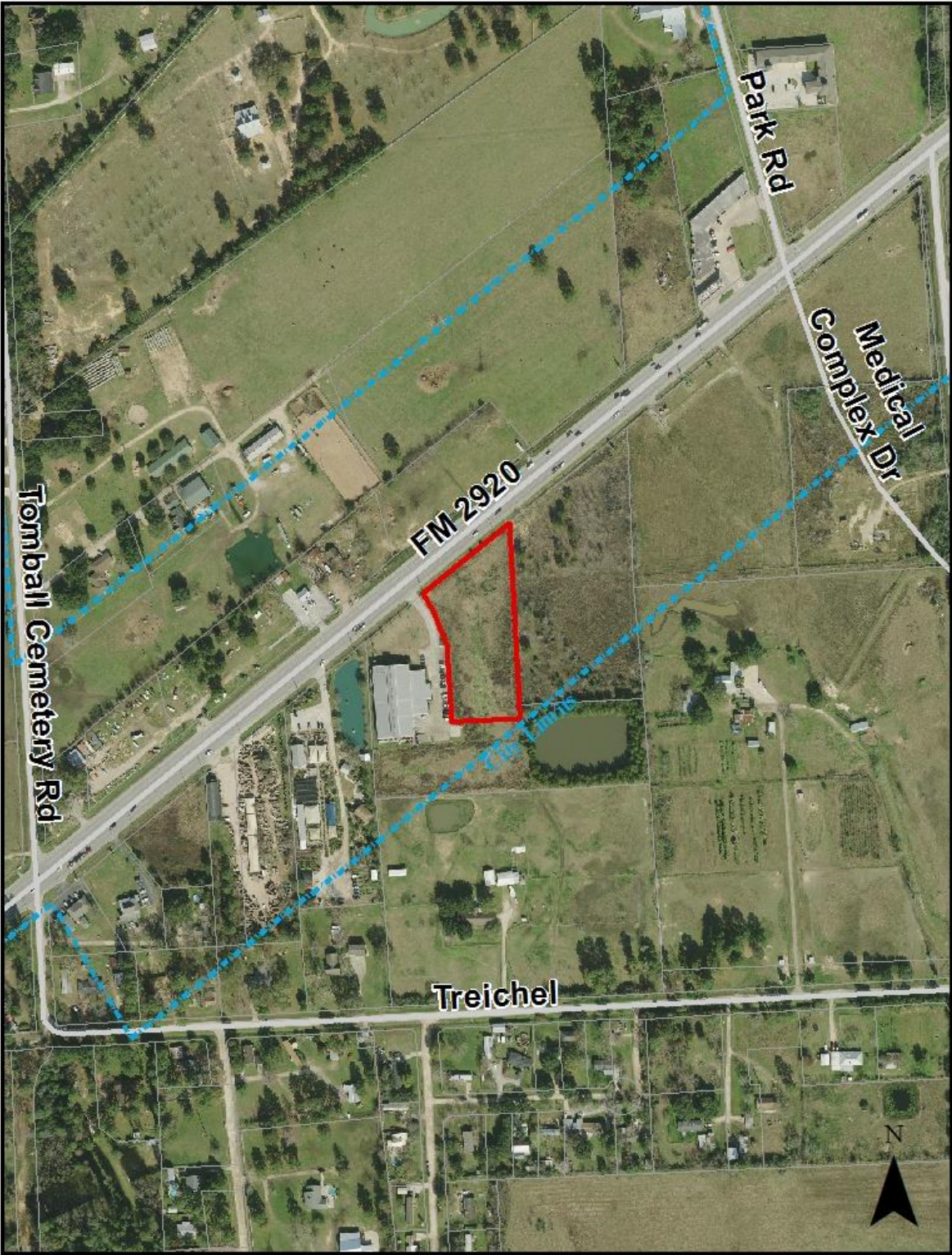


Exhibit "B"
Comprehensive Plan

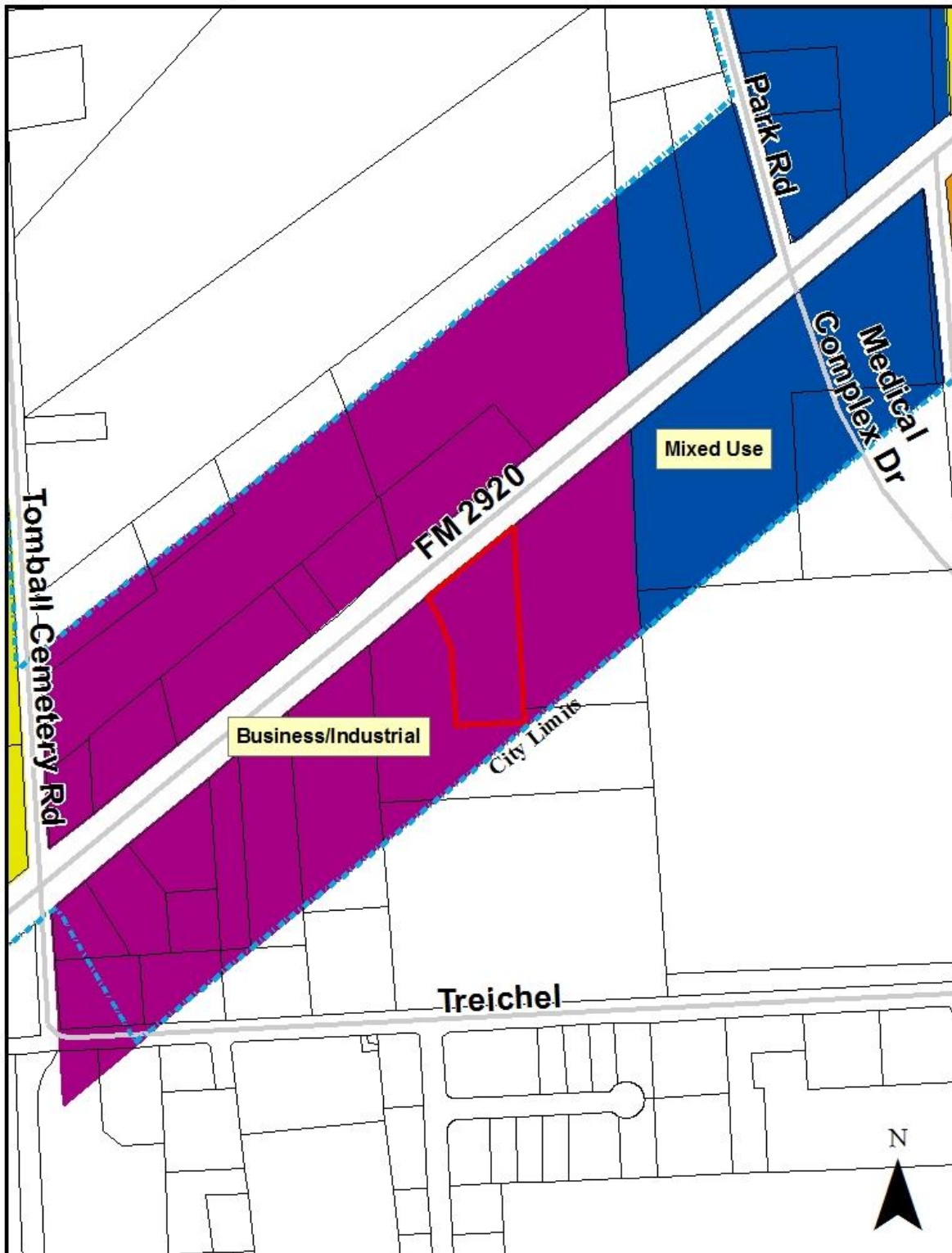
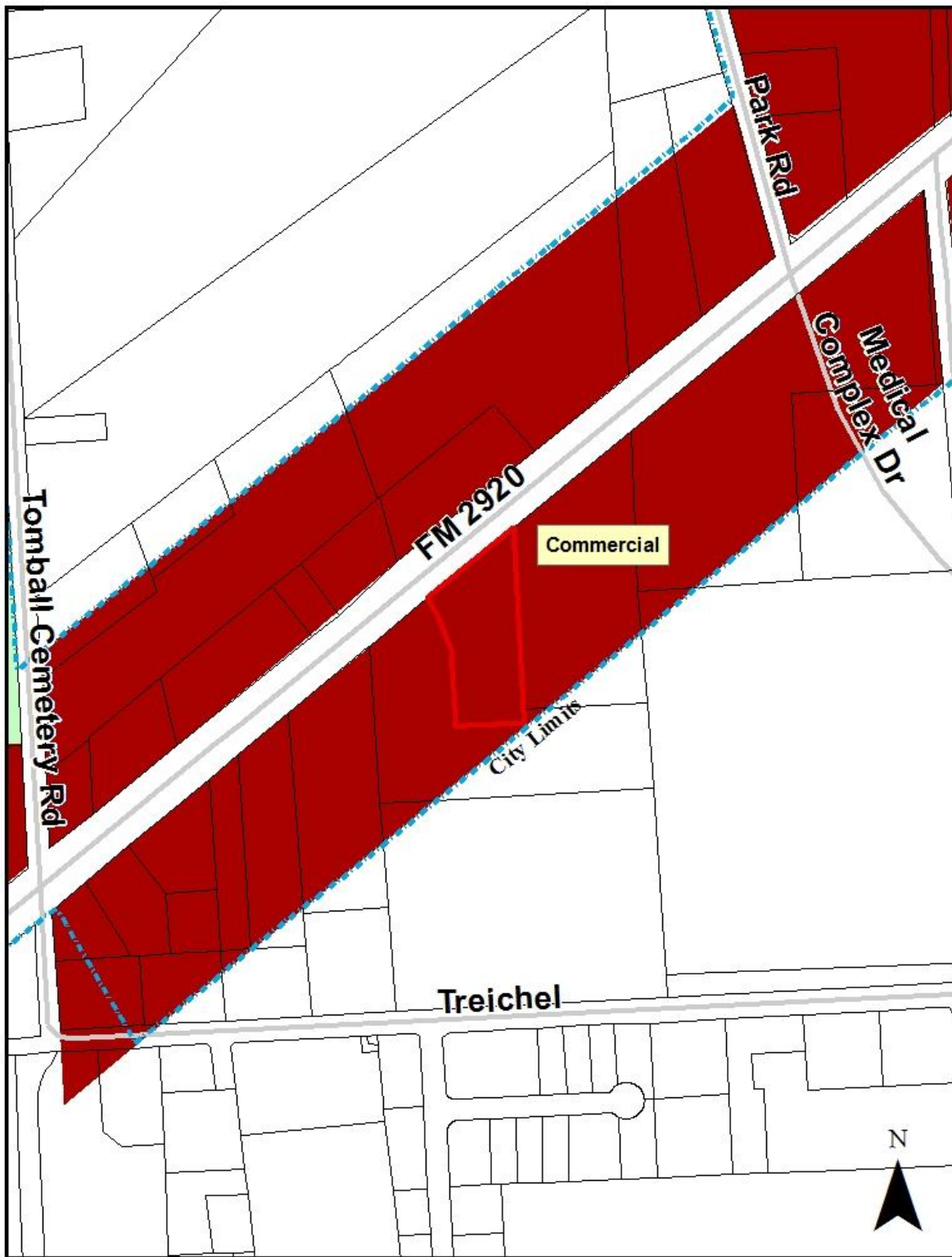


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"

CUP Application

Revised 5/19/15



APPLICATION FOR CONDITIONAL USE PERMIT

Community Development Department
Planning Division



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

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

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

Applicant

Name: Catalyst Technical Group, Inc. Title: _____
Mailing Address: 440 Cobia Dr, suite 1503 City: Katy State: TX
Zip: 77494
Phone: (832) 913-1888 Fax: () Email: kumar@texasctgroup.com

Owner

Name: Tushar Patel, Title: _____
Mailing Address: 3430 Lilac Ranch Dr. City: Katy State: TX
Zip: 77494
Phone: (972) 5237047 Fax: () Email: trustpatel@yahoo.com

Engineer/Surveyor (if applicable)

Name: Madhavi Talluri, P.E. Title: Principal
Mailing Address: 440 Cobia Dr, Suite 1503 City: Katy State: TX
Zip: 77494
Phone: (832) 913-1888 Fax: () Email: mavi@texasctgroup.com

Description of Proposed Project: 2 story Hotel (Interior Corridor)

Physical Location of Property: 15525 FM 2920RD, Tomball, TX 77377
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: 2.1879 Acres (Final Plot of Dixie Properties)
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

HCAD Identification Number: 128-922-001-0001 Acreage: 2.1879.

Current Use of Property: Vacant.

Proposed Use of Property: Proposed two story Hotel (41 Rooms) Interior Corridor

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 V. S. J. - L. 06/12/2017
Signature of Applicant Date

X P. A. T. V. 06/09/17
Signature of Owner Date

CITY OF TOMBALL
281-351-5484

REC#: 00985738 6/15/2017 10:40 AM
OPER: RS TERM: 002
REF#: W1089

TRAN: 130.0000 PLANNING AND ZONING
SCOTTISH INN
15525 FM 2920
100-5442

City: CONDITIONAL USE PER 600.00CR Phone: 281-290-1405 www.tomballtx.gov

TENDERED: 600.00 CHECK

APPROVED: 600.00

PAID: 600.00

Srujan Kumar

From: Elizabeth Jones [EJones@tomballtx.gov]
Sent: Thursday, April 13, 2017 1:47 PM
To: Srujan Kumar
Cc: Amelia Lindley
Subject: RE: Scottish Inn Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Kumar,

The last unaddressed comments for Scottish Inn sent out from our department were on 10/27/16. Our Code requires comments be addressed within 45 days or they become expired.

Since the submittal of the last application, our Code has changed in that it requires "Motels" to go through our Planning and Zoning Commission and then to City Council for a Conditional Use Permit to operate. Once that is approved, you may submit a new set of plans to our department for review. Please see the link to applications for the Conditional Use Permit : <http://www.tomballtx.gov/index.aspx?NID=354>. You will find the application, as well as the submittal schedule for your case based on when you turn in your application to us.

If you have any additional questions, please contact Amelia Lindley, copied on this email and she will be able to help you further with the process.

Best Regards,
Elizabeth Jones
City of Tomball
Administrative Assistant
Community Development Department
281-290-1405

From: Srujan Kumar [<mailto:kumar@texasctgroup.com>]
Sent: Tuesday, April 11, 2017 10:24 AM
To: Elizabeth Jones
Subject: RE: Scottish Inn Comments

Good Morning Elizabeth,

Can you please send me the new guide lines (extra steps we have to follow) which you mentioned over the phone.

1



CATALYST TECHNICAL GROUP, INC.

440 Cobia Dr Suite 1503, Katy, TX 77494 , TBPE Firm # 15775
Phone: 832-913-1888 Email: info@texasctgroup.com

June 12, 2017

City of Tomball, TX
ph: (281)290-1412

Site : **Proposed Two Story Hotel (Interior Corridor)**
15525 FM 2920 RD
Tomball, TX 77377

Reference : **Zoning**

To Whom it may Concern,

Catalyst Technical Group, Inc. (CTG), acting as a Design Consultant is pleased to submit the conceptual site plan required for zoning approval for the property located at the above mentioned address.

We went through the permitting process for the same project back in 2016 and during the course of the permitting process the client requirements have changed and this led to the delay in responding back to the City comments which resulted in the expiration of plan review process.

However, the developer would like to proceed with the zoning process to get the required approvals so that they can move forward with completing the project.

Should you have any questions pertaining to this letter please feel free to contact the undersigned.

Sincerely,

Madhavi Talluri, P.E.
Principal

2.1879 ACRE TRACT OF LAND
SITUATED IN THE CHAMMENCY GOODRICH SURVEY ABSTRACT NO. 3/1
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IN A SPECIAL WARRANTY DEED RECORDED UNDER H.C.C.F. No. Y-972811
IN HARRIS COUNTY, TEXAS.

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-0.5	$4.27(14) \times 10^{-1}$



5,829 ACRES
Conveyed to Hermann Karl Schulz
Special Warranty deed
M.C.D. No. L-476183

= VACANT PROPERTY =

WJ, 303 N. 7th, 8-1879 ADAMS
San Diego, CA 92101
Special Warranty should
P.L.C.F. No. 7-9/2911

9.2021 AGRES
Residue of 7.451 Ac
Cap of 98.2978 kg
Vol 1884 Pgs 155 in CD.R

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Row sum of 7.45E-06
Col sum of 36.3678 AC
END 1984 Page 155 H.C.C.B.

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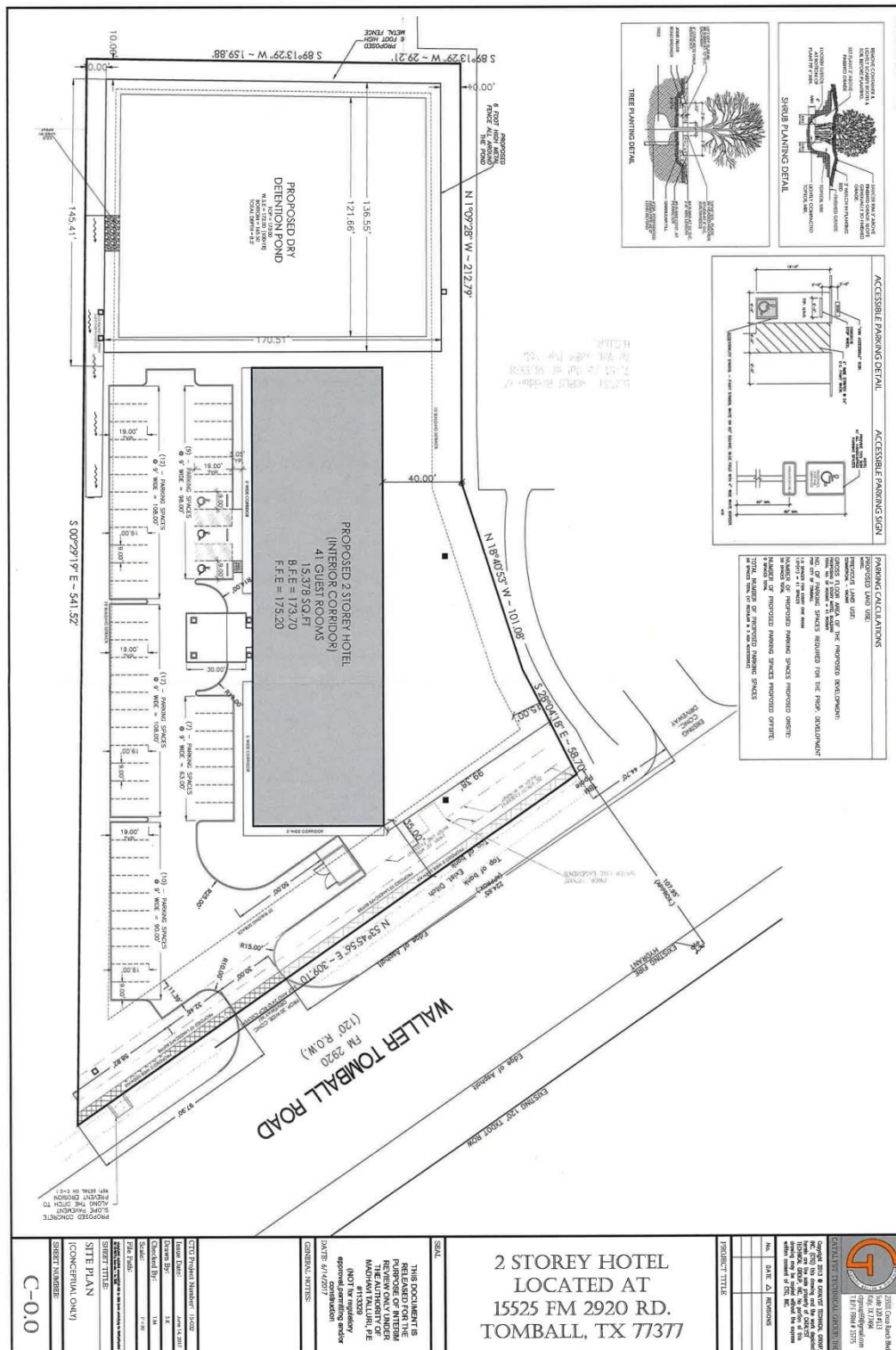
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 David A. L. [illegible]
 April 1, 1982

[illegible]

Figure “F” Concept Plan



**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 14, 2017
&
CITY COUNCIL
AUGUST 21, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 14, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, August 21, 2017, 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 P17-0077: Request by Catalyst Technical Group, Inc for a Conditional Use Permit to operate a *motel*. The property is approximately 2.1879 acres, legally described as Lot 1 Block 1 Dixie Properties, generally located on the south side of FM 2920, east of Tomball Cemetery Road and is zoned Commercial District.

Zoning Case P17-0083: Request by Shane Estes, on behalf of Vaquero Ventures, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Lot 2 Block 1 Park Manor of Tomball, Harris County, Texas, generally located on the south side of Medical Complex Drive, west of School Street, from the Agricultural District to the Commercial District.

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

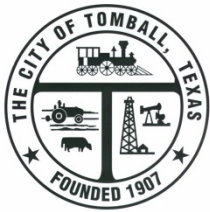
C E R T I F I C A T I O N

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 **10th** day of **August 2017** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Elizabeth Jones

Elizabeth Jones
Administrative Assistant

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



Notice of Public Hearing

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

CASE NUMBER: P17-0077

APPLICANT/OWNER: Catalyst Technical Group, Inc

LOCATION: Generally located on the south side of FM 2920, east of Tomball Cemetery Road

PROPOSAL: A Conditional Use Permit to operate a *motel*. The property is approximately 2.1879 acres, legally described as Lot 1 Block 1 Dixie Properties, and is zoned Commercial District.

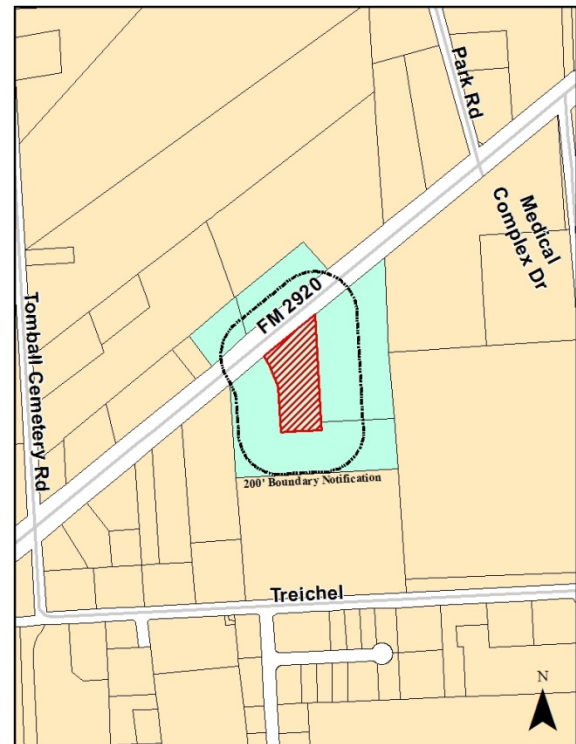
CONTACT: Amelia Lindley

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

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

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



**Planning & Zoning Commission
Public Hearing:
Monday, August 14, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, August 21, 2017, 6:00 PM**

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

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



Public Comment Form

(Please type or use black ink)

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

Please return to:

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

Name: LAVERDE ESTHER HILLIGIEST

(please print)

Address: 15628 FM 2920

PROPERTY OF Tomball, TX 77377

Signature: Judy M. Desel for Laverde Esther Hilligiest

Date: 8-8-2017

☒

I am **FOR** the requested Conditional Use Permit as explained on the attached public notice for Zoning Case P17-0077. (Please state reasons below)

☐

I am **AGAINST** the requested Conditional Use Permit as explained on the attached public notice for Zoning Case P17-0077. (Please state reasons below)

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

Monday, August 14, 2017, 6:00 PM

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

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

Monday, August 21, 2017 6:00 PM

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

COMMENTS:

WE LIVED IN HOUSTON WITHOUT ZONING LAWS AND KNOW
HOW IMPORTANT IT IS TO HAVE ZONING LAWS AND
REGULATIONS IN PLACE TO PROTECT PEOPLE'S
PROPERTY.

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

Please reference the case number in the subject line.

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 5, 2017

Topic:

Adopt, on Second Reading, Ordinance No. 2017-28, 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 One Acre Of Land, Legally Described Lot 2 Block 1 Park Manor, Within The City Of Tomball, Harris County, Texas, From The Agricultural District To The Commercial District; Said Property Being Generally Located On The South Side Of Medical Complex Drive, West Of School Street; Providing For The Amendment Of The Official Zoning Map Of The City; Providing For Severability; Providing For A Penalty Of An Amount Not To Exceed \$2,000 For Each Day Of Violation Of Any Provision Hereof, Making Findings Of Fact; And Providing For Other Related Matters.

Background:

On Monday, August 14th, after conducting a public hearing, the Planning & Zoning Commission voted to recommend to unanimously approve the rezoning request.

Origination:

Community Development Department

Recommendation:

Approval

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

Craig T. Meyers, Community Development Director

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2017-28

P17-0083 Staff Report

Notice of Public Hearing

Property Owner Notification

ORDINANCE NO. 2017-28

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 ONE ACRE OF LAND, LEGALLY DESCRIBED LOT 2 BLOCK 1 PARK MANOR, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE AGRICULTURAL DISTRICT TO THE COMMERCIAL DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTH SIDE OF MEDICAL COMPLEX DRIVE, WEST OF SCHOOL STREET; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

Whereas, Vaquero Ventures has requested that approximately one acre of land, legally described as Lot 2 Block 1 Park Manor, City of Tomball, Harris County, Texas, generally located on the south side of Medical Complex Drive, west of School 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 Commercial District; and

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

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

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

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

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

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

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

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

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 21ST DAY OF AUGUST 2017.

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

SECOND READING:

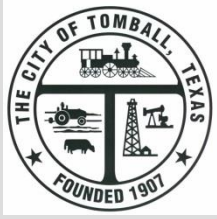
READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 5TH DAY OF SEPTEMBER 2017.

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: August 14, 2017
City Council Public Hearing Date: August 21, 2017

Rezoning Case: P17-0083
Property Owner(s): Harkins and Bartlett Investments, LTD
Applicant(s): Vaquero Ventures – Shane Estes
Legal Description: Lot 2 Block 1 Park Manor
Location: South side of Medical Complex Drive, west of School Street (Exhibit “A”)
Area: 1 acre
Comp Plan Designation: Employment / Office (Exhibit “B”)
Present Zoning and Use: Agricultural District (Exhibit “C”) / Undeveloped land (Exhibit “D”)
Request: Rezone 1 acre from the Agricultural District to the Commercial District

Adjacent Zoning & Land Uses:

North: Agricultural District / Undeveloped

South: Agricultural District / Park Manor of Tomball nursing home

West: Agricultural District / Undeveloped

East: Agricultural District / Undeveloped

BACKGROUND

City Staff met with the applicant to discuss the development of an Alzheimer’s care facility on the subject site. Staff informed the applicant the property would need to be rezoned to a zoning district that allowed a *skilled nursing facility*.

ANALYSIS

The subject site is approximately 2 acres, however it is currently in the process of being replatted to only include one acre, and it is currently undeveloped. There are not many land uses in the area, as the Medical Complex Drive Segment 3 was recently completed. To the south of the subject site, there is a nursing home, Park Manor of Tomball. All other adjacent properties are undeveloped; however it is in close proximity to many medical related businesses.

All surrounding properties are zoned Agricultural, again because Medical Complex Drive Segment 3 was not completed at the time zoning was established. City Staff anticipates other properties with frontage on Medical Complex Drive to request rezoning in the near future.

The Future Land Use Map designates the property as Employment/Office. According to the Comprehensive Plan, Employment/Office “indicates where employment uses that are not industrially focused should occur”. All surrounding properties are also designated Employment/Office.

ZONING CONSIDERATIONS

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

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

The uses permitted in the Commercial District appear to be appropriate for the immediate area. The established land uses in the area are mostly medical businesses, so the proposed use of a *skilled nursing facility* would add to the medical area.

- 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 arterial street adjacent to the property can accommodate traffic generated by a Commercial 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 Commercial, however, there is limited available land in the surrounding area zoned Commercial. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

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

There has been steady development in the Commercial District in the City. In the vicinity of the subject site, there has not been recent development as most of the land is zoned Agricultural.

- 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 Employment/Office. The request appears to be consistent with the Future Land Use Map. The Comprehensive Plan also discusses creating a mix of job opportunities by increasing the percentage of commercial land.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on July 28, 2017. The Notice of Public Hearing was published in the paper on August 2, 2017. 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 P17-0083 for the following reasons:

1. The request will meet the goals of City's Comprehensive Plan;
2. The request is generally 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

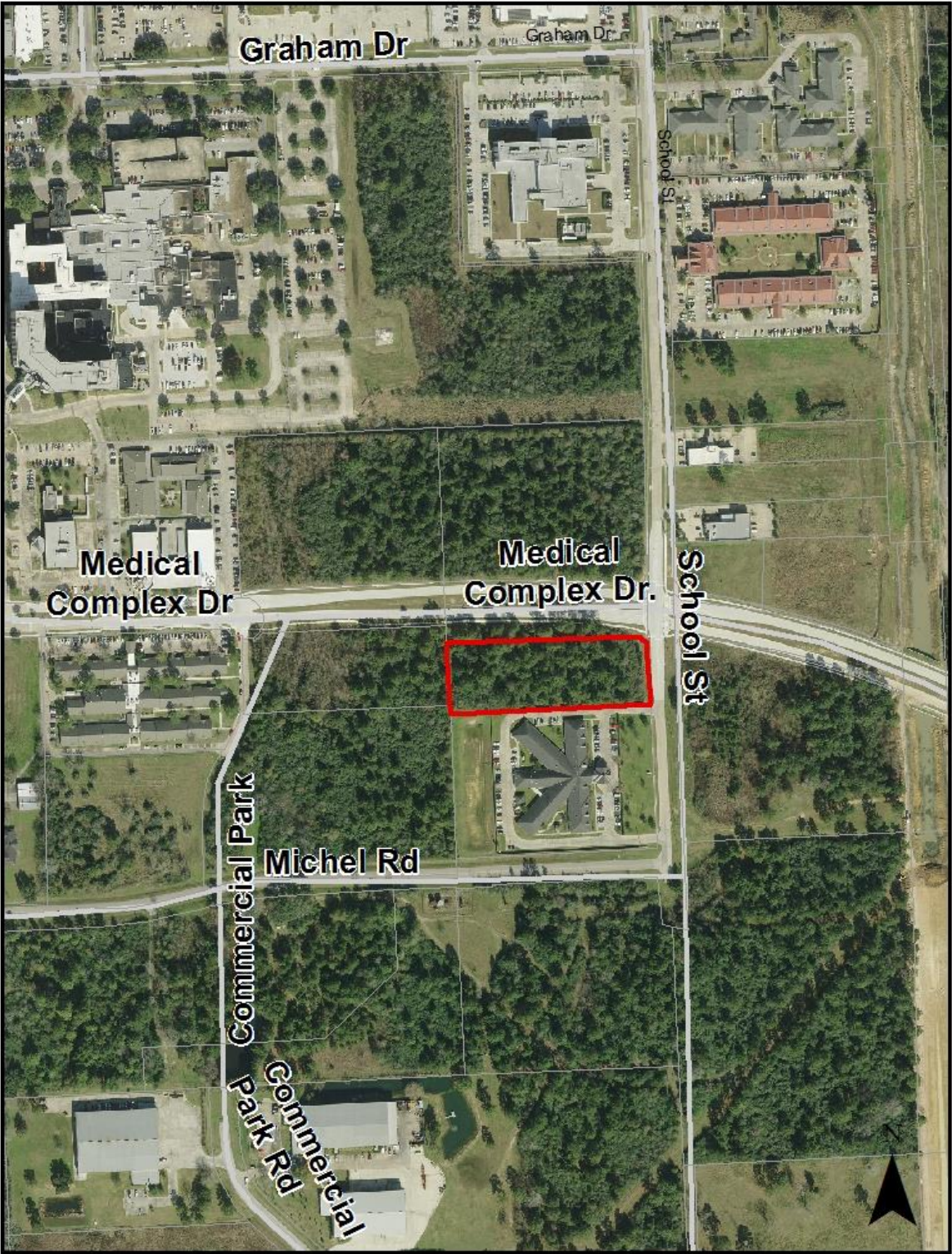


Exhibit "B"
Comprehensive Plan

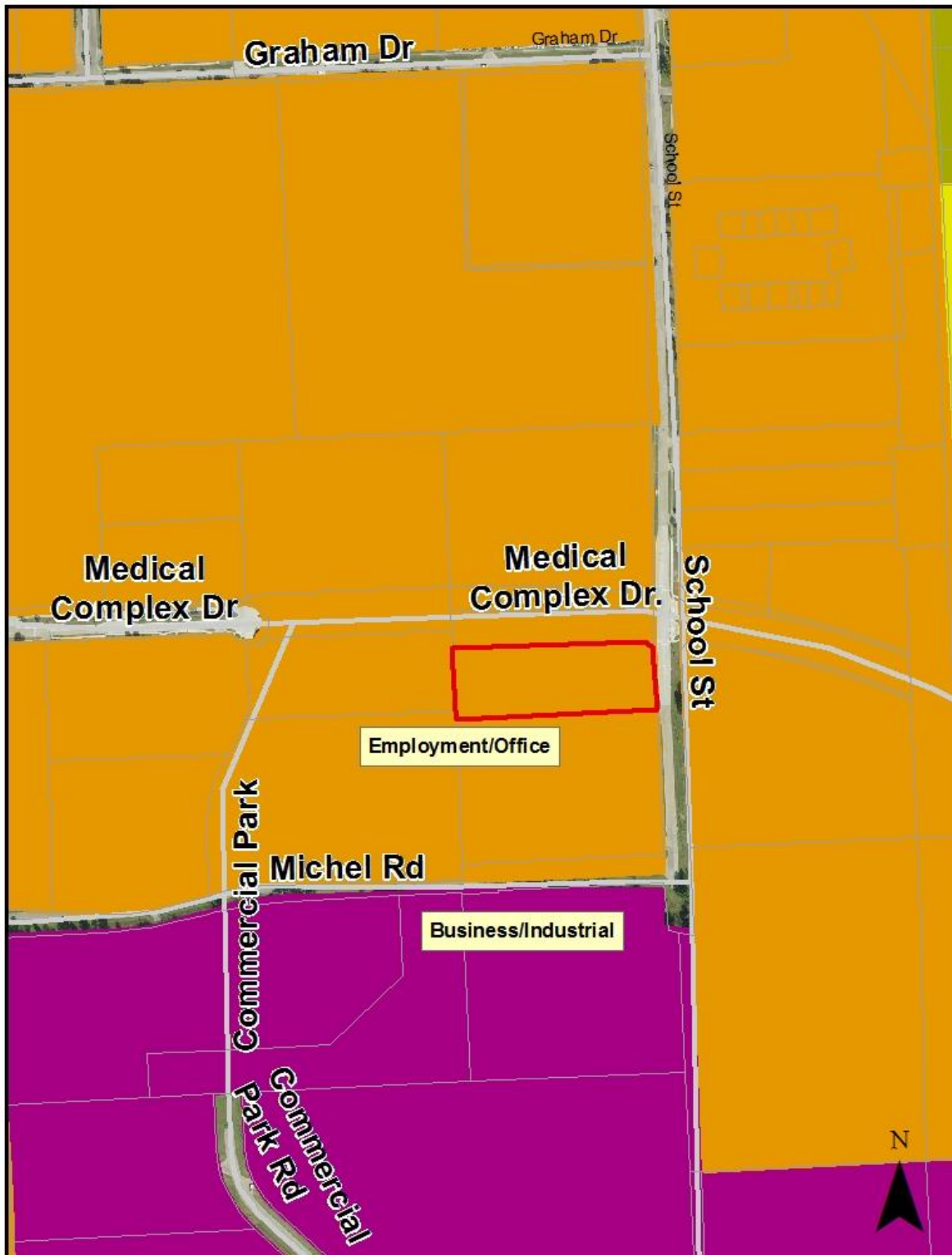
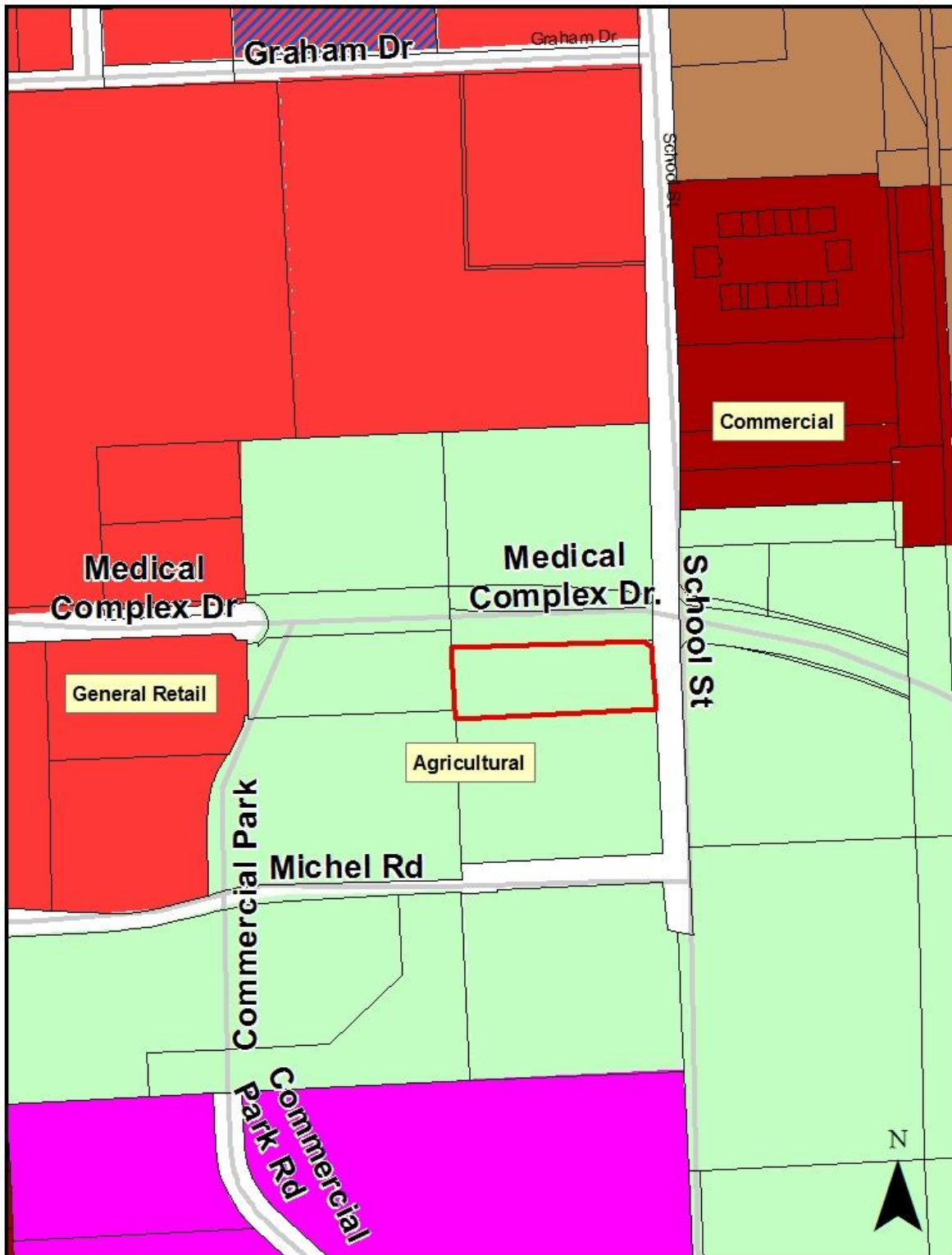


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
Application

Revised 5/19/15



P17-0083

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: Vaquero Ventures - Shane Estes Title: Financial Analyst
Mailing Address: 3211 W. 4th St. City: Fort Worth State: TX
Zip: 76107
Phone: (806) 847-7125 Fax: (817) 984-8373 Email: Sestes@vaqueroventures.com

Owner

Name: Harkins + Bartlett Investments, LTD Title: _____
Mailing Address: 455 School St., Suite 19 City: Tomball State: TX
Zip: 77375
Phone: (____) _____ Fax: (____) _____ Email: DrBrianHarkins@gmail.com

Engineer/Surveyor (if applicable)

Name: David Miller - Miller & Associates Title: Owner
Mailing Address: 3664 Walnut Bend Lane Suite C100 City: Houston State: TX
Zip: 77042-4851
Phone: (713) 977-4700 Fax: (713) 977-4701 Email: david.miller@miller-and-associates.com

Description of Proposed Project: 10,000sf new construction memory care facility

Physical Location of Property: See attached - Approx 300ft from the SWC of Medical Center Dr. and School St.
[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: TR 2 BLK 1 Park Manor of Tomball
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: Agricultural

Current Use of Property: N/A - Vacant land

Proposed Zoning District: Commercial (or whichever zoning city requires for memory care)

Proposed Use of Property: Memory care facility

HCAD Identification Number: 1302030010002 Acreage: 1.00

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

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 Chandelkay 07/08/2017
Signature of Applicant Date

X [Signature] 7/15/17
Signature of Owner Date

CITY OF TOMBALL
281-351-5484

REC#: 00988451 7/03/2017 3:26 PM
OPER: RS TERM: 002
REF#: W20771

TRAN: 130.0000 PLANNING AND ZONING
13233 MEDICAL COMPLEX DR
IRFAN CHOUDHARY
100-5444
SITE PLAN REVIEW 310.00CR
TENDERED: 310.00 CHECK
APPLIED: 310.00-
CHANGE: 0.00



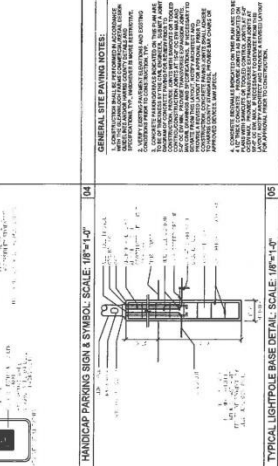
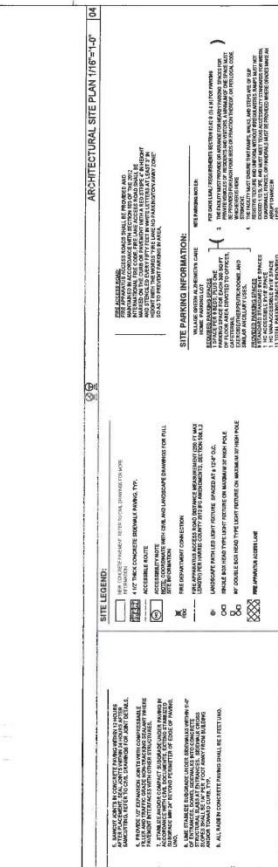
VAQUERO VENTURES

Narrative:

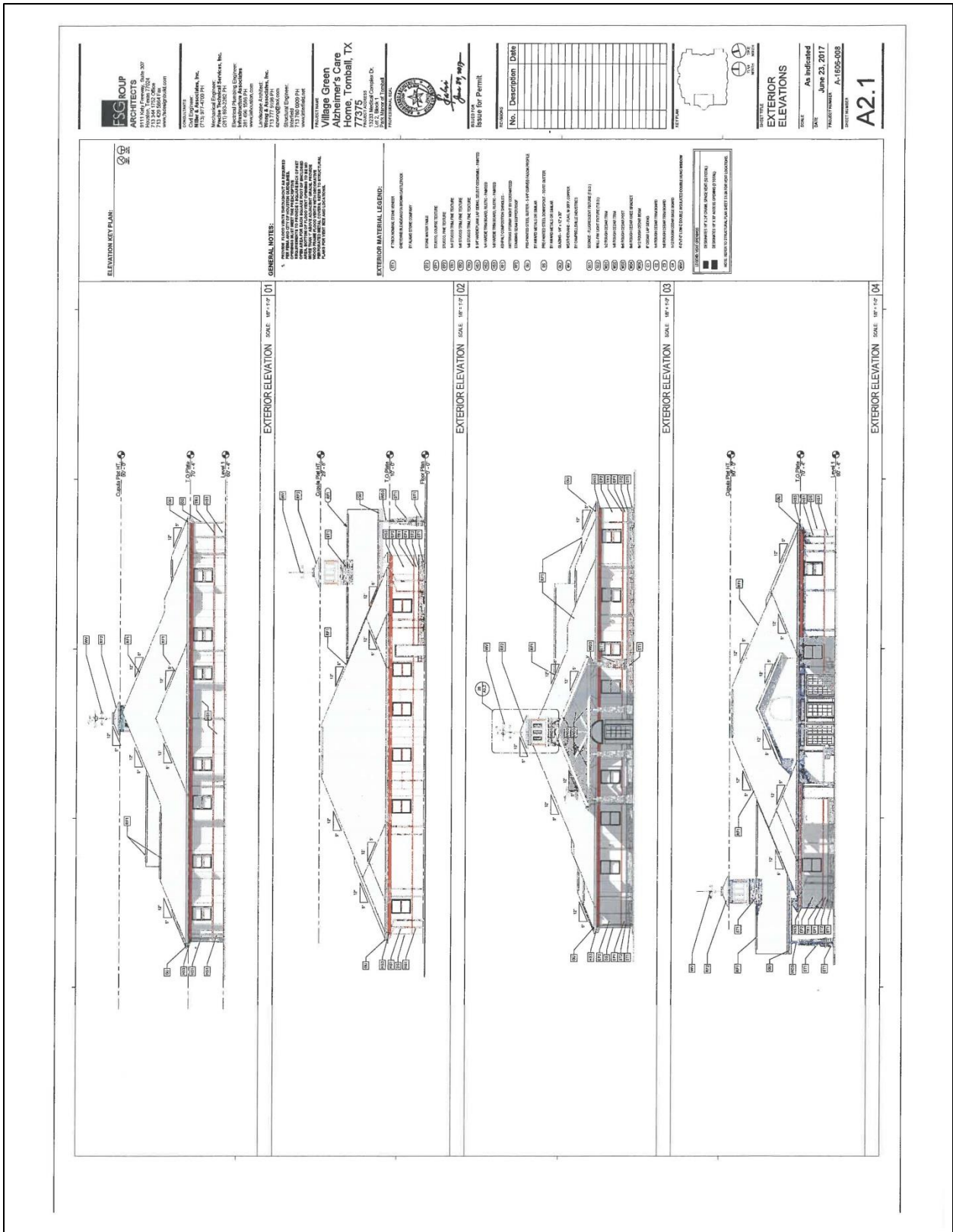
Vaquero Ventures is proposing a new medical development at the subject property along Medical Complex Drive. The 43,560 sf (1 acre) site has been identified as an ideal location for a memory care facility (a Licensed and Certified Alzheimer's Care Home) to serve the residents of Tomball and surrounding communities.

The future memory care facility will be an approximately 10,000 sf class-A building featuring 16 private suites for residents. The proposed memory care facility will provide a resident centered program designed to meet the specific and unique needs of those with Alzheimer's and other memory impairment. With a team ratio higher than most traditional providers, the proposed facility will be able to offer specialized care, custom tailored to each resident.

3211 West 4th Street, Fort Worth, TX 76107
www.vaqueroventures.com



Page 12 of 15
Page 16 of 21



[illegible]

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 14, 2017
&
CITY COUNCIL
AUGUST 21, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 14, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, August 21, 2017, 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 P17-0077: Request by Catalyst Technical Group, Inc for a Conditional Use Permit to operate a *motel*. The property is approximately 2.1879 acres, legally described as Lot 1 Block 1 Dixie Properties, generally located on the south side of FM 2920, east of Tomball Cemetery Road and is zoned Commercial District.

Zoning Case P17-0083: Request by Shane Estes, on behalf of Vaquero Ventures, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Lot 2 Block 1 Park Manor of Tomball, Harris County, Texas, generally located on the south side of Medical Complex Drive, west of School Street, from the Agricultural District to the Commercial District.

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

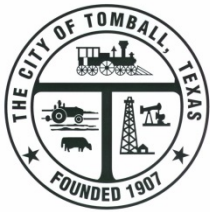
C E R T I F I C A T I O N

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 **10th** day of **August 2017** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Elizabeth Jones

Elizabeth Jones
Administrative Assistant

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



Notice of Public Hearing

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

CASE NUMBER: P17-0083

APPLICANT/OWNER: Request by Shane Estes, on behalf of Vaquero Ventures

LOCATION: Generally located on the south side of Medical Complex Drive, west of School Street

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Lot 2 Block 1 Park Manor of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District.

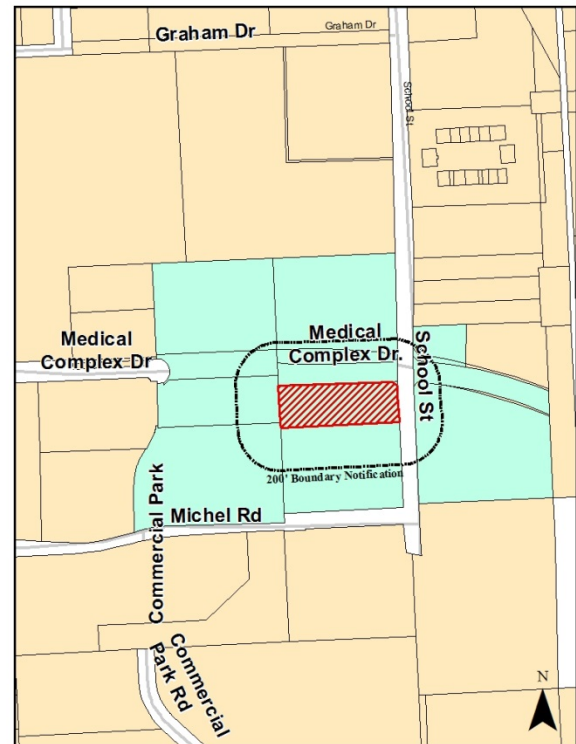
CONTACT: Amelia Lindley, Planner

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

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

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



**Planning & Zoning Commission
Public Hearing:
Monday, August 14, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, August 21, 2017, 6:00 PM**

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

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 5, 2017

Topic:

Ratify the FY 2017-2018 Budget and Find that the Proposed Tax Rate of \$.341455/\$100 Exceeds the Effective Tax Rate and Will Generate More Property Tax Revenue than the FY 2016-2017 Budget.

Background:

Truth-in-Taxation laws require that, prior to adopting a tax rate, the Council must first ratify the already adopted budget for the ensuing fiscal year and "find" that the proposed tax rate will generate more or less property tax revenue than the concluding year's adopted budget.

The City's proposed tax rate to serve the 2017-2018 Budget is \$.341455/\$100. According to the Harris County Tax Assessor, the proposed rate of \$.341455 per \$100 of assessed value exceeds the effective tax rate of \$.340585/\$100, but does not exceed the rollback tax rate of \$.403931/\$100. The Notice of 2017 Tax Year Proposed Property Tax Rate (increase) for Tomball will be published in the official newspaper on September 6 or 13, 2017, depending upon receipt of the notice from Harris County.

Two public hearings are required before the adoption of an ordinance setting the 2017 tax levy. After ratifying the 2017-2018 budget and finding that the proposed tax rate exceeds the effective tax rate, Council will be asked to officially set the dates and announce that public hearings on the tax rate will be required on September 25 and October 2 in a separate item.

Origination:

City Secretary

Recommendation:

Ratification of the FY 2017-2018 Budget and finding that the proposed tax rate of \$.341455 will generate more property tax revenue than the FY 2016-2017 Budget.

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:

Unofficial Calculation Worksheet for 2017 Tax Rate

2017 Tax Rate Calculation Worksheet

Date: 08/30/2017 04:05 PM

Taxing Units Other Than School Districts or Water Districts

City of Tomball

Taxing Unit Name

Phone (area code and number)

Taxing Unit's Address, City, State, Zip

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the effective tax rate and rollback tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. School districts do not use this form, but instead use Comptroller Form 50-859 Tax Rate Calculation Worksheet for School Districts. Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 Water District Rollback Tax Rate Worksheet. This worksheet is provided to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: Effective Tax Rate (No New Taxes)

The effective tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the effective tax rate should decrease.

The effective tax rate for a county is the sum of the effective tax rates calculated for each type of tax the county levies.

Effective Tax Rate Activity	Amount/Rate
1. 2016 total taxable value. Enter the amount of 2016 taxable value on the 2016 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-third over-appraisal corrections from these adjustments. This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 14). ¹	\$1,746,757,702
2. 2016 tax ceilings. Counties, cities and junior college districts. Enter 2016 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2016 or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$0
3. Preliminary 2016 adjusted taxable value. Subtract Line 2 from Line 1.	\$1,746,757,702
4. 2016 total adopted tax rate.	\$0.341455/\$100
5. 2016 taxable value lost because court appeals of ARB decisions reduced 2016 appraised value. A. Original 2016 ARB Values.	\$244,998,828
B. 2016 values resulting from final court decisions.	\$216,216,115
C. 2016 value loss. Subtract B from A. ³	\$28,782,713
6. 2016 taxable value, adjusted for court-ordered reductions. Add Line 3 and Line 5C.	\$1,775,540,415
7. 2016 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2016. Enter the 2016 value of property in deannexed territory. ⁴	\$0
8. 2016 taxable value lost because property first qualified for an exemption in 2017. Note that lowering the amount or percentage of an existing exemption does not create a new exemption or reduce taxable value. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost to freeport or goods-in-transit exemptions.	

A. Absolute exemptions. Use 2016 market value:	\$267,373
B. Partial exemptions. 2017 exemption amount or 2017 percentage exemption times 2016 value:	\$2,846,948
C. Value loss. Add A and B. ⁵	\$3,114,321
9. 2016 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2017. Use only properties that qualified in 2017 for the first time; do not use properties that qualified in 2016.	
A. 2016 market value:	\$140,977
B. 2017 productivity or special appraised value:	\$390
C. Value loss. Subtract B from A. ⁶	\$140,587
10. Total adjustments for lost value. Add lines 7, 8C and 9C.	\$3,254,908
11. 2016 adjusted taxable value. Subtract Line 10 from Line 6.	\$1,772,285,507
12. Adjusted 2016 taxes. Multiply Line 4 by Line 11 and divide by \$100.	\$6,051,557
13. Taxes refunded for years preceding tax year 2016. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2016. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2016. This line applies only to tax years preceding tax year 2016. ⁷	\$88,914
14. Taxes in tax increment financing (TIF) for tax year 2016. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2017 captured appraised value in Line 16D, enter 0. ⁸	\$0
15. Adjusted 2016 taxes with refunds and TIF adjustment. Add Lines 12 and 13, subtract Line 14. ⁹	\$6,140,471
16. Total 2017 taxable value on the 2017 certified appraisal roll today. This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 18). These homesteads include homeowners age 65 or older or disabled. ¹⁰	
A. Certified values:	\$1,638,175,820
B. Counties: Include railroad rolling stock values certified by the Comptroller's office:	\$0
C. Pollution control and energy storage system exemption : Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property:	\$0
D. Tax increment financing: Deduct the 2017 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2017 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 21 below. ¹¹	\$0
	\$1,638,175,820

E. Total 2017 value. Add A and B, then subtract C and D.	
17. Total value of properties under protest or not included on certified appraisal roll. ¹²	
A. 2017 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value. ¹³	\$103,395,824
B. 2017 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value. ¹⁴	\$104,438,763
C. Total value under protest or not certified: Add A and B.	\$207,834,587
18. 2017 tax ceilings. Counties, cities and junior colleges enter 2017 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2016 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁵	\$0
19. 2017 total taxable value. Add Lines 16E and 17C. Subtract Line 18.	\$1,846,010,407
20. Total 2017 taxable value of properties in territory annexed after Jan. 1, 2016. Include both real and personal property. Enter the 2017 value of property in territory annexed. ¹⁶	\$11,212,148
21. Total 2017 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2016. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2016, and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2017. ¹⁷	\$31,882,185
22. Total adjustments to the 2017 taxable value. Add Lines 20 and 21.	\$43,094,333
23. 2017 adjusted taxable value. Subtract Line 22 from Line 19.	\$1,802,916,074
24. 2017 effective tax rate. Divide Line 15 by Line 23 and multiply by \$100. ¹⁸	\$0.340585/\$100
25. COUNTIES ONLY. Add together the effective tax rates for each type of tax the county levies. The total is the 2017 county effective tax rate. ¹⁹	

¹Tex. Tax Code Section 26.012(14)

²Tex. Tax Code Section 26.012(14)

³Tex. Tax Code Section 26.012(13)

⁴Tex. Tax Code Section 26.012(15)

⁵Tex. Tax Code Section 26.012(15)

⁶Tex. Tax Code Section 26.012(15)

⁷Tex. Tax Code Section 26.012(13)

⁸Tex. Tax Code Section 26.03(c)

⁹Tex. Tax Code Section 26.012(13)

¹⁰Tex. Tax Code Section 26.012

¹¹Tex. Tax Code Section 26.03(c)

¹²Tex. Tax Code Section 26.01(c) and (d)

¹³Tex. Tax Code Section 26.01(c)

¹⁴Tex. Tax Code Section 26.01(d)

¹⁵Tex. Tax Code Section 26.012(6)

¹⁶Tex. Tax Code Section 26.012(17)

SECTION 2: Rollback Tax Rate

The rollback tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O):** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus eight percent. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt:** The debt tax rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The rollback tax rate for a county is the sum of the rollback tax rates calculated for each type of tax the county levies. In most cases the rollback tax rate exceeds the effective tax rate, but occasionally decreases in a taxing unit's debt service will cause the effective tax rate to be higher than the rollback tax rate.

Rollback Tax Rate Activity	Amount/Rate
26. 2016 maintenance and operations (M&O) tax rate.	\$0.111455/\$100
27. 2016 adjusted taxable value. Enter the amount from Line 11.	\$1,772,285,507
28. 2016 M&O taxes.	
A. Multiply Line 26 by Line 27 and divide by \$100.	\$1,975,300
B. Cities, counties and hospital districts with additional sales tax: Amount of additional sales tax collected and spent on M&O expenses in 2016. Enter amount from full year's sales tax revenue spent for M&O in 2016 fiscal year, if any. Other taxing units enter 0. Counties exclude any amount that was spent for economic development grants from the amount of sales tax spent.	\$14,156,045
C. Counties: Enter the amount for the state criminal justice mandate. If second or later year, the amount is for increased cost above last year's amount. Other taxing units enter 0.	\$0
D. Transferring function: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in H below. The taxing unit receiving the function will add this amount in H below. Other taxing units enter 0.	\$0
E. Taxes refunded for years preceding tax year 2016: Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2016. This line applies only to tax years preceding tax year 2016.	\$29,023
F. Enhanced indigent health care expenditures: Enter the increased amount for the current year's enhanced indigent health care expenditures above the preceding tax year's enhanced indigent health care expenditures, less any state assistance.	\$0
G. Taxes in TIF: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2017 captured appraised value in Line 16D, enter 0.	\$0
H. Adjusted M&O Taxes. Add A, B, C, E and F. For taxing unit with D, subtract if discontinuing function and add if receiving function. Subtract G.	\$16,160,368

SECTION 3: Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its effective and rollback tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its effective tax rate and/or rollback tax rate because it adopted the additional sales tax.

Activity	Amount/Rate
41. Taxable Sales. For taxing units that adopted the sales tax in November 2016 or May 2017, enter the Comptroller's estimate of taxable sales for the previous four quarters. ²⁰ Taxing units that adopted the sales tax before November 2016, skip this line.	\$0
42. Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ²¹ Taxing units that adopted the sales tax in November 2016 or in May 2017. Multiply the amount on Line 41 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ²² - or - Taxing units that adopted the sales tax before November 2016. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$14,156,045
43. 2017 total taxable value. Enter the amount from Line 37 of the Rollback Tax Rate Worksheet.	\$1,846,010,407
44. Sales tax adjustment rate. Divide Line 42 by Line 43 and multiply by \$100.	\$0.766846/\$100
45. 2017 effective tax rate, unadjusted for sales tax. ²³ Enter the rate from Line 24 or 25, as applicable, on the Effective Tax Rate Worksheet.	\$0.340585/\$100
46. 2017 effective tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2016 or in May 2017. Subtract Line 44 from Line 45. Skip to Line 47 if you adopted the additional sales tax before November 2016.	\$0.340585/\$100
47. 2017 rollback tax rate, unadjusted for sales tax. ²⁴ Enter the rate from Line 39 or 40, as applicable, of the Rollback Tax Rate Worksheet.	\$1.170777/\$100
48. 2017 rollback tax rate, adjusted for sales tax. Subtract Line 44 from Line 47.	\$0.403931/\$100

¹⁷Tex. Tax Code Section 26.012(17)

¹⁸Tex. Tax Code Section 26.04(c)

¹⁹Tex. Tax Code Section 26.04(d)

²⁰Tex. Tax Code Section 26.041(d)

²¹Tex. Tax Code Section 26.041(i)

²²Tex. Tax Code Section 26.041(d)

²³Tex. Tax Code Section 26.04(c)

²⁴Tex. Tax Code Section 26.04(c)

SECTION 4: Additional Rollback Protection for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Additional Rollback Protection for Pollution Control Activity	Amount/Rate
49. Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ²⁵ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ²⁶	\$0
50. 2017 total taxable value. Enter the amount from line 37 of the Rollback Tax Rate Worksheet.	\$1,846,010,407
51. Additional rate for pollution control. Divide line 49 by Line 50 and multiply by \$100.	\$0/\$100
52. 2017 rollback tax rate, adjusted for pollution control. Add Line 51 to one of the following lines (as applicable): Line 39, Line 40 (counties) or Line 48 (taxing units with the additional sales tax).	\$0.403931/\$100

SECTION 5: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

Effective tax rate (Line 24; line 25 for counties; or line 46 if adjusted for sales tax)	\$0.340585
Rollback tax rate (Line 39; line 40 for counties; or line 48 if adjusted for sales tax)	\$0.403931
Rollback tax rate adjusted for pollution control (Line 52)	\$0.403931

SECTION 6: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the taxing unit.

print here

Printed Name of Taxing Unit Representative

sign here

Taxing Unit Representative

Date

²⁵Tex. Tax Code Section 26.045(d)

²⁶Tex. Tax Code Section 26.045(i)

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 5, 2017

Topic:

Set Dates for the Required Public Hearings on the Proposed 2017 Tax Rate

Background:

Each year, the City Council is required to set the dates for required Public Hearings on the proposed tax rate, if the proposed tax rate exceeds either the rollback rate or the effective rate calculated by Harris County. The schedule for the City's adoption of the tax rate is dependent on the date Harris County provides the certified tax roll and when we are able to publish the notice of effective tax rate in the City's official newspaper, which is a weekly publication in the Houston Chronicle.

We received the certified rolls from Harris County on August 21 and the preliminary calculations on August 30. We will publish the Notice of 2017 Tax Year Proposed Property Tax Rate in the September 6 or 13, 2017 issue of the newspaper, depending on receipt of the official notice from Harris County.

At this time, City staff recommends September 25 at 5:00 p.m. (Special meeting) and October 2 at 6:00 p.m. (Regular meeting) as the dates for the public hearings on the proposed tax rate; notice of the public hearings will be posted on September 6 and will be published on September 13 (12 days' before the first public hearing).

At the September 5 meeting, Council will be asked to consider and announce the dates for the votes on the tax rate following the public hearings in a separate item.

Origination:

City Secretary

Recommendation:

Set and announce Public Hearing dates.

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

City Secretary

ACTION TAKEN

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

Agenda Item

Data Sheet

Meeting Date: September 5, 2017

Topic:

Set the Dates for the Vote on the Proposed 2017 Tax Rate and Announce that Voting on the Proposed 2017 Tax Rate will be held at a Special Regular Council Meeting on October 9, 2017 at 5:00 p.m. and at a Regular Council Meeting on October 16, 2017 at 6:00 p.m.

Background:

On September 5, 2017, Council ratified the budget and found that the proposed tax rate will generate more tax revenue than the previous year's budget; City staff requested that Council set and announce the dates for the two required public hearings on the proposed tax rate for September 25, 2017 at 5:00 p.m. and October 2, 2017 at 6:00 p.m.

The next requirement is to set and announce the dates that Council will vote on the proposed tax rate for 2017, as the proposed tax rate exceeds the effective tax rate but not the rollback rate.

The City's proposed tax rate to serve the 2017-2018 Budget is \$0.341455/\$100. According to the Harris County Tax Assessor, the proposed rate of \$0.341455 per \$100 of assessed value exceeds the effective tax rate of \$0.340585/\$100, but does not exceed the rollback tax rate of \$0.403931/\$100. The Notice of 2017 Tax Year Proposed Property Tax Rate (increase) for Tomball will be published in the official newspaper on September 6 or 13, 2017, depending upon receipt of the official notice from Harris County.

The Notice of 2017 Tax Year Proposed Property Tax Rate will published in the September 6 or 13, 2017 issue of the official newspaper.

Following the two public hearings, City staff requests that the first reading of the ordinance adopting the tax rate be held on October 9, 2017 at 5:00 p.m., at a special Council meeting and the second reading of the ordinance be held at the regular Council meeting on October 16, 2017 at 6:00 p.m.

The October 16 date will meet the requirements to adopt the tax rate within 60 days of receiving the certified rolls from Harris County, as well as the state requirement that the tax ordinance be adopted within 14 days of the second public hearing.

Origination:

City Secretary

Recommendation:

Set dates and announce that Voting on the Proposed 2017 Tax Rate will be held on October 9, 2017 at 5:00 p.m. and the second vote will be held at on October 16, 2017 at 6:00 p.m.

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

Doris Speer, City Secretary

ACTION TAKEN

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

Unofficial Calculation Worksheet for 2017 Tax Rate

2017 Tax Rate Calculation Worksheet

Date: 08/30/2017 04:05 PM

Taxing Units Other Than School Districts or Water Districts

City of Tomball

Taxing Unit Name

Phone (area code and number)

Taxing Unit's Address, City, State, Zip

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the effective tax rate and rollback tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. School districts do not use this form, but instead use Comptroller Form 50-859 Tax Rate Calculation Worksheet for School Districts. Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 Water District Rollback Tax Rate Worksheet. This worksheet is provided to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: Effective Tax Rate (No New Taxes)

The effective tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the effective tax rate should decrease.

The effective tax rate for a county is the sum of the effective tax rates calculated for each type of tax the county levies.

Effective Tax Rate Activity	Amount/Rate
1. 2016 total taxable value. Enter the amount of 2016 taxable value on the 2016 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-third over-appraisal corrections from these adjustments. This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 14). ¹	\$1,746,757,702
2. 2016 tax ceilings. Counties, cities and junior college districts. Enter 2016 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2016 or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$0
3. Preliminary 2016 adjusted taxable value. Subtract Line 2 from Line 1.	\$1,746,757,702
4. 2016 total adopted tax rate.	\$0.341455/\$100
5. 2016 taxable value lost because court appeals of ARB decisions reduced 2016 appraised value. A. Original 2016 ARB Values.	\$244,998,828
B. 2016 values resulting from final court decisions.	\$216,216,115
C. 2016 value loss. Subtract B from A. ³	\$28,782,713
6. 2016 taxable value, adjusted for court-ordered reductions. Add Line 3 and Line 5C.	\$1,775,540,415
7. 2016 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2016. Enter the 2016 value of property in deannexed territory. ⁴	\$0
8. 2016 taxable value lost because property first qualified for an exemption in 2017. Note that lowering the amount or percentage of an existing exemption does not create a new exemption or reduce taxable value. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost to freeport or goods-in-transit exemptions.	

A. Absolute exemptions. Use 2016 market value:	\$267,373
B. Partial exemptions. 2017 exemption amount or 2017 percentage exemption times 2016 value:	\$2,846,948
C. Value loss. Add A and B. ⁵	\$3,114,321
9. 2016 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2017. Use only properties that qualified in 2017 for the first time; do not use properties that qualified in 2016.	
A. 2016 market value:	\$140,977
B. 2017 productivity or special appraised value:	\$390
C. Value loss. Subtract B from A. ⁶	\$140,587
10. Total adjustments for lost value. Add lines 7, 8C and 9C.	\$3,254,908
11. 2016 adjusted taxable value. Subtract Line 10 from Line 6.	\$1,772,285,507
12. Adjusted 2016 taxes. Multiply Line 4 by Line 11 and divide by \$100.	\$6,051,557
13. Taxes refunded for years preceding tax year 2016. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2016. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2016. This line applies only to tax years preceding tax year 2016. ⁷	\$88,914
14. Taxes in tax increment financing (TIF) for tax year 2016. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2017 captured appraised value in Line 16D, enter 0. ⁸	\$0
15. Adjusted 2016 taxes with refunds and TIF adjustment. Add Lines 12 and 13, subtract Line 14. ⁹	\$6,140,471
16. Total 2017 taxable value on the 2017 certified appraisal roll today. This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 18). These homesteads include homeowners age 65 or older or disabled. ¹⁰	
A. Certified values:	\$1,638,175,820
B. Counties: Include railroad rolling stock values certified by the Comptroller's office:	\$0
C. Pollution control and energy storage system exemption : Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property:	\$0
D. Tax increment financing: Deduct the 2017 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2017 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 21 below. ¹¹	\$0
	\$1,638,175,820

E. Total 2017 value. Add A and B, then subtract C and D.	
17. Total value of properties under protest or not included on certified appraisal roll. ¹²	
A. 2017 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value. ¹³	\$103,395,824
B. 2017 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value. ¹⁴	\$104,438,763
C. Total value under protest or not certified: Add A and B.	\$207,834,587
18. 2017 tax ceilings. Counties, cities and junior colleges enter 2017 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2016 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁵	\$0
19. 2017 total taxable value. Add Lines 16E and 17C. Subtract Line 18.	\$1,846,010,407
20. Total 2017 taxable value of properties in territory annexed after Jan. 1, 2016. Include both real and personal property. Enter the 2017 value of property in territory annexed. ¹⁶	\$11,212,148
21. Total 2017 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2016. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2016, and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2017. ¹⁷	\$31,882,185
22. Total adjustments to the 2017 taxable value. Add Lines 20 and 21.	\$43,094,333
23. 2017 adjusted taxable value. Subtract Line 22 from Line 19.	\$1,802,916,074
24. 2017 effective tax rate. Divide Line 15 by Line 23 and multiply by \$100. ¹⁸	\$0.340585/\$100
25. COUNTIES ONLY. Add together the effective tax rates for each type of tax the county levies. The total is the 2017 county effective tax rate. ¹⁹	

¹Tex. Tax Code Section 26.012(14)

²Tex. Tax Code Section 26.012(14)

³Tex. Tax Code Section 26.012(13)

⁴Tex. Tax Code Section 26.012(15)

⁵Tex. Tax Code Section 26.012(15)

⁶Tex. Tax Code Section 26.012(15)

⁷Tex. Tax Code Section 26.012(13)

⁸Tex. Tax Code Section 26.03(c)

⁹Tex. Tax Code Section 26.012(13)

¹⁰Tex. Tax Code Section 26.012

¹¹Tex. Tax Code Section 26.03(c)

¹²Tex. Tax Code Section 26.01(c) and (d)

¹³Tex. Tax Code Section 26.01(c)

¹⁴Tex. Tax Code Section 26.01(d)

¹⁵Tex. Tax Code Section 26.012(6)

¹⁶Tex. Tax Code Section 26.012(17)

SECTION 2: Rollback Tax Rate

The rollback tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O):** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus eight percent. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt:** The debt tax rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The rollback tax rate for a county is the sum of the rollback tax rates calculated for each type of tax the county levies. In most cases the rollback tax rate exceeds the effective tax rate, but occasionally decreases in a taxing unit's debt service will cause the effective tax rate to be higher than the rollback tax rate.

Rollback Tax Rate Activity	Amount/Rate
26. 2016 maintenance and operations (M&O) tax rate.	\$0.111455/\$100
27. 2016 adjusted taxable value. Enter the amount from Line 11.	\$1,772,285,507
28. 2016 M&O taxes.	
A. Multiply Line 26 by Line 27 and divide by \$100.	\$1,975,300
B. Cities, counties and hospital districts with additional sales tax: Amount of additional sales tax collected and spent on M&O expenses in 2016. Enter amount from full year's sales tax revenue spent for M&O in 2016 fiscal year, if any. Other taxing units enter 0. Counties exclude any amount that was spent for economic development grants from the amount of sales tax spent.	\$14,156,045
C. Counties: Enter the amount for the state criminal justice mandate. If second or later year, the amount is for increased cost above last year's amount. Other taxing units enter 0.	\$0
D. Transferring function: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in H below. The taxing unit receiving the function will add this amount in H below. Other taxing units enter 0.	\$0
E. Taxes refunded for years preceding tax year 2016: Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2016. This line applies only to tax years preceding tax year 2016.	\$29,023
F. Enhanced indigent health care expenditures: Enter the increased amount for the current year's enhanced indigent health care expenditures above the preceding tax year's enhanced indigent health care expenditures, less any state assistance.	\$0
G. Taxes in TIF: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2017 captured appraised value in Line 16D, enter 0.	\$0
H. Adjusted M&O Taxes. Add A, B, C, E and F. For taxing unit with D, subtract if discontinuing function and add if receiving function. Subtract G.	\$16,160,368

SECTION 3: Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its effective and rollback tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its effective tax rate and/or rollback tax rate because it adopted the additional sales tax.

Activity	Amount/Rate
41. Taxable Sales. For taxing units that adopted the sales tax in November 2016 or May 2017, enter the Comptroller's estimate of taxable sales for the previous four quarters. ²⁰ Taxing units that adopted the sales tax before November 2016, skip this line.	\$0
42. Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ²¹ Taxing units that adopted the sales tax in November 2016 or in May 2017. Multiply the amount on Line 41 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ²² - or - Taxing units that adopted the sales tax before November 2016. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$14,156,045
43. 2017 total taxable value. Enter the amount from Line 37 of the Rollback Tax Rate Worksheet.	\$1,846,010,407
44. Sales tax adjustment rate. Divide Line 42 by Line 43 and multiply by \$100.	\$0.766846/\$100
45. 2017 effective tax rate, unadjusted for sales tax. ²³ Enter the rate from Line 24 or 25, as applicable, on the Effective Tax Rate Worksheet.	\$0.340585/\$100
46. 2017 effective tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2016 or in May 2017. Subtract Line 44 from Line 45. Skip to Line 47 if you adopted the additional sales tax before November 2016.	\$0.340585/\$100
47. 2017 rollback tax rate, unadjusted for sales tax. ²⁴ Enter the rate from Line 39 or 40, as applicable, of the Rollback Tax Rate Worksheet.	\$1.170777/\$100
48. 2017 rollback tax rate, adjusted for sales tax. Subtract Line 44 from Line 47.	\$0.403931/\$100

¹⁷Tex. Tax Code Section 26.012(17)

¹⁸Tex. Tax Code Section 26.04(c)

¹⁹Tex. Tax Code Section 26.04(d)

²⁰Tex. Tax Code Section 26.041(d)

²¹Tex. Tax Code Section 26.041(i)

²²Tex. Tax Code Section 26.041(d)

²³Tex. Tax Code Section 26.04(c)

²⁴Tex. Tax Code Section 26.04(c)

SECTION 4: Additional Rollback Protection for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Additional Rollback Protection for Pollution Control Activity	Amount/Rate
49. Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ²⁵ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ²⁶	\$0
50. 2017 total taxable value. Enter the amount from line 37 of the Rollback Tax Rate Worksheet.	\$1,846,010,407
51. Additional rate for pollution control. Divide line 49 by Line 50 and multiply by \$100.	\$0/\$100
52. 2017 rollback tax rate, adjusted for pollution control. Add Line 51 to one of the following lines (as applicable): Line 39, Line 40 (counties) or Line 48 (taxing units with the additional sales tax).	\$0.403931/\$100

SECTION 5: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

Effective tax rate (Line 24; line 25 for counties; or line 46 if adjusted for sales tax)	\$0.340585
Rollback tax rate (Line 39; line 40 for counties; or line 48 if adjusted for sales tax)	\$0.403931
Rollback tax rate adjusted for pollution control (Line 52)	\$0.403931

SECTION 6: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the taxing unit.

print here

Printed Name of Taxing Unit Representative

sign here

Taxing Unit Representative

Date

²⁵Tex. Tax Code Section 26.045(d)

²⁶Tex. Tax Code Section 26.045(i)

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 5, 2017

Topic:

Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2017-2018 Budget

Background:

The TEDC Bylaws require that the Corporation prepare an annual budget of expected revenues and proposed expenditures for the next ensuing fiscal year. The budget shall not be effective until the same has been approved by the City Council.

Origination:

Tomball Economic Development Corporation Board of Directors

Recommendation:

Approval of the FY 2017-2018 TEDC Budget, as approved by the TEDC Board of Directors at its Regular Meeting on August 15, 2017.

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

Kelly Violette, Executive Director, Tomball Economic Development Corporation

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

ATTACHMENTS:

FY 2017-2018 Proposed TEDC Budget
FY 2017-2018 TEDC Budget Notes
FY 2017-2018 TEDC Account descriptions

Tomball Economic Development Corporation
2017-2018 Proposed Budget
October 1, 2017 to September 30, 2018

	9/30/2016 Actual Rev./Exp.	2016-2017 Approved Budget	2016-2017 Year End Projected	2017-2018 Proposed Budget
Beginning Fund Balance	\$ 14,551,526	\$ 16,539,641	\$ 16,539,641	\$ 16,754,225
REVENUE				
Sales Tax	\$ 3,525,279	\$ 3,350,000	\$ 3,500,000	\$ 3,500,000
Interest	132,723	100,000	165,000	150,000
Grants	5,500	5,500	5,500	5,500
Other- TBTP	632,757	-	-	-
Total Revenue	\$ 4,296,259	\$ 3,455,500	\$ 3,670,500	\$ 3,655,500
Total Available Resources	\$ 18,847,786	\$ 19,995,141	\$ 20,210,141	\$ 20,409,725
EXPENDITURES				
Administrative				
Salaries-Administrative	\$ 172,290	\$ 171,758	\$ 171,758	\$ 178,499
Benefits	76,476	82,367	82,367	85,901
Wages- Other	5,805	7,500	6,000	10,000
Total Personnel Services	254,571	261,625	260,125	274,400
Other Personnel Expenditures				
Auto Allowances	7,200	7,200	7,200	8,400
Phone Allowances	1,536	1,536	1,536	1,536
Local Travel Expense	141	450	150	-
Dues and Subscriptions	5,437	7,200	5,400	7,200
Seminar/Conference Registrations	3,750	7,000	7,500	7,500
Travel and Training	6,372	10,000	10,462	13,000
Total Other Personnel Expense	\$ 24,435	\$ 33,386	\$ 32,248	\$ 37,636
Service and Supply Expenditures				
Contracted Administrative Services	\$ 10,000	\$ 10,000	\$ 10,000	\$ 25,000
Bank Charges& Postage	869	1,000	750	1,000
Insurance	1,427	2,200	2,000	2,200
Computer Equipment & Maintenance	4,442	5,000	3,500	5,000
Communications Services	4,149	4,500	3,100	4,500
Legal Fees	18,746	40,000	16,000	40,000
Lease Expense-GTACC	21,126	22,000	21,000	22,000
Office Supplies	1,927	5,000	2,200	5,000
Total Service and Supply Expense	\$ 62,686	\$ 89,700	\$ 58,550	\$ 104,700
Total Administrative Expenditures	\$ 341,692	\$ 384,711	\$ 350,923	\$ 416,736
Indirect Economic Development Exp.				
Chamber Guide	\$ 8,354	\$ 8,400	\$ 8,354	\$ 8,400

Area Street Maps	-	4,000	4,000	-
GIS License	500	550	500	-
Marketing	71,163	75,000	75,000	85,000
Economic Impact Model License	3,819	3,934	3,934	4,052
Event Sponsorships	4,009	7,500	7,400	7,500
Promotional Items	6,668	6,500	3,200	6,500
Printing	3,158	6,500	3,700	6,500
Website and GIS	14,409	8,500	7,800	17,000
Professional Services	65,665	350,000	185,000	450,000
Miscellaneous	1,788	10,000	5,000	10,000
Total Indirect Expenditures	\$ 179,532	\$ 480,884	\$ 303,888	\$ 594,952

City Debt Service

Southside Sewer Plant (1999 CO-2/15/2019)	\$ 188,148	\$ 188,148	\$ 188,148	\$ 188,148
Utilities Expansion (2002 CO-2/15/2022)	370,000	370,000	370,000	370,000
Business Park Infrastructure (Series 2013)	528,013	530,913	530,913	533,613
Total Debt Service	\$ 1,086,161	\$ 1,089,061	\$ 1,089,061	\$ 1,091,761

Grants, Loans & Other Expenditures

Project Grants	\$ 333,128	\$ 1,500,000	\$ 880,000	\$ 1,500,000
Sales Tax Reimbursement Grants (380)	44,056	50,000	58,054	62,750
Property Acquisition	57,125	500,000	422,278	-
Business Improvement Grants- Current Year	89,817	300,000	194,112	300,000
Business Improvement Grants- Prior Years	87,210	150,000	150,000	150,000
Business Park Expenses	29,220	300,000	7,600	1,315,000
Total Grants/Loans/Other	\$ 640,555	\$ 2,800,000	\$ 1,712,044	\$ 3,327,750

Total All Expenditures	\$ 2,247,939	\$ 4,754,656	\$ 3,455,916	\$ 5,431,199
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Revenues Over (Under) Expenditures	\$ 2,048,320	\$ (1,299,156)	\$ 214,584	\$ (1,775,699)
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Other- Unrealized Gains/Losses	\$ (60,206)	\$ -	\$ -	\$ -
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Ending Fund Balance	\$ 16,539,641	\$ 15,240,485	\$ 16,754,225	\$ 14,978,526
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TEDC Debt Service Schedule

1999 & 2002 Obligations Per Resolution 2013-11-TEDC & Amendment

	1999	2002
2016	\$ 188,148	\$ 370,000
2017	\$ 188,148	\$ 370,000
2018	\$ 188,148	\$ 370,000
2019	\$ 188,148	\$ 370,000
2020		\$ 370,000
2021		\$ 370,000
2022		\$ 370,000
Total	\$ 752,592	\$ 2,590,000

Total \$ 3,342,592

Tomball Business & Technology Park Combination Tax & Revenue Certificates of Obligation, Series 2013 Dated Date 05/15/2013

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
2/15/2014	\$ 295,000.00	2.00%	\$ 145,659.38	\$ 440,659.38	
8/15/2014			\$ 94,156.25	\$ 94,156.25	\$ 534,815.63
2/15/2015	\$ 340,000.00	2.00%	\$ 94,156.25	\$ 434,156.25	
8/15/2015			\$ 90,756.25	\$ 90,756.25	\$ 524,912.50
2/15/2016	\$ 350,000.00	2.00%	\$ 90,756.25	\$ 440,756.25	
8/15/2016			\$ 87,256.25	\$ 87,256.25	\$ 528,012.50
2/15/2017	\$ 360,000.00	2.00%	\$ 87,256.25	\$ 447,256.25	
8/15/2017			\$ 83,656.25	\$ 83,656.25	\$ 530,912.50
2/15/2018	\$ 370,000.00	2.00%	\$ 83,656.25	\$ 453,656.25	
8/15/2018			\$ 79,956.25	\$ 79,956.25	\$ 533,612.50
2/15/2019	\$ 380,000.00	2.00%	\$ 79,956.25	\$ 459,956.25	
8/15/2019			\$ 76,156.25	\$ 76,156.25	\$ 536,112.50
2/15/2020	\$ 385,000.00	2.00%	\$ 76,156.25	\$ 461,156.25	
8/15/2020			\$ 72,306.25	\$ 72,306.25	\$ 533,462.50
2/15/2021	\$ 395,000.00	2.00%	\$ 72,306.25	\$ 467,306.25	
8/15/2021			\$ 68,356.25	\$ 68,356.25	\$ 535,662.50
2/15/2022	\$ 405,000.00	2.00%	\$ 68,356.25	\$ 473,356.25	
8/15/2022			\$ 64,306.25	\$ 64,306.25	\$ 537,662.50
2/15/2023	\$ 415,000.00	2.00%	\$ 64,306.25	\$ 479,306.25	
8/15/2023			\$ 60,156.25	\$ 60,156.25	\$ 539,462.50
2/15/2024	\$ 430,000.00	2.00%	\$ 60,156.25	\$ 490,156.25	
8/15/2024			\$ 55,856.25	\$ 55,856.25	\$ 546,012.50
2/15/2025	\$ 440,000.00	2.00%	\$ 55,856.25	\$ 495,856.25	
8/15/2025			\$ 51,456.25	\$ 51,456.25	\$ 547,312.50
2/15/2026	\$ 450,000.00	2.00%	\$ 51,456.25	\$ 501,456.25	
8/15/2026			\$ 46,956.25	\$ 46,956.25	\$ 548,412.50
2/15/2027	\$ 460,000.00	2.25%	\$ 46,956.25	\$ 506,956.25	
8/15/2027			\$ 41,781.25	\$ 41,781.25	\$ 548,737.50
2/15/2028	\$ 470,000.00	2.25%	\$ 41,781.25	\$ 511,781.25	
8/15/2028			\$ 36,493.75	\$ 36,493.75	\$ 548,275.00

2/15/2029	\$	485,000.00	2.50%	\$	36,493.75	\$	521,493.75		
8/15/2029				\$	30,431.25	\$	30,431.25	\$	551,925.00
2/15/2030	\$	495,000.00	2.75%	\$	30,431.25	\$	525,431.25		
8/15/2030				\$	23,625.00	\$	23,625.00	\$	549,056.25
2/15/2031	\$	510,000.00	3.00%	\$	23,625.00	\$	533,625.00		
8/15/2031				\$	15,975.00	\$	15,975.00	\$	549,600.00
2/15/2032	\$	525,000.00	3.00%	\$	15,975.00	\$	540,975.00		
8/15/2032				\$	8,100.00	\$	8,100.00	\$	549,075.00
2/15/2033	\$	540,000.00	3.00%	\$	8,100.00	\$	548,100.00	\$	548,100.00
Total		\$ 8,500,000.00			\$ 2,321,134.38	\$ 10,821,134.38	\$		10,821,134.38



TO: Honorable Mayor and City Council

FROM: Kelly Violette
Executive Director

MEETING DATE: September 5, 2017

SUBJECT: FY 2017-2018 Budget Notes

Beginning Fund Balance, Revenues, and Total Available Resources

Sales tax revenues are projected to be higher than originally budgeted for FY 2016-2017 based upon collections actually received from the State. Sales tax revenues at year end are projected to be \$3,500,000, which is \$150,000 (4.48%) over the current budgeted amount. Interest revenue is projected at \$165,000 versus the budgeted \$100,000. We remain conservative in our revenue estimations for FY 2017-2018 and are projecting total sales tax and interest revenues to be approximately \$3,650,000 by year end.

Administrative

- **Salary and Benefits:** Salary and benefit information was provided by the City of Tomball Human Resources Department. A 3% salary increase was approved for TEDC staff by the Board of Directors at the August 15, 2017 Meeting. \$10,000 was approved for part-time temporary wages.

Other Personnel Expenditures

- **Auto Allowances:** This item includes the Executive Director's auto stipend in an amount of \$600 per month. The TEDC Board of Director's approved a \$100 monthly auto allowance for the Assistant Director in lieu of the Local Travel Expense line item.
- **Seminar/Conference Registrations:** An additional \$500 has been budgeted for this item based upon actual expenditures this year.

- **Travel and Training:** This item has been increased from \$10,000 to \$13,000 due to anticipated travel for conferences, events, tradeshow, etc. during FY 2017-2018.

Service and Supply Expenditures

- **Contracted Administrative Services:** This item has been increased from \$10,000 to \$25,000 based on the City of Tomball's requested increase for reimbursement of city services provided to the TEDC.

Indirect Economic Development Expense

- **Area Street Maps:** The area street maps are printed every other year. The maps were printed during the FY 2016-2017 budget so no funds are being budgeted for FY 2017-2018.
- **GIS License:** No funds were budgeted for FY 2017-2018 for this item. The TEDC Board of Directors approved the addition of GIS Software to the TEDC website to provide public access to in-depth property information, demographic and workforce data analysis tools, industry reports, and mapping tools. The Website and GIS line item reflects this change.
- **Marketing:** This item has been increased from \$75,000 to \$85,000 due to the projected expenditure of funds for advertisements in printed and digital publications, development of information packages, brochures and related marketing material, as well as the addition of the Multiview product for online behavioral targeting.
- **Economic Impact Model License:** The renewal licensing fee for the Economic Impact Model developed by Impact Data Source for analyzing the economic impacts of proposed TEDC projects is \$4,052 (last year's \$3,934 annual fee with a 3% increase).
- **Website and GIS:** This item has been increased from \$8,500 to \$17,000 to account for the addition of online GIS software to the website. The breakdown of funds is as follows: website hosting: \$3,300, commercial real estate data/property inventory: \$3,180 and web-based GIS: \$10,000.
- **Professional Services:** This item has been increased from \$350,000 to \$450,000. The existing professional engineering services contract for final design of the Tomball Business and Technology Park Project has a remaining contract amount of \$64,806. The proposed increase is for professional services related to design services for the entryway project at the Business Park as well as for professional services for the development of a 5-year economic development strategic plan. The additional budgeted funds are for potential professional service needs

including, but not limited to, design services, other engineering/surveying/architectural fees, custom demographic/economic reports, photography, etc.

City Debt Service

- **Business Park Infrastructure (Series 2013):** This item reflects the FY 2017-2018 payment according to the debt service schedule for Certificates of Obligation, Series 2013. The payment includes \$370,000 to the Principal and \$163,612.50 to Interest.

Grants, Loans & Other Expenditures

- **Sales Tax Reimbursement Grants (380):** This item has been revised from \$50,000 to \$62,750 to reflect the anticipated FY 2017-2018 sales tax reimbursement payment to BK 2920 under the performance agreement for the Revitalization of the Four Corners Shopping Center that was approved on August 20, 2012.
- **Business Park Expenses:** This item has been increased to account for construction costs associated with entryway signs and related landscaping, lighting, etc. Additionally, mowing and related landscape maintenance services are included in this item.

Tomball Economic Development Corporation

FY 2017-2018 Budget

Account Descriptions

REVENUE

- Sales Tax: Those revenues received from the State of Texas and through the City of Tomball for the \$0.005 portion of the \$0.020 sales tax revenues collected within the City limits of Tomball.
- Interest: Those revenues received from financial institutions for balances on hand and from funds that have been invested.
- Grants: Those revenues received from additional sources such as CenterPoint Energy for support of the Corporation's activities, including the Annual Economic Outlook Event, marketing collateral, and continuing education.
- Other- TBTP: Those revenues received from the sale of TEDC owned property within the Tomball Business & Technology Park.

EXPENDITURES

Administrative:

- Salaries - Administrative: The amount reimbursed to the City of Tomball for the salary paid to the Executive Director and Assistant Director of the Tomball Economic Development Corporation. This amount includes holiday, vacation, sick pay, and longevity pay.
- Benefits: The amount reimbursed to the City of Tomball for the benefits paid to, or on behalf of, the Executive Director and Assistant Director of the Tomball Economic Development Corporation. This amount includes social security taxes, medicare taxes, employer matched funds to the Texas Municipal Retirement System, health insurance premiums, and worker compensation insurance.
- Wages- Other: Wages for temporary part-time personnel.

Other Personnel Expenditures:

- Auto Allowances: Monthly stipends allocated to cover business travel expenses and mileage within a 50-mile radius of Tomball.
- Phone Allowances: Monthly stipends allocated to cover business-related cell phone expenses for TEDC staff.
- Local Travel Expenses: The amount allocated to cover business travel expenses and mileage within a 50-mile radius of Tomball for non-exempt TEDC staff.

- Dues and Subscriptions: Fees charged for memberships and related expenses to organizations that the Tomball Economic Development Corporation approves for its employees and for subscriptions to newspapers, periodicals, and books related to economic development.
- Seminar/Conference Registrations: Fees for the Tomball Economic Development Corporation staff and board members to attend conferences, events, and professional training seminars.
- Travel and Training: The costs associated with attending classes, seminars, events, trade shows and for related travel expenses. This includes hotel rooms where overnight stay is reasonable, the cost of related meals, airfare, and car rental where reasonable, parking and toll fees, and for mileage. Reimbursable mileage for exempt staff is limited to a destination that exceeds a 50-mile radius of the City of Tomball.

Service and Supply Expenditures

- Contracted Administrative Services: The cost of administrative services provided to the Tomball Economic Development Corporation by City of Tomball personnel as indicated in the Administrative Services Agreement entered into between the Tomball Economic Development Corporation and the City of Tomball.
- Bank Charges: The various service charges for maintaining a bank account, including wire transfer fees, safekeeping fees for investments, and actual operating account fees based on the account analysis.
- Insurance: The cost of surety bonding fees and insurance premiums for the following types of insurance: General Liability, Errors and Omissions, and Property Content at 29201 Quinn Road, Suite B, Tomball, Texas.
- Computer Equipment and Maintenance: The cost of computer equipment and related expenses.
- Communication Services: The cost of telephone service, including land line phone base rate charges, DSL service, and long-distance charges.
- Legal Fees: Expenses incurred for legal services related to document and agreement preparation, and obtaining advice and opinions from legal counsel related to Tomball Economic Development Corporation business activities.
- Lease Expense-GTACC: Payment to the Greater Tomball Area Chamber of Commerce for leased office space at 29201 Quinn Road, Suite B, Tomball, Texas.
- Office Supplies: The cost of various office supplies including, but not limited to copies, paper, envelopes, pens, pencils, binders, notebooks, postage, etc.

Indirect Economic Development Expenditures:

- Chamber Guide: Expenses related to the TEDC advertisement and publication of a map of the Tomball area in the annual Greater Tomball Area Chamber of Commerce magazine.
- Area Street Maps: The expenses incurred for the production and publication of maps of Tomball and the surrounding area that are issued free of charge to individuals and businesses to promote travel, tourism, and the commercial industry in Tomball.
- GIS License: The cost to maintain a license for TEDC use of the City's Geographical Information System (GIS) in order to generate customized maps, exhibits, and infrastructure data to assist with business retention and recruitment efforts.
- Marketing: Expenses related to marketing Tomball to attract business, industry, and visitors, including advertisements in printed and digital publications, information packages, brochures, and related marketing collateral material.
- Economic Impact Model License: The annual licensing fee for the economic impact analysis model utilized by the TEDC to calculate the economic impact of a prospect firm/project and related costs and benefits to the City of Tomball.
- Event Sponsorships: Costs to sponsor/co-sponsor events that foster relationships with site location consultants, brokers, real estate professionals, regional allies, and those influencing business location and capital investment decisions including, but not limited to, the TEDC Annual Economic Outlook Event, GTACC Conferences/Events, Texas EDC Conferences, trade show participation, etc.
- Promotional Items: The costs associated with TEDC promotional products, giveaways, and event favors.
- Printing: The cost of printing various items including, but not limited to, Notice of Project/Public Hearing, brochures, presentation boards, community profiles, business resource guides, stationary, etc.
- Website and GIS: Costs to maintain and update the Tomball Economic Development Corporation's website, including web hosting, property database services, and online GIS software.
- Professional Services: Consulting fees, engineering fees, photography, graphics and design services, and other professional services incurred in expanding the economic base of Tomball.
- Miscellaneous: Other business-related expenses including, but not limited to, meals with potential business developers, name plates for Board meetings, post office box fees, etc.

City Debt Service

- Southside Sewer Plant (1999 CO-2/15/2019): Contributions to debt repayment for the wastewater treatment plant built on the south side of Tomball to accommodate expanded industry in the City.
- Utilities Expansion (2002 CO-2/15/2022): Contributions to debt repayment for the extension of utilities from FM 2920 south on Hufsmith-Kohrville Road to Holderrieth Road, west to SH 249 and north to Theiss Road.
- Business Park (Series 2013): Contributions to debt repayment for the construction of utilities, roads, drainage facilities, etc. for the Tomball Business and Technology Park Project located at the northwest corner of Hufsmith-Kohrville and Holderrieth Roads.

Grants, Loans & Other Expenditures

- Project Grants: Grant funds designated by the Tomball Economic Development Corporation's Board of Directors and approved by the Tomball City Council waiting for contract fulfillment in order to be disbursed.
- Sales Tax Reimbursement Grants (380): Sales tax reimbursements made in accordance with economic development incentive agreements approved by the Tomball Economic Development Corporation's Board of Directors and the Tomball City Council.
- Property Acquisition: Costs associated with the acquisition of land related to the development of the Tomball Business and Technology Park.
- Business Improvement Grants- Current Year: Funds allocated to enhance the economic development of the City of Tomball through matching grants for façade or exterior improvements to buildings, sign improvements, landscaping, or other exterior property improvements.
- Business Improvement Grants- Prior Years: Improvement grant funds approved in prior fiscal years waiting for contract fulfillment in order to be disbursed.
- Business Park Expenses: Expenses approved by the Tomball Economic Development Corporation Board of Directors for the development and maintenance of the Tomball Business & Technology Park.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 5, 2017

Topic:

Approve Spring Creek County Historical Association Request for \$30,000 fiscal budget for 2017-2018 Annual Operations

Background:

The Tomball Tourism Advisory Committee recommended approval at their August 22, 2017 Special meeting.

Origination:

Spring Creek County Historical Association

Recommendation:

n/a

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

Tracylynn Garcia-Assistant City Secretary

ACTION TAKEN

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

Spring Creek County Historical Association Application - Revised



CITY OF TOMBALL

APPLICATION FOR USE OF HOTEL OCCUPANCY TAX

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

Applications may be mailed or hand delivered to:

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

Applicant Organization: Spring Creek Historical Association

Organization Director: Mrs. Jean Alexander

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

Date of Event: Annual 2017-2018 operations

Description of project or event for which funding is requested:

Proposed projects for 2017-2018:

1. Sand, clean, and repaint Fellowship Hall and other building painting as necessary--\$6,000
2. General building maintenance/repairs for all buildings to maintain historical status--\$2,000
3. Purchase gas range for Fellowship Hall--\$1,000
4. Complete installation of oilfield pumping unit--\$3,000
5. Install LED lighting for the east side of the Museum Complex to include the Barn, log house, and schoolhouse.--\$7,000
6. Complete redo of website design--\$2,000
7. Complete installation of water well drilling rig--\$3,000
8. Develop additional history coloring booklet of the Museum--\$1,000
9. Replace/repair sidewalks throughout the complex that are unsafe--\$4,000

10. Landscaping projects to enhance the Museum complex--\$1,000
11. Total--\$30,000

Location of project or event: Museum located at 510 North Pine, Tomball TX

GRANT AMOUNTS:

Amount Requested for 2017-18	\$ 30,000
Amount Received for 2016-2017	\$ 30,000
% Increase requested over last year's grant	0%

2017-2018 Organization Budget Summary

	City Funds	Other Funds	Total
Personnel		\$26,000	\$26,000
Contracted Services		19,000	19,000
Travel			
Rental Expense			
Depreciation/Mortgage			
Advertising			
Insurance		2,000	2,000
Other expense/utilities		9,000	9,000
New projects	\$30,000	6,000	36,000
Candlelight Tours		2,000	2,000
Total	\$30,000	\$64,000	\$94,000

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

FUNDS FROM SOURCES OTHER THAN THE CITY OF TOMBALL

<u>Government</u>	<u>Amount of Funds</u>
Local	-----
County	-----
State	-----
Federal	-----
<u>Other Investors/Contributors</u>	
Individual	__ \$15,500 ____
Corporate	___ 4,000 ____
Foundations	___ 4,000 ____
<u>Fees</u>	
Admissions/Donations	__ \$16,000 ____
Applications/Building use	___ 12,000 ____
Vendors	-----
Tuition	-----
<u>Concessions-oil/gas royalty</u>	___ 2,500 ____
<u>Memberships</u>	___ 4,500 ____
<u>Subscriptions/interest income/other</u>	___ 5,500 ____
<u>Other</u>	__ 30,000 ____
Total	_ \$94,000 ____

Six month Financial report is attached for your review.

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

ANSWER: As of July 2017, the Museum hosted visitors from five (5) foreign countries, fifteen (15) states, and thirty-one (31) Texas cities. The Museum general attendance numbers for this past year is an estimated 3,000 which is about the same as previous year's attendance. The Annual Christmas Candlelight Tours will bring in excess of 3,000 people from the entire region. This past year, the Museum hosted twelve (12) wedding venues which generates substantial room nights.

Total attendance for the Museum Complex with general attendance and all programming is approximately 7,100 annually.

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

ANSWER: Many of our visitors are from out of state or foreign countries and many stay in local hotels. We have placed Museum brochures in each of the local hotels for the guests are currently in the process of updating brochures.

Organization Contact Name, Title, Address and Phone Number:

Charles Hall—President 832.656.8181

Jean Alexander—Director 281.255.2148

510 North Pine

Tomball TX 77375

Contact's Signature:

Date: -----



VALIDATION OF APPLICATION

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

Signature of Authorizing Official

Date

Charles Hall-----
Typed Name

President-----
Title within Organization

832.656.8181__
Telephone

Crhall2@sbcglobal.net-----
Email address



NARRATIVE QUESTIONS

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

1. Describe the history and purpose of the organization.

ANSWER:

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

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

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

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

Browse the collection of antiques at the 1860 Griffin Memorial House, then get an up-close look at 1800's farm equipment at The Farm Museum. This living history museum also includes a 19th-century Lutheran church, a schoolhouse, fellowship hall, and doctor's office

2. Describe how any grant funds will be used.

ANSWER:

Update on Projects and Maintenance for Fiscal Year 2016-2017 (FY2017)

1. Construct and erect metal roof over the sawmill was approved for the 2016-2017. The Museum approached the City of Tomball regarding this project and was given permission to re-prioritize this project. Museum had a number of unexpected expenses such as gas line replacements and repairs, compressor and condenser at the Griffin House, and general safety maintenance issues. This project is placed on hold.
2. Completed painting of the church.
3. Park benches on the sitting areas / patios—in process of being purchased—substantially complete
4. Completed night lighting on the west side of the Museum Complex by Nite Lites of Houston. This project has been a great addition to enhance the beauty of the grounds at night and has provided additional safety and security at night. Our goal is to complete the night lighting in other areas of the complex this next year.
5. Landscaping upgrades—completed and additional improvements planned for next year.
6. Install oilfield pumping unit that was donated—currently purchasing additional components to complete the unit and will be installed in FY 2018—substantially complete.
7. Completed a Museum coloring book for the school age children, grades 1-3. Distributed over 300 coloring books during the Christmas Candle Light Tours this past year.
8. Repaired the school house roof that was damaged during rain and wind storms. A fallen tree limb damaged the south side of the school and repairs were made—replaced approximately one-third of the beams, rafters, and roof. Copula in the Bell Tower was completely destroyed and had to be reconstructed. It was replaced, primed, sanded and painted—completed
9. Gas leak was detected in the Griffin House and repairs were completed.
10. Project for the DVD collection was completed. CD's were created from approximately 250 pictures/slides to depict the history of the Tomball area, Main Street, schools, oilfield, churches and homes from 1940-1960. CD is on constant display at Fellowship Hall and available to the public.
11. Replaced air conditioner unit in the Griffin House.
12. The windmill project was substantially completed this year.

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

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

The twelve (12) wedding events generated approximately 600 guests for the year.

Hosted event for the Tomball Quilters which generated approximately 250 guests. They exhibit their quilts and provide information from a historical perspective about quilting techniques. Historical attendance for this program is about 200 annually.

Private photography venues for exhibits, birthday parties, children's pictures, wedding, and other special occasions generate approximately 500 guests throughout the year.

The Bubble Pictures conversion to DVD depicting life in and around Tomball in the 1940's and 1960's has been completed.

The Museum system produces a quarterly newsletter throughout the year.

Total annual attendance is approximately 7,100.

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

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

Harris County Commissioner Jack Cagle and his staff came at the request of the Museum to take a special tour of the facilities on three (3) occasions. Board members from the Harris County Historical Commission were given a tour of the facilities and have been invited to the Tomball Museum to participate in the Harris County Historical Commission.

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

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

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

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

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

Marketing websites promoting Tomball Museum System:

<https://www.theknot.com/marketplace/tomball-museum-center-tomball-tx-362175>

<https://www.traveltexas.com/attractions/tomball-museum-center>

<http://www.chron.com/neighborhood/article/Tomball-museums-are-sharing-human-side-of-history-4176327.php>

<https://www.flickr.com/photos/tomball/5885535332/>

<http://www.chron.com/neighborhood/spring/news/article/Tomball-museum-to-host-holiday-candlelight-tour-6683397.php>

<http://www.hcp4.net/Community/HistoricalMarkers/Tomball>

<http://events.chron.com/event/tomball-museum-quilt-exhibit58e956e19f521>

<https://www.tourtexas.com/destinations/Tomball>

<http://www.chron.com/neighborhood/article/The-Houston-area-s-best-backdrops-for-family-11147476.php#photo-4000922> Photo #1

<http://nwhoustontx.usachamber.com/virDirEditorAssets/HoustonNWTX/chamberAccess/docs/04-2011%20-%2021%20things%20to%20do.pdf>

<http://www.american towns.com/tx/tomball/yp/listing/sp-0016205095>

Recent TripAdvisor comments are provided on separate page.

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

ANSWER: Continue the education of the public, young and old alike, about the history of the Tomball and Houston region. It is imperative that that early history be taught to our young children.

Preliminary discussion with Harris County Pct 4 Commissioner Cagle has indicated he would like to financially support the Tomball Museum. The Tomball Museum has joined in several projects with the Harris County Historical Commission and more collaboration are in the immediate future.

Based on conversation with the TAC Board in recent years, the Board has been successful in recruiting new Board members and volunteers to better reflect the diversity of the Board. The new Board members have added a tremendous aspect to the operations of the Board.

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

ANSWER: The Museum host the Annual Candlelight Ceremony in conjunction with the German Christmas Market. Both events place a great number of people in our local hotels. The Museum funding category falls under the historical preservation segment of the allowed expenditures.

Different methods of publicity:

Trip Advisor

Reviewed 3 weeks ago
Very kind, informative folks

Visited with my 5 yr old Grandson. He enjoyed it, but mostly wanted to play on everything. The folks were kind there, and kept him entertained.

LWS-Tomball

Reviewed May 6, 2017
[Nice Historic Buildings](#)

My spouse and I decided to spend a Saturday morning to learn about Tomball History. The 10 buildings were very nice and the docent was okay for generic background information. Air conditioning would have been welcome on an mid 80's day in any of the...[More](#)

Thank LCMAN61

360bec
Magnolia, Texas
181
Reviewed April 12, 2017
[the old ways](#)

Great place to roam around and get into history. December is beautiful when they are decorated for Christmas.

Thank 360bec

kevinhargrove
Tomball, Texas
73
Reviewed November 1, 2016
[Local History Defined](#)

If you want to learn about the early history of the Tomball area, this museum will get you there. It's a fascinating collection of local historical memorabilia and stories.

Thank kevinhargrove

TClann
Tomball, Texas
305
Reviewed October 10, 2016
[Great Historical Info & Original Artifacts](#)

Love this "museum"! An original log house, school house, doctor's office w/original tools, living quarters, etc. This is a must see!

Thank TClann

FlipflopsForever70
Houston, Texas
3311
Reviewed April 25, 2016
[Hidden treasure](#)

Stumbled across this while ago by accident. What a neat little place. Must visit! It certainly is a labor of love, and worth supporting!

Thank FlipflopsForever70

LisaTownsend
427
Reviewed March 15, 2016
[A great little piece of History in Tomball!](#)

The Tomball Museum Center is a wonderful place to explore the history of Tomball, Texas. Early in December each year there is a Candlelight Tour that is a must-go-to for anyone!

1 Thank LisaTownsend

Vicki F
Zephyrhills, Florida
3417
Reviewed October 10, 2015

My husband and I stopped on Wednesday to see all the bldgs. but it is closed M-W, with hours posted for Thur-Sat 10-2 and Sun 2-4. We returned today about 11 a.m. and everything was shut up tight and no one was present, except other...[More](#)

5 Thank Vicki F

applestrudel
Tomball, Texas
374193
Reviewed September 10, 2015
[Must visit](#)

This is a must visit when in Tomball. So much to see and do. Look out for the Christmas carol open days, they are FREE Expect to spend 1-2 hours but its a great way to learn the history of tomball and to help preserve...[More](#)

Thank applestrudel

TxMaggie
TX
4749
Reviewed July 7, 2015
[Interesting Step Back In Time](#)

Toured the center as part of a photography group so I had the unique opportunity to be able to photograph in the church and school house as well as on the grounds.

Thank TxMaggie

grace h
Tomball, Texas
102
Reviewed April 26, 2015
[You can get married here.](#)

Weddings, receptions, and meetings are conducted there on a continuing basis. Our Trinity Lutheran Church is a popular wedding venue, adding a nostalgic charm to any ceremony.

Thank grace h

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 5, 2017

Topic:

Approve Tomball Sister City Organization Request for Support, Funding, and Road Closures, in the amount of \$57,750 for the 2017 Tomball German Christmas Market, to be held December 7 through December 10, 2017, and in the amount of \$57,750 for the 2018 Tomball German Heritage Festival, to be held March 22 through March 25, 2018.

Background:

The Tomball Tourism Advisory Committee recommended approval of TSCO's funding request at their August 22, 2017 Special meeting.

Origination:

Tomball Sister City Organization

Recommendation:

n/a

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

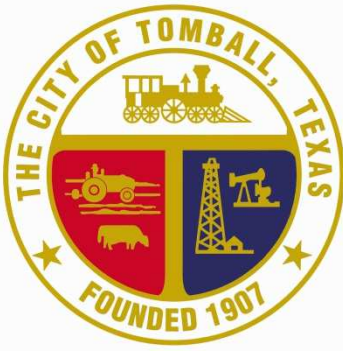
Tracylynn Garcia, Asst. City Secretary

ACTION TAKEN

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

2017 TGCM City Request
2017 TGCM COT HOT application
2018 TGHF City Request
2018 TGHF COT HOT application



**TOMBALL SISTER CITY
ORGANIZATION, INC.**

Tomball, Texas – Telgte, Germany
P.O. Box 1131
Tomball, Texas 77377



June 14 2017

Honorable Mayor and City Council

Re: Request for Support of the 10th Annual Tomball German Christmas Market

Note: We have requested an increase for the monetary amount compared to last year's request of 0%.

The Tomball Sister City Organization, Inc. would like to increase the number of attendees at our Christmas Market, and visitors to Tomball this year, by adding to our advertising and rental budget. With this in mind, we respectfully request the following from our City:

(A) In-kind support for the 2017 TGCM, Thursday, December 7, 2017 through Sunday, December 10, 2017.

1. Personnel:

Public Works: The Public Works Department should decide the actual number of employees.

Four (4) employees for Friday night, 6:00 pm - 11:00 pm

Six (6) employees for Saturday, 8:00 am - 11:00 pm

Six (6) employees for Sunday, 8:00 am - 9:00 pm

Employees will need the use of gators for trash pick-up

Police Department:

Four (4) Officers for Friday, 5:00 pm - 11:00 pm

Four (4) Officers for Saturday, 9:00 am - 11:00 pm

Four (4) Officers for Sunday, 10:00 am - 6:00 pm

Two (2) Officers for Sunday night, 6:00 pm - 10:00 pm (for carnival area)

ESD 8 (TSCO will contact directly)

One (1) Paramedic Friday, 5:00 pm - 11:00 pm

One (2) Paramedic Saturday, 9:00 am - 11:00 pm

One (2) Paramedic Sunday, 10:00 am - 10:00 pm

2. Facilities & Personnel:

The use of the Community Center Friday, 10:00 am - 10:00 pm and Saturday, 8:00 am - 10:00 pm and Sunday, 8:00 am - 8:00 pm, and one (1) employee working these hours, also.

3. Supplies/Rentals:

- Two (2) 40-yard roll-off, one (1) 30-yard roll-off, and four (4) 8-yard dumpsters; forty (40) portable toilets, twenty (20) handicap units, and Fifteen (15) hand sanitize stations.
- Three (3) 250 gallons holding tanks for waste-water.
- Seventy (70) trash barrels with 500 liners
- Thirty (30) barricades, sixteen (16) traffic cones
- Forty-Two (42) Jersey Barriers – Traffic safety & crowd protection

4. Street Closures:

We respectfully request permission to close the following City Streets:

12:00 noon, Thursday - 10:00 pm, Sunday:

- 100 Block S. Elm Street & Pine Street
- 100 - 200 – 300-400 Blocks of Market Street
- Intersection of Market & 200 Block S. Walnut

5:00 pm Friday until 10:00 pm Sunday: (This is to give access to the Harris County Tax Office.)

We have also requested of Harris County that S. Cherry Street be closed 9:00 am Friday – 8:00 pm, Sunday.

We request the use of the Following (see map). 8 AM Friday (1) West end of the Heritage Park Parking Lot across from City Hall. (2) East end of Heritage Park (3) East lot of the Police Parking Lot. 5 PM Friday (4) Westside of parking lot next to city hall.

(B) Electricity/Lighting Rentals:

1. Fifteen (15) large rental generators and one or two (2) owned by the City for a total of Seventeen (17) generators.
2. Twenty-Five (25) power cords with distribution boxes
3. Twenty (20) light towers, including the two from the City, this will include one for the parking area and shuttle.
4. Fuel top-off for generators from City's fuel supply

(C) Cash Request: From the local occupancy tax for advertising and rentals, \$36,750.00

(D) Cash Request: From the local occupancy tax for Sister City Employees \$21,000.00

(E) Transportation:

We request off-site parking and transportation to the festival by way of shuttle service 30 minutes before start of festival and 30 minutes after close of festival on Saturday and Sunday.

Carnival Hours: Friday, 3:00 pm – 11:00 pm; Saturday, 10:00 am – 11:00 pm; Sunday, 10:00 am – 10:00 pm.

Sincerely,
Grady P. Martin

Tomball Sister City Organization



CITY OF TOMBALL

APPLICATION FOR USE OF HOTEL OCCUPANCY TAX

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

Applications may be mailed or hand delivered to:

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

Applicant Organization: Tomball Sister City Organization

Organization Director: Grady Martin

Project or Event for which funding is requested: Tomball German Christmas Market

Date of Event: December 7-10, 2017

Description of project or event for which funding is requested: 10th annual German Christmas Market featuring live music from German folk artists from around Texas, ethnic folk dancers, other music, arts, crafts and exhibits. The four day event brings vendors from as far away as New York and Colorado

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

GRANT AMOUNTS:

Amount Requested for 2017-18	\$ 57,750
Amount Received for 2016-2017	\$ 57,750
% increase requested over last year's grant	0%

2017-2018 Organization Budget Summary

	City Funds	Other Funds	Total
Personnel	21,000		21,000
Contracted Services		50,000	50,000
Labor vendor		5,500	5,500
Rental Expense	24,000	41,000	65,000
Depreciation/Mortgage			
Advertising	12,750	24,500	37,500
Insurance		2,500	2,500
Other expense		20,000	20,000
Volunteer Time			
Donated Goods/Svces			
Total	57,500	143,500	201,250

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

FUNDS FROM SOURCES OTHER THAN THE CITY OF TOMBALL

Government

Amount of Funds

Local

County

State

Federal

Other Investors/Contributors

Individual

Corporate

Foundations

Fees

Admissions

Applications

Vendors

85,500_____

Tuition

<u>Concessions</u>	<u>23,000</u>
<u>Memberships</u>	<u> </u>
<u>Subscriptions</u>	<u> </u>
<u>Other</u>	<u>35,000</u>
Total	<u>143,500</u>

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

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

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

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

Organization Contact Name, Title, Address and Phone Number:

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

Contact's Signature:



Date: 6-13-17



VALIDATION OF APPLICATION

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

Grady Martin

Signature of Authorizing Official

6-13-17

Date

GRADY MARTIN

Typed Name

President

Title within Organization

281-379-6844

Telephone

grads2nd@yahoo.com

Email address

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

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

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

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

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

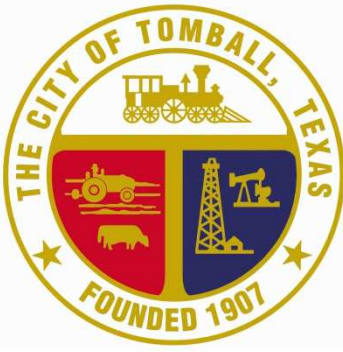
ANSWER: Publicity and advertising for the events is done through state-wide magazine advertising local radio and television ads.

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

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

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

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



**TOMBALL SISTER CITY
ORGANIZATION, INC.**

Tomball, Texas – Telgte, Germany
P.O. Box 1131
Tomball, Texas 77377



June 14, 2017

Honorable Mayor and City Council

Re: Request for Support of the 18th Annual Tomball German Heritage Festival

Note: We have requested an increase for the monetary amount compared to last year's request of 0%.

The Tomball Sister City Organization, Inc. would like to increase the number of attendees at our Heritage Festival, and visitors to Tomball this year, by adding to our advertising and rental budget. With this in mind, we respectfully request the following from our City:

(A) In-kind support for the 2018 TGHF, Thursday, March 22, 2018 through Sunday, March 25, 2018.

1. Personnel:

Public Works: The Public Works Department should decide the actual number of employees.

Four (4) employees for Friday night, 6:00 pm - 11:00 pm

Six (6) employees for Saturday, 8:00 am - 11:00 pm

Six (6) employees for Sunday, 8:00 am - 9:00 pm

Employees will need the use of gators for trash pick-up

Police Department:

Four (4) Officers for Friday, 5:00 pm - 11:00 pm

Four (4) Officers for Saturday, 9:00 am - 11:00 pm

Four (4) Officers for Sunday, 10:00 am - 6:00 pm

Two (2) Officers for Sunday night, 6:00 pm - 10:00 pm (for carnival area)

ESD 8 (TSCO will contact directly)

One (1) Paramedic Friday, 5:00 pm - 11:00 pm

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One (2) Paramedic Sunday, 10:00 am - 10:00 pm

2. Facilities & Personnel:

The use of the Community Center Friday, 10:00 am - 10:00 pm and Saturday, 8:00 am - 10:00 pm and Sunday, 8:00 am - 8:00 pm, and one (1) employee working these hours, also.

3. Supplies/Rentals:

- Two (2) 40-yard roll-off, one (1) 30-yard roll-off, and four (4) 8-yard dumpsters; forty (40) portable toilets, twenty (20) handicap units, and Fifteen (15) hand sanitize stations.
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4. Street Closures:

We respectfully request permission to close the following City Streets:

12:00 noon, Thursday - 10:00 pm, Sunday:

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5:00 pm Friday until 10:00 pm Sunday: (This is to give access to the Harris County Tax Office.)

We have also requested of Harris County that S. Cherry Street be closed 9:00 am Friday – 8:00 pm, Sunday.

We request the use of the Following (see map). 8 AM Friday (1) West end of the Heritage Park Parking Lot across from City Hall. (2) East end of Heritage Park (3) East lot of the Police Parking Lot, 5 PM Friday (4) Westside of parking lot next to city hall.

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(C) Cash Request: From the local occupancy tax for advertising and rentals, \$36,750.00

(D) Cash Request: From the local occupancy tax for Sister City Employees \$21,000.00

(E) Transportation:

We request off-site parking and transportation to the festival by way of shuttle service 30 minutes before start of festival and 30 minutes after close of festival on Saturday and Sunday.

Carnival Hours: Friday, 3:00 pm – 11:00 pm; Saturday, 10:00 am – 11:00 pm; Sunday, 10:00 am – 10:00 pm.

Sincerely,
Grady P. Martin

Tomball Sister City Organization



CITY OF TOMBALL

APPLICATION FOR USE OF HOTEL OCCUPANCY TAX

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

Applications may be mailed or hand delivered to:

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

Applicant Organization: Tomball Sister City Organization

Organization Director: Grady Martin

Project or Event for which funding is requested: Tomball German Heritage Festival

Date of Event: March 22-25 2018

Description of project or event for which funding is requested: 18th annual German Heritage Festival featuring live music from German folk artists from around Texas, ethnic folk dancers, other music, arts, crafts and exhibits. The four-day event brings vendors from as far away as New York and Colorado

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

GRANT AMOUNTS:

Amount Requested for 2017-18	\$ 57,750
Amount Received for 2016-2017	\$ 57,750
% Increase requested over last year's grant	0%

2017-2018 Organization Budget Summary

	City Funds	Other Funds	Total
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Donated Goods/Svces			
Total	57,500	143,500	201,250

Grants to an organization will not exceed 35% of the organization's adopted budget
FUNDS FROM SOURCES OTHER THAN THE CITY OF TOMBALL

<u>Government</u>	<u>Amount of Funds</u>
Local	_____
County	_____
State	_____
Federal	_____
<u>Other Investors/Contributors</u>	
Individual	_____
Corporate	_____
Foundations	_____
<u>Fees</u>	
Admissions	_____
Applications	_____
Vendors	<u>85,500</u>
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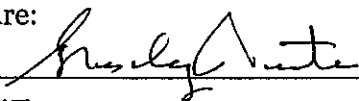
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Organization Contact Name, Title, Address and Phone Number:

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

Contact's Signature:



Date: 6-13-17



NARRATIVE QUESTIONS

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

1. Describe the history and purpose of the organization.

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

2. Describe how any grant funds will be used.

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

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

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

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

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

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

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

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

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

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

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

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

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 5, 2017

Topic:

Approve Resolution No. 2017-13, a Resolution of the City of Tomball, Texas regarding Release of an Approximately 18.739-Acre Tract of Land located at 16000 FM 2920 from the Extraterritorial Jurisdiction of the City of Houston (Tomball Golf Driving Range)

Background:

The property owners of Tomball Golf Driving Range, approximately 18.739 acres at 16000 FM 2920, desire to be within the City of Tomball's extraterritorial jurisdiction (ETJ) and have indicated that they will pursue an annexation into the City of Tomball in the near future.

The first step towards a possible future annexation is the release of the property from the City of Houston's ETJ.

The property owners have requested the resolution of support from the City of Tomball, so they can approach Houston.

The Annexation Application, and a survey of the property are attached for reference.

Origination:

International Commercial Development Enterprises, LLC

Recommendation:

Approve Resolution No. 2017-13

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Application for Annexation

Map

Request for Resolution of Support

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.

International Commercial Development Enterprises LLC

Name of Owner(s) (Type or Print)

6/28/17

Owner's Signature

Date

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:

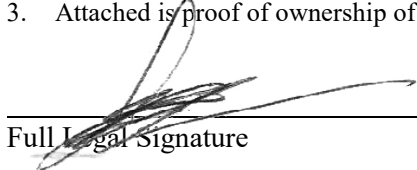
(Insert legal description [metes and bounds] here or attach separately.

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:

0402200010065

(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

Full Legal Signature

Name (print)

Name (print)

International Commercial Development Enterprises LLC

Company Name (if applicable)

Company Name (if applicable)

25420 Kuykendahl RD Suite D-400

Mailing Address (print)

Mailing Address (print)

Tomball TX 77375

City, State, Zip

City, State, Zip

956 330 4460

Phone Number

Phone Number

quintanilla@concept-eandy.com

E-mail Address (print)

E-mail Address (print)

07/03/17

Date

Date

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: Ernesto Quintanilla

Company Name: Concept E&Y LLC

Mailing Address: 810 S. Mason Rd. Suite 225 Katy TX 77450
City/State/Zip

Phone Number: 210 255 9850

E-mail Address: quintanilla@concept-eandy.com

2. Property Addresses:

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

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

a. 16000 FM 2920 Tomball TX 77377

b. _____

c. _____

d. _____

e. _____

f. _____

g. _____

h. _____

i. _____

j. _____

k. _____

3. Nature of Existing Property:

Property Location: Reference metes & bounds Number of Acres: 18.739

Existing Zoning: N/A

Is development in conformance with existing zoning districts?

Yes ___ No X Don't know

Current Assessed Valuation of Land: \$863,033

Improvements: \$73,858

Total: \$939,891

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

a.) **Residential** (existing)

☒ 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.) _____

Structure two - 1 story bldgs

Exterior Site Improvements golf range

Total Site Coverage 18.739 ac

c.) **Institutional** (existing)

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

Size (Sq. Ft.) _____

Structure _____

Exterior Site Improvements _____

Total Site Coverage _____

d.) **Industrial** (existing)

☒ 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)*

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

☒ 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.

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

Will zoning changes be required and requested in the future to accommodate anticipated development?

☒ Yes If yes, please describe: _____ acres of _____
☐ No

c.) Residential (anticipated)

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

No. of Units 47 Value of Units _____
No. of Lots or Acres 12.30 ac Total Estimated Value _____

Single-Family _____
Duplexes X _____
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.) Retail Plaza: 10,500 sf ea. / C-store: 6,000 sf
Unit Value (\$/Sq. Ft.) _____
Total Estimated Value _____
Structure 2 Retail Plazas and 1 Gas Station with C-store
Exterior Site Improvements parking space

Total Site Coverage 4 ac

e.) Institutional (anticipated)

☒ 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)

☒ 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 _____

Total Site Coverage _____
Estimated Number of Employees _____

g.) Staging of Anticipated Development (In %)

	Current						
	Yr	Yr2	Yr3	Yr4	Yr5	Yr10	Yr20
Residential	_____	x _____	_____	_____	_____	_____	_____
Office / Commercial	x _____	_____	_____	_____	_____	_____	_____
Institutional	_____	_____	_____	_____	_____	_____	_____
Industrial	_____	_____	_____	_____	_____	_____	_____

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	20°45'40"	1372.40'	497.29'	251.40'	494.58'	S 80°59'46" W

LINE	BEARING	DISTANCE
L1	N 00°38'17" W	50.00'
L2	N 89°16'00" W	20.00'
L3	N 89°16'00" W	95.61'

Notes:
1. This drawing is for "Topographical Survey Purposes" only.
2. Elevations are based on GPS observations.
3. TBM is a Mag nail set in the pavement along the front of the property with an elevation of 178.29 feet.

EP - EDGE OF PAVEMENT
CLD - CENTERLINE OF DITCH
HB - HIGH BANK
CLR - CENTERLINE OF ROAD

WOOD RAIL FENCE
WOOD FENCE
OVERHEAD ELECTRIC

LIGHT POLE
POWER POLE
MANHOLE
METER POLE
TRAFFIC SIGNAL POLE

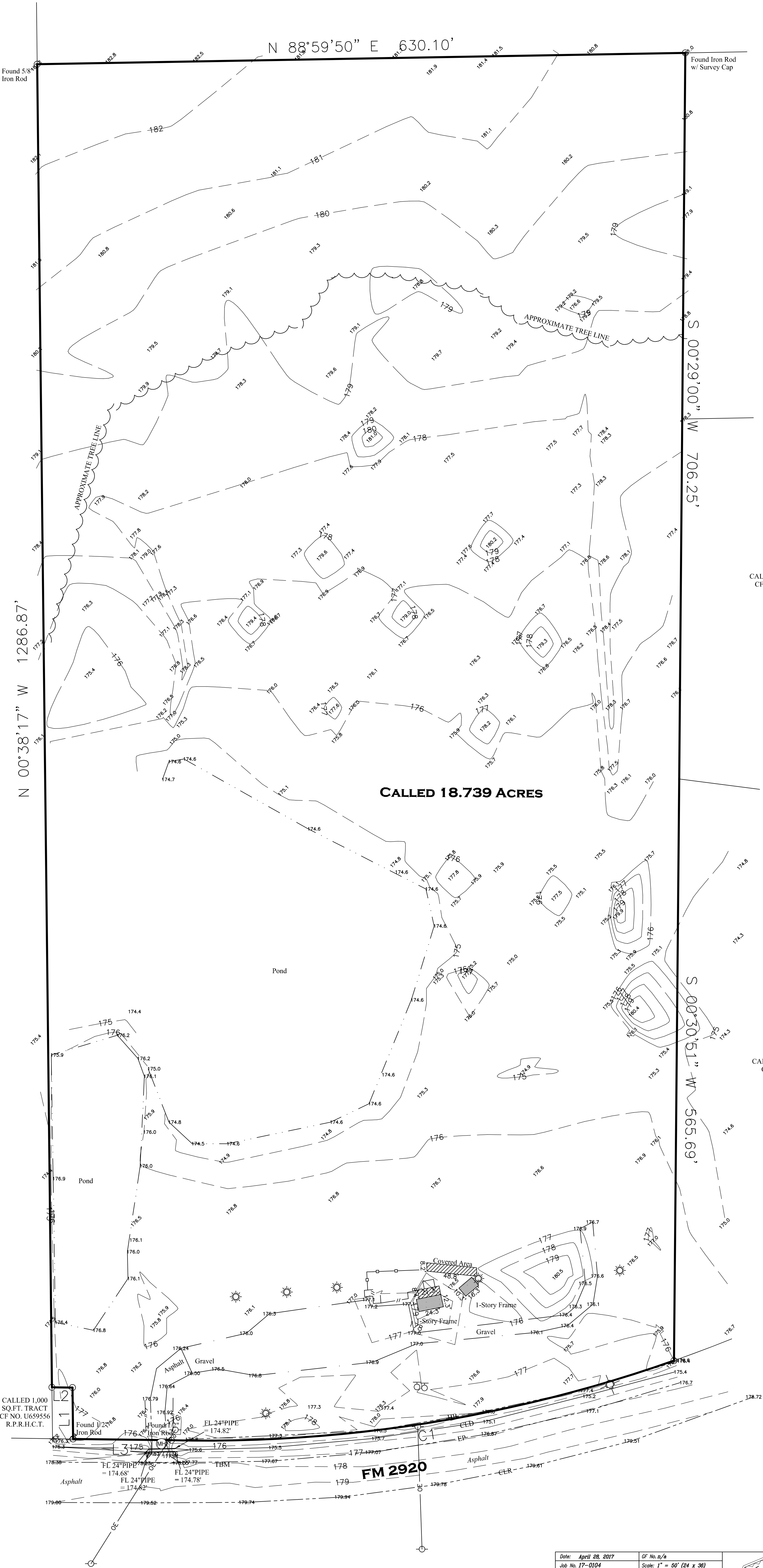
CALLLED 31.1590 ACRES
CF NO. V256093
R.P.R.H.C.T.

This property lies with in Zone 'X' as
SCALED from FEMA Panel Number
48201C0201--L, dated June 18, 2007.

THIS MEANS THAT THE SUBJECT PROPERTY
DOES NOT SCALE WITHIN THE 100 YEAR
FLOOD PLAIN.

This determination is made strictly
according to the FEMA maps and does
not reflect actual on ground flood
conditions. Furthermore, this company
takes no responsibility for such.

CALLLED 122 ACRES
CF NO. M463098 & P133167
R.P.R.H.C.T.



CALLLED 21.001 ACRES
CF NO. U682638
R.P.R.H.C.T.

CALLLED 2.9520 ACRES
CF NO. 20090443955
R.P.R.H.C.T.

CALLLED 4.103 ACRES
CF NO. M970473
R.P.R.H.C.T.

CALLLED 1,000
SQ. FT. TRACT
CF NO. U659556
R.P.R.H.C.T.

Being a Topographic Survey of a called 18.739 acres situated
in the John Edwards Survey, Abstract Number 20 and Chauncey
Goodrich Survey, Abstract Number 311 both of Harris County, Texas.

Date: April 28, 2017
Job No. 17-0104
Address: 18000 FM 2920
City, State: Tomball, TX
Zip: 77377
Scale: 1" = 60' (24 x 36)
Drawn By: RM
Rev: 0
C & C Surveying, Inc.
7424 F.M. 1488, Suite A, Magnolia, Texas 77354
Office: 281-259-4377 Metro: 281-356-5172
Fax: 281-356-1935
Email: onesurveyatime@csurveying.com
Website: www.ccsurveying.com



Certified To: Champions Real Estate, LLC
Client: Champions Real Estate, LLC
I HEREBY CERTIFY THIS SURVEY WAS MADE ON THE GROUND, AND
THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT
THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE
CONFORMS TO THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS
STANDARDS AND SPECIFICATIONS FOR A CATEGORY 6, CONDITION III
SURVEY, AND THAT THERE ARE NO ENCROACHMENTS EXCEPT AS
SHOWN.
Steven L. Crews R.P.L.S. #4141

Doris Speer

From: ernesto quintanilla <quintanilla@concept-eandy.com>
Sent: Tuesday, August 22, 2017 12:55 AM
To: Doris Speer; Ernesto Grey; Ernesto Grey
Subject: Re: golf range property

Good evening Doris

Per our previous meeting, we want to seek annexation to your city. Can you please let me know what would you need from us to get the initial conditional letter that Tomball can annex our property?

On Fri, Jul 7, 2017 at 8:47 AM, Doris Speer <DSpeer@tomballtx.gov> wrote:

Thank you!

doris

From: ernesto quintanilla [mailto:quintanilla@concept-eandy.com]
Sent: Friday, July 07, 2017 8:27 AM
To: Doris Speer
Subject: Re: golf range property

Doris

Good morning, we updated the address on the application and the phone number of the owner. Please see attached

Thank you

On Mon, Jul 3, 2017 at 2:45 PM, ernesto quintanilla <quintanilla@concept-eandy.com> wrote:

We want to be annexed into your city, and we need to work on the de-annexion from city of houston and harris county

On Mon, Jul 3, 2017 at 2:06 PM, Doris Speer <DSpeer@tomballtx.gov> wrote:

You want to annexed into the city or de-annexed from the city?

Doris

From: ernesto quintanilla [mailto:quintanilla@concept-eandy.com]

Sent: Monday, July 03, 2017 1:29 PM

To: Doris Speer

Subject: Re: golf range property

Good morning Doris

Here is the complete application with survey and legal description. also our proposed development. Please let me know how can we get the initial letter to start the deanexation process

Thank you

Thank you

On Mon, Jun 12, 2017 at 11:39 AM, Doris Speer <DSpeer@tomballtx.gov> wrote:

Good morning –

Attached is the annexation request application form.

Please contact me if you have any questions.

Thank you.

Doris Speer

City Secretary/RMO, TRMC, MMC

401 Market Street

Tomball, Texas

Pop: (2010: 10,753; 2015: 11,124)

(ofc) [281-290-1002](tel:281-290-1002)

(fax) [281-351-6256](tel:281-351-6256)

(email) dspeer@tomballtx.gov

(email) dspeer@ci.tomball.tx.us <mailto:dspeer@ci.tomball.tx.us>

"The truth is incontrovertible. Malice may attack it, ignorance may deride it, but in the end, there it is." – Winston Churchill

This message, as well as any files or documents attached to it, contains information which may be privileged, confidential and exempt from disclosure under applicable law. It is intended only for the use of the person or entity to which it is addressed. Unless you are the addressee (or authorized to receive for the addressee), you are hereby notified that the copying, distribution or other use of this message is strictly prohibited. You may not use, copy or disclose to anyone the message or any information contained in the message. If you have received this message in error, please advise the sender immediately by reply e-mail, telephone or fax and destroy all forms of this message

Nothing in this message is intended to constitute an Electronic signature for purposes of the Uniform Electronic Transactions Act (UETA) or the Electronic Signatures in Global and National Commerce Act ("E-Sign") unless a specific statement to the contrary is included in this message.

From: ernesto quintanilla [mailto:quintanilla@concept-eandy.com]

Sent: Monday, June 12, 2017 11:37 AM

To: Doris Speer

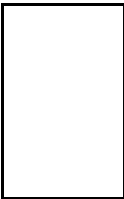
Subject: golf range property

hello Doris

thanks for your help

--

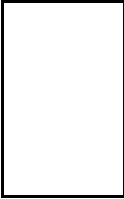
Ernesto Quintanilla
Managing Partner



27323 Onslow Run Dr.
Katy, TX 77494
[\(210\) 255 9850](tel:(210)2559850)

--

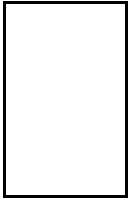
Ernesto Quintanilla
Managing Partner



27323 Onslow Run Dr.
Katy, TX 77494
[\(210\) 255 9850](tel:(210)2559850)

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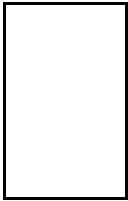
Ernesto Quintanilla
Managing Partner



27323 Onslow Run Dr.
Katy, TX 77494
[\(210\) 255 9850](tel:(210)2559850)

--

Ernesto Quintanilla
Managing Partner



27323 Onslow Run Dr.
Katy, TX 77494
[\(210\) 255 9850](tel:(210)2559850)

--

Ernesto Quintanilla
Managing Partner



810 S Mason Rd, Suite 225
Katy, TX 77450
e. quintanilla@concept-eandy.com
p. (210) 255 9850

Regular City Council

Agenda Item

Data Sheet

Meeting Date: September 5, 2017

Topic:

Approve Agreement for Professional and Administrative Services Involving the Management of the City of Tomball Public Improvement Districts (the "PIDs") between the City of Tomball and Hawes Hill & Associates, LLP

Background:

This item is to approve the agreement between the City of Tomball and Hawes Hill & Associates, LLP to provide professional and administrative services involving the City of Tomball Public Improvement Districts (the PIDs).

The City currently has four PIDs:

Pine Country
Raleigh Creek
Reserve at Spring Lake
Yaupon Trails

The City has worked with Scott Bean, and the firm of Hawes Hill & Associates (the firm) for the creation and administration of all four of the City's PIDs.

The firm will provide professional management, administrative and technical support services to the City; work with the City and the Harris County tax office to have annual PID payments included on the Harris County tax bill and for collection of the assessments. The PID assessment is a payment made by the property owner in addition to the property taxes paid each year.

Additionally, the firm will work with the City to engage a CPA firm to provide "agreed-upon" procedures which verify developer costs and payments, and eligible reimbursements provided for in the development agreements.

Other services provided by the firm are described in Exhibit "A" of the contract.

The firm will bill the City a separate administrative fee for each account annually. These fees are the source of payments to the firm for their services.

Origination:

Finance

Recommendation:

Approval of the PID Management Contract with Hawes Hill & Associates, LLP

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
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ATTACHMENTS:

Contract with Hawes Hill & Associates, LLP

PID "Primer"- The Basics of a PID

Tomball PIDs

**AGREEMENT BY AND BETWEEN
CITY OF TOMBALL, TEXAS
AND HAWES HILL & ASSOCIATES, LLP**

This agreement is made by and between City of Tomball (the "Client") and Hawes Hill & Associates, LLP (the "Contractor").

WITNESSETH:

WHEREAS, the Client desire that the Contractor provide them with certain professional and administrative services involving the management of the City of Tomball Public Improvement Districts (the "PIDs");

WHEREAS, the Contractor has the employees, office operations, and knowledge to ably provide the professional and administrative services required by the Clients;

NOW THEREFORE, for and in consideration of the premises and mutual covenants and agreements herein contained, it is agreed as follows:

I.

Engagement of Contractor

The Client hereby engages the Contractor, and the Contractor hereby agrees to provide, furnish, or perform certain professional and administrative services with respect to the PID including the services described on Exhibit A, annexed hereto. Such services herein collectively referred to as the "Services."

II.

Compensation and Reimbursement to Contractor

For and in consideration of the professional services to be performed by the Contractor specified in Exhibit "A," *Scope of Professional Consulting and Management Services*, of this Agreement, the Client agrees to pay the Contractor the revenue in each PID account attributable to the annual administrative fee portion of the annual assessment billings for each PID on or about May 1 of each year until such time as all assessments have been paid and collected.

III.

Administrative Policies and Procedures

The Contractor shall conduct the administrative activities of the Clients in accordance with the instructions and guidance of the Clients.

IV.

Accounts, Records, Accounting Reports and Audits

The Contractor shall maintain the books of records and accounts of the Clients in order to establish the amount due by the Clients to the Contractor in accordance with this Agreement. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. The Contractor shall provide free access to the Clients and allow

for inspection and audit of all work, data, documents, proceedings, and activities related to this Agreement. Such right of access and audit shall continue for a period three (3) years from the date of termination of this Agreement.

V.

Right of Ownership

All data, information, maps, books, reports, files, photography, artwork, software, equipment, and materials purchased, created or maintained by the Clients or purchased, created or maintained by the Contractor on behalf of the Clients shall remain the property of the Clients. It shall be clearly marked as property of the Clients in such manner that it may at any time be removed from the premises of the Contractor.

VI.

Laws to be Observed

In performing its obligations under this Agreement, the Contractor at all times shall observe and comply with all federal and state laws, local laws, ordinances, orders, and regulations of the federal, state, county, or city governments. The federal, state, and local laws, ordinances, and regulations which affect those engaged or employed in the work, or the equipment used in the work, or which in any way affects the conduct of the work, shall be at all times in effect, and no pleas of misunderstanding will be considered on account of ignorance thereof.

VII.

Successors and Assigns

This Agreement shall bind and benefit the respective parties and their legal successors, and shall not be assignable, in whole or in part, by any party hereto without first obtaining the written consent of the other party. Nothing herein shall be construed as creating any personal liability on the part of any officer or director of the City.

VIII.

Character of Workers and Work

Services provided for under this Agreement are being performed for the public benefit. The employees provided by the Contractor shall be competent and careful workers skilled in their respective trades. In performing its obligations under this Agreement, the Contractor shall not employ any person who engages in misconduct or is incompetent or negligent in the performance of his or her duties. The Clients retain the right to require the Contractor to remove from the performance of services provided for under this Agreement any employee who engages in (1) unethical or unprofessional conduct, (2) misconduct or other discourtesies toward the public, (3) conduct inconsistent with sound business practices or (4) other conduct inconsistent with the performance of work in an acceptable manner and at a satisfactory rate of progress to the Clients. Nothing herein is intended to, and the parties agree that this Agreement does not, create any third party beneficiary rights for any employee or other person. It is intended that any employee who engages in any services provided for under this Agreement is an employee-at-will of the Contractor.

IX.

Conflict of Interest

In keeping with Contractor's duties to the Clients, Contractor agrees that it shall not, directly or indirectly, become involved in any conflict of interest, or upon discovery thereof, allow such a conflict to continue. Moreover, Contractor agrees that it shall promptly disclose to the Clients any facts, which might involve any reasonable possibility of a conflict of interest.

X.

Term and Termination

Either party may terminate this Agreement at any time by giving the other party at least 60 days notice thereof. Contractor shall be compensated with the PID administrative revenue attributable to the current annual assessment billings after which the services and compensation shall cease.

XI.

Amendment or Modification

Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment, or modification only upon the written consent of the parties hereto.

XII.

Disclaimer of Political Support or Affiliation

The Clients expressly disclaim any political support or affiliation with the Contractor. Further, the Clients prohibit the Contractor, and the Contractor hereby agrees to comply with such prohibition, from expending any PID funds, directly or indirectly, including any funds to be reimbursed by the PID, on any political candidate, cause, party, organization or activity.

AGREED AND ACCEPTED THIS _____ DAY OF _____, 2017.

By: _____
Name: David W. Hawes, Managing Partner
Hawes Hill & Associates, LLP

By: _____
Name: _____, Mayor
City of Tomball

ATTEST:

By: _____

Name: _____

Title: _____

Exhibit “A”

Scope of Professional Consulting and Management Services

Hawes Hill & Associates, LLP will provide the following services:

Professional Consulting and General Administration

- Assign principal consultant Scott Bean as the City’s lead consultant responsible for managing and directing all professional team services provided to and on behalf of the City
- Provide professional management, administrative and technical support services to City
- Work with City and Harris County Tax Office to have annual PID payments included on the Harris County tax bill and for the collection of assessments
- Serve as the Clients’ liaison and advocate with the Harris County Tax Office, and other agencies and departments, and other interested parties
- Maintain a database of annual PID billings, payments, and pay-offs.
- Generate and provide consolidated PID statements to property owners, title companies, and other interested parties showing outstanding principal amounts of assessments and pay-off amounts
- Coordinate and provide professional services in conjunction with City concerning all matters related to PID operations, implementation of Service and Assessment Plans, and development agreements
- Assist developers to ensure that development agreement procedures are followed
- Coordinate with City to reimburse developers for eligible project-related costs defined in each developer reimbursement agreement. This includes, but is not limited to, providing the City with necessary PID information, verifying eligible project costs and providing information briefings to elected City officials
- Work with City to engage CPA firm to provide “agreed-upon procedures” report verifying developer costs and payments, and eligible reimbursement per development agreement
- Prepare Final Report showing all terms of the development agreement have been met

Exhibit "B"

**Schedule of Maximum Charges and Rates of
Hawes Hill & Associates, LLP**

Professional consulting and general administration

Per annum fixed fee: PID Administrative
Fees portion of annual PID fee collections

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.

Listing of City of Tomball PIDs (Public Improvement Districts)

1. PID # 1. Pine Country
2. PID # 2. Raleigh Creek
3. PID # 3. Reserve at Spring Creek
4. PID # 4. Not Assigned
5. PID # 5. Yaupon Trails