

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



MONDAY, FEBRUARY 2, 2015

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, February 2, 2015 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Invocation
- 3.0 Pledges to U.S. and Texas Flags
- 4.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 5.0 Reports and Announcements

- February 14, 2015 – **2nd Saturday at the Depot**
- February 24, 2015 – **Trailride Reception** – 12 Noon at the Depot
- March 14, 2015 – **2nd Saturday at the Depot**
- March 21, 2015 – **Tomball Honky Tonk Music Festival** and "Texas Two-Step" Washers Tournament
- April 7 and 8, 2015 – **Shattered Lives Event** – Concordia Lutheran High School
- April 11, 2015 – **6th Annual 5K Bunny Run and 1 Mile Kids Walk**
- April 11, 2015 – **2nd Saturday at the Depot**
- April 12, 2015 – **Lions Club Car Show** at the Depot
- April 19, 2015 – **"2015 Ride 2 Recovery Texas Challenge" Welcome and Reception** – 9:30 a.m.-11:00 a.m.
- **Walk Tomball!** – Every Saturday at 9:00 a.m. at the Depot
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Glenn Windsor – Quarterly Investment Report for Period Ending December 31, 2014. The Public Funds Investment Act (Title 10, Subtitle F, Chapter 2256 of the Government Code) requires the investment officer to prepare and submit not less than quarterly a written report of investment transactions for all funds covered by the Act. The required report for the quarter ended December 31, 2014 is attached for your review. At December 31, 2014, the City of Tomball had \$55,401,833 in securities, investment pools, checking, and cash on hand.

6.0 Approve the Minutes of the January 19, 2015 Regular City Council Meeting

7.0 Old Business:

7.1 Adopt, on Second Reading Ordinance No. 2015-02, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Amending Sections 50-69 ("Single-Family Estate Residential District") and 50-76 ("General Retail District"); Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.

8.0 New Business:

8.1 Update on Status of Recommendations made as part of the Community Development Department Development Review Processes Evaluation

8.2 Set the Date for a Public Hearing on March 2 to Approve the Proposed Public Improvement District (PID) Number Five, Yaupon Trails

8.3 Approve **REPLAT: GUSMERI HOME**: A replat of Lots 37 and 38 into New Lot 37 in Block 90 of Revised Map of Tomball, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the Map Records of Harris County, Texas. Said Block 90 lying in the Ralph Hubbard Survey (A-383).

8.4 Approve the Replacement of the Pump, Pump Motor, Piping, Foam Unit and Other Equipment on Booster 2 as Approved in the 2014/2015 Budget, in the Amount of \$55,681

8.5 Discussion regarding Restricting Parking on Certain Side Streets in the Old Town District Due to the Narrow Streets

9.0 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 28th day of January 2015 by 7:30 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: February 2, 2015

Topic:

- February 14, 2015 – **2nd Saturday at the Depot**
- February 24, 2015 – **Trailride Reception** – 12 Noon at the Depot
- March 14, 2015 – **2nd Saturday at the Depot**
- March 21, 2015 – **Tomball Honky Tonk Music Festival** and "Texas Two-Step" Washers Tournament
- April 7 and 8, 2015 – **Shattered Lives Event** – Concordia Lutheran High School
- April 11, 2015 – **6th Annual 5K Bunny Run and 1 Mile Kids Walk**
- April 11, 2015 – **2nd Saturday at the Depot**
- April 12, 2015 – **Lions Club Car Show** at the Depot
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- **Walk Tomball!** – Every Saturday at 9:00 a.m. at the Depot
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Glenn Windsor – Quarterly Investment Report for Period Ending December 31, 2014. The Public Funds Investment Act (Title 10, Subtitle F, Chapter 2256 of the Government Code) requires the investment officer to prepare and submit not less than quarterly a written report of investment transactions for all funds covered by the Act. The required report for the quarter ended December 31, 2014 is attached for your review. At December 31, 2014, the City of Tomball had \$55,401,833 in securities, investment pools, checking, and cash on hand.

Background:

Origination:

Various

Recommendation:

N/A

Funding:

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

City Secretary

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Quarterly Investment Report for Period Ending December 31, 2014

Trailride Reception

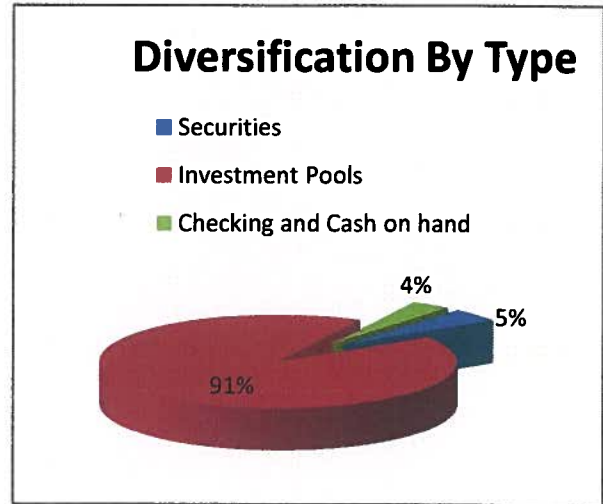
Tomball Honky Tonk Music Festival - "Texas Two-Step" Washers Tournament

CITY OF TOMBALL PORTFOLIO DIVERSIFICATION December 31, 2014

By Type

	Current Market Value	Percent Portfolio
Securities	\$ 2,639,903	4.77%
Investment Pools	50,755,494	91.61%
Checking and Cash on hand	2,006,436	3.62%
Total Portfolio	\$ 55,401,833	

Safety of principal is the first priority of any Public investing portfolio. The City of Tomball invests in Securities of Federal, State and Local Governments, in Texas CLASS and in the state pool, TexPool. These investments are in securities with a rating of A-1/P-1 or higher and pools with Standard & Poor's highest rating of AAAm. Our charter requires that we maintain reserves of no less than 90 days and no more than one year of the current budgeted expenditures. The City is in compliance with this provision.

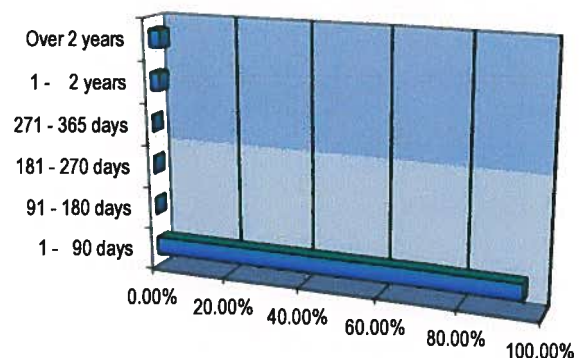


By Maturity

	Current Market Value	Percent Portfolio
1 - 90 days	\$ 52,761,930	95.23%
91 - 180 days	-	-
181 - 270 days	-	-
271 - 365 days	-	-
1 - 2 years	1,147,620	2.07%
Over 2 years	1,492,283	2.69%
Total Portfolio	\$ 55,401,833	

Ensuring adequate liquidity is available to cover all expenditures is the second priority of any public investing program. The City staff forecasts cash flow and ladders the maturity of investments to ensure funds are adequate when needed. A portion of funds are kept in overnight investments as a buffer for any unexpected expenditures. This overnight investment (TexPool) has been performing according to market in the yield category as well as providing liquidity.

Diversification by Maturity



**CITY OF TOMBALL
INVESTMENT PORTFOLIO SUMMARY
ACTIVITY FOR QUARTER ENDING
December 31, 2014**

ALL CITY FUNDS (POOLED)

INVESTMENTS	COST	MARKET	RATIO	YTM at COST	BENCHMARK YTM**
Beginning of period	3,650,000	3,637,523	0.9966	0.807%	0.13%
Purchases	-	-			
Maturities	1,000,000	1,000,000			
Change in value	-	(2,380)			
Sales					
End of period	2,650,000	2,639,903	0.9962	0.840%	0.25%

Total Accrued Interest at end of period: \$ 6,656

**Benchmark security is the One-year U. S. Treasury Bill
Weighted average maturity of the portfolio at quarter end is 852 days.

This report is in compliance with the investment strategies as approved
and the Public Funds Investment Act.



Treasurer

Asst. Treasurer

**CITY OF TOMBALL
INVESTMENTS IN SECURITIES
PORTFOLIO AS OF DECEMBER 31, 2014**

SECURITY DESCRIPTION	CUSIP NUMBER	RATING	MATURITY DATE	INTEREST YIELD	MARKET VALUE	DAYS AFTER 12/31/14	INDIVIDUAL MARKET VALUE/TOTAL	WAM DAYS x PERCENT
1) Freddie Mac- .750%	3134G5E84	AA+	11/21/2016	0.750%	748,418	691	28.350%	195.90
2) Freddie Mac- 0.650%	3134G56W0	AA+	12/23/2016	0.650%	399,202	723	15.122%	109.33
3) Federal Home Loan Bank- 1.12%	3130A2UB0	AA+	8/25/2017	1.120%	1,492,283	968	56.528%	547.19
TOTALS				0.840%	2,639,903	794	100.000%	852.42

**CITY OF TOMBALL
CASH AND CASH EQUIVALENTS
FOR QUARTER ENDING
December 31, 2014**

FUNDS		CASH AND CASH EQUIVALENTS					INVESTMENTS			TOTAL CASH, CASH EQUIVALENTS AND INVESTMENTS
MAJOR FUNDS	TEXAS CLASS	TEXPOOL	OPERATING ACCOUNT	CASH ON HAND	TOTAL CASH AND CASH EQUIVALENTS	INVESTMENT SECURITIES	TOTAL INVESTMENTS	INVESTMENTS		
General	\$ 2,524,367	\$ 9,140,032	\$ 271,256	\$ 2,199	\$ 11,937,854	\$ 399,202	\$ 399,202	\$ 12,337,056		
Debt Service	\$ 945,897	\$ 1,889,742	\$ 589,774	-	\$ 3,425,413	-	-	\$ 3,425,413		
Enterprise	\$ 2,690,048	\$ 4,976,341	\$ 220,063	\$ 600	\$ 7,887,052	\$ 2,240,701	\$ 2,240,701	\$ 10,127,753		
OTHER FUNDS										
Special Revenue	\$ 75,731	\$ 60,994	\$ 3,245	-	\$ 139,970	-	-	\$ 139,970		
Municipal Court Building Security	\$ 100,975	\$ 125,576	\$ 4,265	-	\$ 230,816	-	-	\$ 230,816		
Municipal Court Technology	\$ 60,585	\$ 209,803	\$ 4,514	-	\$ 274,902	-	-	\$ 274,902		
Hotel Occupancy Tax	\$ 100,975	\$ 285,563	\$ 77,871	-	\$ 464,409	-	-	\$ 464,409		
Red Light Camera Program	\$ -	\$ 100,003	\$ 122,013	-	\$ 222,016	-	-	\$ 222,016		
PD District Attorney Grant	\$ -	\$ -	\$ -	-	\$ -	-	-	\$ -		
Department of Justice Grant	\$ -	\$ -	\$ -	-	\$ -	-	-	\$ -		
SAFER Grant	\$ -	\$ -	\$ -	-	\$ -	-	-	\$ -		
Tomball "Fun Runs"	\$ -	\$ -	\$ 81,440	-	\$ 81,440	-	-	\$ 81,440		
General Capital Projects	\$ 50,487	\$ 13,983,770	\$ 10,893	-	\$ 10,893	-	-	\$ 10,893		
Business Park	\$ -	\$ 8,219,952	\$ 143,294	-	\$ 14,177,551	-	-	\$ 14,177,551		
Fleet Replacement	\$ 454,386	\$ 1,013,705	\$ 238,932	-	\$ 8,219,952	-	-	\$ 8,219,952		
Water Capital Recovery	\$ 100,975	\$ 1,242,268	\$ 16,485	-	\$ 1,707,023	-	-	\$ 1,707,023		
Sewer Capital Recovery	\$ 151,462	\$ 1,411,631	\$ 22,852	-	\$ 1,359,728	-	-	\$ 1,359,728		
Health Insurance Trust	\$ -	\$ 840,226	\$ 196,740	-	\$ 1,036,966	-	-	\$ 1,036,966		
TOTALS	\$ 7,255,888	\$ 43,499,606	\$ 2,003,637	\$ 2,799	\$ 52,761,930	\$ 2,639,903	\$ 2,639,903	\$ 55,401,833		

HOWDY PARTNER!

It's Rodeo time in Tomball and the trail riders are headin' our way again.

Meet the cowboys and cowgirls, enjoy the live music, rodeo clowns and more for some old style Western fun as the riders meander through town!



Trail ride reception on February 24th at the historic Tomball Depot
201 South Elm Street from high-noon 'til 2 p.m.

There'll be free grub, too, like hot dogs, cookies and drinks!
It only happens once a year, so don't miss it . . . Call 281-351-5484.

THE "TOMBALL TWO-STEP" WASHERS TOURNAMENT

SATURDAY, MARCH 21, 2015 AT THE DOWNTOWN DEPOT
A PART OF THE ANNUAL TOMBALL HONKY TONK MUSIC FESTIVAL



PRESENTED BY

CUSTOM
WASHER
BOARDS

- **\$500 IN TOTAL CASH PRIZES**
- SINGLE ELIMINATION
- THREE-HOLE WASHER BOARD
- CHECK-IN AND REGISTER AT NOON
- TOSSING BEGINS AT 1 PM

THE HISTORIC DOWNTOWN DEPOT PLAZA IS AT 201 SOUTH ELM STREET, TOMBALL, TEXAS 77375
CALL 281-351-5484 OR VISIT TOMBALLTX.GOV FOR DETAILS. "LIKE" US ON FACEBOOK AT "TOMBALL TEXAN FOR FUN"

Regular City Council Agenda Item Data Sheet

Meeting Date: February 2, 2015

Topic:

Approve the Minutes of the January 19, 2015 Regular City Council Meeting

Background:**Origination:**

City Secretary

Recommendation:

N/A

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

City Secretary

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Draft Minutes - January 19, 2015 Regular City Council Meeting

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



MONDAY, JANUARY 19, 2015

6:00 P.M.

1.0 Call to Order

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

Councilman Stoll
Councilman Townsend
Councilman Klein Quinn

Members absent:

Mayor Fagan - Excused
Councilman Degges - Excused

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
Assistant City Secretary – Betsy Gates
City Attorney – Loren Smith
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Public Works Director – David Esquivel
Marketing Director – Mike Baxter
Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner - Harold Ellis
Fire Marshal – Doug Sanguedolce
Community Events Coordinator – Denise Neef-Fiore
Chief-NWEMS – Brian Bayani

2.0 The invocation was led by Councilman Townsend.

3.0 The pledges to U. S. and Texas Flags were led by members of the Tomball High School Student Council.

4.0 No public comments were received.

5.0 Reports and Announcements:

- February 24, 2015 – **Trailride Reception** – 12 Noon at the Depot
- March 14, 2015 – **2nd Saturday at the Depot**
- March 21, 2015 – ***Tomball Honky Tonk Music Festival***
- April 7 and 8, 2015 – **Shattered Lives Event** – Concordia Lutheran High School
- April 11, 2015 – ***6th Annual 5K Bunny Run and 1 Mile Kids Walk***
- April 11, 2015 – **2nd Saturday at the Depot**
- April 19, 2015 – ***“2015 Ride 2 Recovery Texas Challenge” Welcome and Reception*** – 9:30 a.m.-11:00 a.m.
- ***Walk Tomball!*** – Every Saturday at **9:00 a.m.** at the Depot
- Reports by City staff and members of council about items of community interest on which no was taken

6.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the Minutes of the January 5, 2015 Regular City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to Adopt, on Second Reading, Ordinance No. 2015-01, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas by Amending Section 34-1, Definitions, of Article I, in General, of Chapter 34, Signs, to Add a Definition of Obsolete Sign; by Amending Section 34-6, Sign Maintenance and Removal, of Article I, in General, of Chapter 34, Signs, to Add a New Subsection (c) Requiring Signs with No Sign Face or Message for a Period of 120 Days to be Removed; Amending Section 34-7 (a), Miscellaneous Sign Provisions, of Article I, in General, of Chapter 34, Signs, to Restrict the Size of Banner Signs to 32 Square Feet; Amending Section 34-9, Off-premises Sign Provisions, of Article I, in General, of Chapter 34, Signs, to Add a New Sentence to Subsection (c) to Require Removal of Any Off-premises Sign for a Business or Entity Which No Longer Exists for more than 120 Consecutive Days; by Amending Section 34-11, Changeable Electronic Variable Message Signs, of Article I, in General, of Chapter 34, Signs to Exclude Changeable Electronic Variable Message Signs from the Old Town Area; by Amending Section 34-14, Prohibited Signage, of Article I, in General, of Chapter 34, Signs, to Prohibit Obsolete Signs; by Amending Section 34-45, Size Limitation, of Article II, Design and Structural Requirements, of Chapter 34, Signs to

Limit On-premises Signs Other than Integrated Business Development Signs as Defined in Subsection 34-8(c)(3); Repealing all Ordinances or Parts of Ordinances in Conflict Herewith; Providing a Penalty for Violation of any Part of this Ordinance in an Amount Not to Exceed \$2,000.00 per Violation with Each Day Constituting a Separate Violation; Providing for Severability; and Making Other Findings Related Hereto. Vote was as follows:

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

Motion carried unanimously.

8.0 New Business

- 8.1 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to Accept Resignation of Associate Municipal Court Judge, Laryssa Korduba-Hrncir and Approve the Appointment of and Contract with Cindy Bennett Smith and Michael R. Tiffin as Associate Municipal Court Judges, with terms expiring August 31, 2016, as required by Government Code, Section 29.005, and City Code of Ordinances, Section 28-3.

Motion carried unanimously.

- 8.2 Consideration to approve **ZONING CASE P14-255**: Request by the City of Tomball to amend Section 50-69(d) (Single-Family Estate Residential District – Area Regulations) of the Tomball Code of Ordinances with regards to minimum building setbacks, and Section 50-76(c) (General Retail District – Height Regulations) of the Tomball Code of Ordinances with regards to maximum building height

- Mayor Pro Tem Hudgens opened the Public Hearing on **ZONING CASE P14-255** at 6:22 p.m.

Receiving no public comments, Mayor Pro Tem Hudgens closed the Public Hearing at 6:22 p.m.

- Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to read Ordinance No. 2015-02 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. 2015-02, An Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Amending Sections 50-69 (“Single-Family Estate Residential District”) and 50-76 (“General Retail District”); 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 made by Councilman Townsend, second by Councilman Stoll, to AMEND Ordinance No. 2015-02 to remove the proposed setback of 15 feet in Section 50-69 and the proposed height of 70 feet in Section 50-76 and to insert the original proposed setback of 10 feet in Section 50-69 and the proposed height of 70 feet in Section 50-76. Vote was as follows:

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

Motion carried unanimously.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to review and approve the 2015 Compensation Amendment to the ESD 15 Fire Protection Interlocal Agreement for Fire Protection, Fire Suppression, and Rescue Services.

Motion carried unanimously.

- 8.4 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to Approve the Following Plats as Recommended by the Planning and Zoning Commission:

- **R & R ESTATE**: Being a subdivision of 1.394 acre, located in the Joseph House Survey, A-34, Harris County, Texas and being that same tract as described under H.C.C.F No. F401537.
- **REPLAT TENNIS VENTURE TRACT**: A replat of that certain 4.017 acre tract of land in the Ralph Hubbard Survey, Abstract No. 383, in Harris County, Texas, out of and a part of Lot 64 of FIVE ACRE TRACTS~TOMBALL TOWNSITE, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas.

Motion carried unanimously.

- 8.5 Council recessed at 6:31 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Private consultation with City Attorney in closed meeting regarding Cause No. 1028316; *City of Tomball, Texas v. Edgar C. Ray*, in the County Court at Law No. 3 of Harris County, Texas.

Upon reconvening in regular session at 6:38 p.m., the following action was taken.

- 8.6 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the settlement of Cause No. 1028316; *City of Tomball, Texas v. Edgar C. Ray*, in the County Court at Law No. 3 of Harris County, Texas.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the _____ day of _____ 2015.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Meeting Date: February 2, 2015

Data Sheet

Topic:

Adopt, on Second Reading Ordinance No. 2015-02, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Amending Sections 50-69 (“Single-Family Estate Residential District”) and 50-76 (“General Retail District”); 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 January 12, 2015, City staff brought two amendments to the Tomball Code of Ordinances to the Planning and Zoning Commission for their consideration and recommendation to City Council. The first was a recommendation to amend Section 50-69(d) (Single-Family Estate Residential District – Area Regulations) of the Tomball Code of Ordinances with regards to minimum building setbacks. The second recommendation was to amend Section 50-76(c) (General Retail District – Height Regulations) of the Tomball Code of Ordinances with regards to maximum building height. The first amendment is based upon recent Board of Adjustments case activity, and the second amendment was directed by Council in response to a recent Conditional Use Permit case pertaining to maximum height of a proposed hotel in Tomball.

On January 12, 2015, the Planning and Zoning Commission, after conducting a public hearing, unanimously recommended approval of Zoning Case P14-255. Specifically, the Commission recommended a reduction in the side yard setback for the SF-20-E zoning district to 15' and an increase in the maximum building height in the General Retail district to 70'.

On January 19, 2015, Council adopted Ordinance No. 2015-02 on First Reading, after amending the Ordinance to include City staff's original recommendations of:

1. Section 50-69(d)(2)(b): Minimum side yard: 10 feet. The minimum side yard of a corner lot adjacent to a street shall not be less than 15 feet, except where a lot sides on a designated arterial street, such side yard shall not be less than 25 feet.
2. Section 50-76(c): Height regulations. The maximum height in the GR district shall be:
 - a. Not to exceed 70 feet, for the main buildings.
 - b. One story for accessory buildings.

Ordinance No. 2015-02, as amended by Council, is presented for Council consideration and adoption upon second reading.

Origination:

City of Tomball

Recommendation:

Adopt Ordinance No. 2015-02 on Second Reading

Funding:

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

City Secretary

ACTION TAKEN		
APPROVAL ☐ YES ☐ NO	READINGS PASSED ☐ 1 ST ☐ 2 ND	OTHER

ATTACHMENTS:

Ordinance No. 2015-02 - Amended

P14-255 Staff Report

Notice of Public Hearing

ORDINANCE NO. 2015-02

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY AMENDING SECTIONS 50-69 (“SINGLE-FAMILY ESTATE RESIDENTIAL DISTRICT”) AND 50-76 (“GENERAL RETAIL DISTRICT”); PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

WHEREAS, the City of Tomball has requested that Sections 50-69 and 50-76 of the Tomball Code of Ordinances be amended;

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Tomball, Texas, have published notice and conducted public hearings regarding the request to amend Sections 50-69 and 50-76 of the Tomball Code of Ordinances;

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

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve amendments to Sections 50-69 and 50-76 of the Tomball Code of Ordinances; and

Whereas, the City Council deems it appropriate to grant the amendments to Sections 50-69 and 50-76 of the Tomball Code of Ordinances.

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

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

Section 2. Sections 50-69 and 50-76 of the Tomball Code of Ordinances are hereby amended as follows:

Section 50-69(d)(2)(b): Minimum side yard: 10 feet. The minimum side yard of a corner lot adjacent to a street shall not be less than 15 feet, except where a lot sides on a designated arterial street, such side yard shall not be less than 25 feet.

Section 50-76(c): Height regulations. The maximum height in the GR district shall be:

- a. Not to exceed 70 feet, for the main buildings.
- b. One story for accessory buildings.

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

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

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

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19TH DAY OF JANUARY 2015.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>ABSENT</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 2ND DAY OF FEBRUARY 2015.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



Text Amendment Staff Report

Planning & Zoning Commission Hearing Date: January 12, 2015

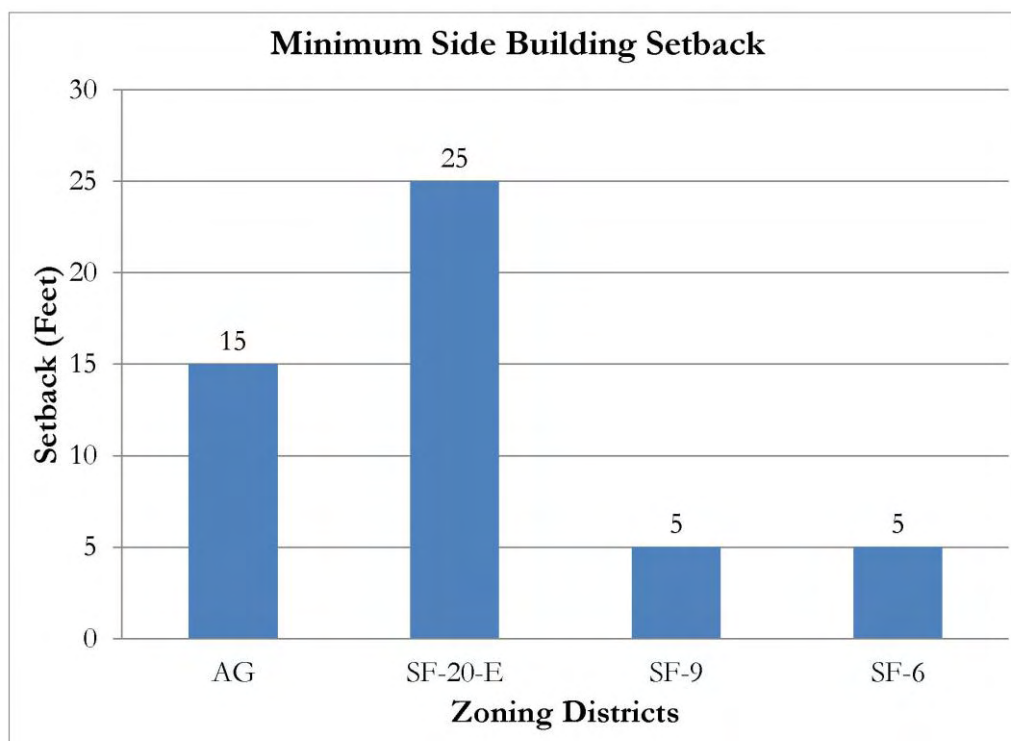
City Council Public Hearing Date: January 19, 2015

ZONING CASE P14-255: Request by the City of Tomball to amend Section 50-69(d) (Single-Family Estate Residential District – Area Regulations) of the Tomball Code of Ordinances with regards to minimum building setbacks, and Section 50-76(c) (General Retail District – Height Regulations) of the Tomball Code of Ordinances with regards to maximum building height.

ANALYSIS

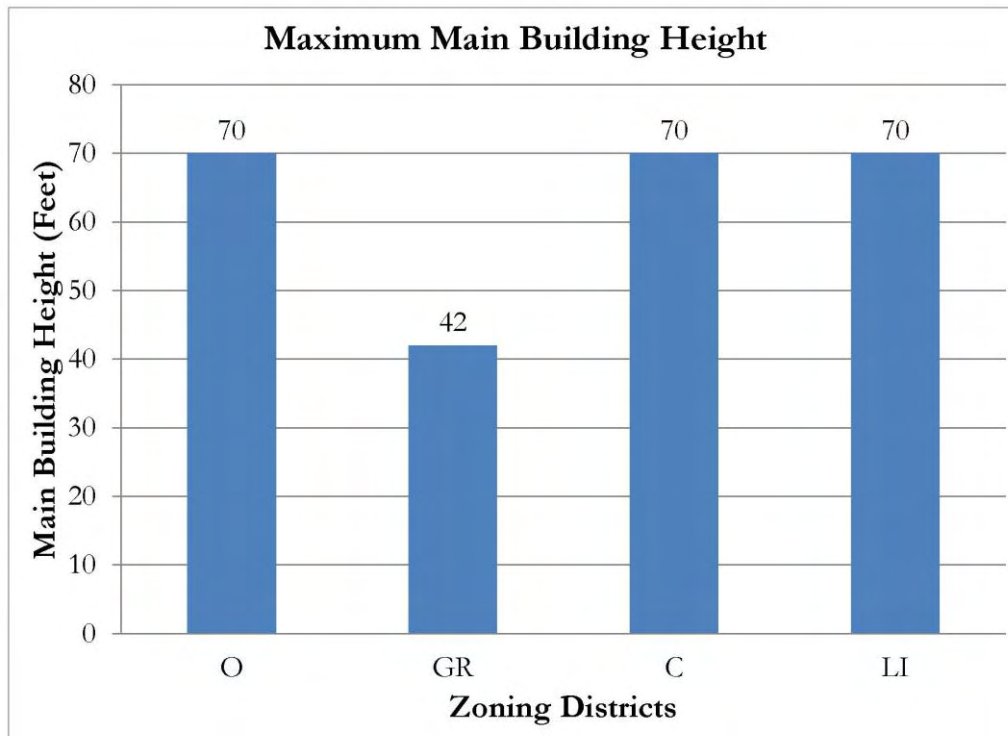
Single-Family Estate Residential-20 (SF-20-E) District Minimum Side Building Setback

Section 50-69(d) establishes a minimum 25-foot side building setback on a minimum 20,000 square foot lot in the SF-20-E District. The 25-foot setback constitutes 50% of the overall minimum lot width. Section 50-68(d) establishes a minimum 15-foot side building setback on a minimum 43,560 square foot lot in the Agricultural District. The 15-foot setback constitutes 30% of the overall minimum lot width. Typically, zoning ordinances establish larger minimum building setbacks in feet and percent of lot width as the minimum lot size increases. Currently, the SF-20-E District has a larger side building setback in feet and percent of lot width than the Agricultural District despite its smaller minimum lot size. City staff is proposing to reduce the minimum side building setback in the SF-20-E District from 25- to 10-feet to facilitate the typical reduction in building setback distance and percent of lot width expected with reductions in minimum lot sizes.



General Retail District Maximum Building Height

Section 50-76(c) establishes a maximum 42-foot main building height in the General Retail District. Sections 50-75, 50-77, and 50-78 establish a maximum 70-foot main building height in the Office, Commercial, and Light Industrial Districts, respectively. Typically, zoning ordinances establish larger maximum main building heights as the zoning districts allow more and more intense uses. Currently, the Office District, which is a less intense district than the General Retail District allows a larger maximum main building height than the General Retail District. City staff is proposing to increase the maximum main building height in the General Retail District from 42-feet to 70-feet to facilitate the typical increase in maximum main building height expected with increasingly intense zoning districts.



Additionally, Section 50-76(c)(c) allows building heights to exceed the 42-foot and one story for main and accessory buildings, respectively, in the General Retail District with a conditional use permit from City Council. However, Section 50-33(f) grants the Board of Adjustments, not City Council, authority to grant variances from maximum main building heights. City staff is proposing to remove Section 50-76(c)(c) to ensure the authorities granted to the Board of Adjustments in Section 50-33 are consistent throughout Chapter 50 (Zoning) of the Code of Ordinances.

PROPOSED AMENDMENTS

Section 50-69(d)(2)(b): Minimum side yard: ~~25 feet~~ 10 feet. The minimum side yard of a corner lot adjacent to a street shall not be less than 15 feet, except where a lot sides on a designated arterial street, such side yard shall not be less than 25 feet.

Section 50-76(c): Height regulations. The maximum height in the GR district shall be:

- a. Not to exceed ~~42~~ 70 feet, for the main buildings.
- b. One story for accessory buildings.
- ~~c. Additional height may be approved by CUP.~~

PUBLIC COMMENT

A public hearing notice was published in the Tomball Tribune on December 22, 2014. No public comments have been received as of January 2, 2015.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P14-255.

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JANUARY 12, 2015
&
CITY COUNCIL
JANUARY 19, 2015**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, January 12, 2015, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, January 19, 2015, at 6:00 P.M.** at Regular Meetings, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such dates, the P&Z and City Council will consider the following:

ZONING CASE P14-255: Request by the City of Tomball to amend Section 50-69(d) (Single-Family Estate Residential District – Area Regulations) of the Tomball Code of Ordinances with regards to minimum building setbacks, and Section 50-76(c) (General Retail District – Height Regulations) of the Tomball Code of Ordinances with regards to maximum building height.

Persons interested in this case will be given an opportunity to be heard. Action by the P&Z serves as a recommendation to the City Council and is not a final action on the request. Should the P&Z vote to table a decision/recommendation on this 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 decision/recommendation is forwarded to the City Council by the P&Z. The applications are available for public review Monday through Friday, holidays excepted, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Rodney Schmidt, at (281) 290-1410, rschmidt@tomballtx.gov.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 8th day of January 2015 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Vasquez
Amelia Vasquez
Secretary of the Board

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

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 2, 2015

Topic:

Update on Status of Recommendations made as part of the Community Development Department Development Review Processes Evaluation

Background:

On October 13, 2014, Allan Mueller, Marsh Darcy Partners, Inc., presented the findings and recommendations memorialized in his report - completed as part of a Community Development Department (CDD), Development Review Processes Evaluation authorized by City Council. In his report, Mr. Mueller, made 83 recommendations for City Management and CDD staff to consider implementing.

This report is being presented to City Council as a means of providing an update as to the status of the aforementioned recommendations.

Origination:

City Management

Recommendation:

None

Funding: No

Funds will be transferred from Account: to Account:

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

Craig Meyers and Robert Hauck

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

CDD Review Update

Community Development Department Review Recommendations (as of 01/21/2015)						
Cntrl #	Category	Recommendation	Priority	Date	Comments	Attachment(s)
<i>Organizational Culture</i>						
1	1	Create a departmental vision statement	3	3/1/2015	Staff is currently working on this	
2	2	Hold departmental staff meetings	1	Completed	CDD has met periodically but first regularly scheduled monthly meeting was held on 01/28/2015	
3	3	Reinforce the use of "Community Development Department"	1	Completed	On-going - this is becoming the norm	
<i>City Council/Management</i>						
4	1	Convene a workshop to discuss the MDP report	1	Completed	Presentation made to council on 10/13/2014, by Alan Mueller	
5	2	Host joint City Council - P&Z Commission workshops	2	Completed	City Council update at regular meeting on 2/2/2015	
6	3	City Council should interview P&Z candidates before appointment	n/a	n/a	Consultant recommendation to Council. This is not something that staff can implement.	
7	4	Prepare a policy requiring building/fire codes be adopted within one year of publication of new versions	3	2016-2017	Staff recommends adoption within two years of new codes. Allows for one year assessment of new code impact prior to implementation	
8	5	Conduct annual review of zoning ordinance & subdivision code to address issues	3	Completed	On-going amendments are being brought forward (ex. Texas Star Gymnastics Text Amendment/CUP/ GR - Height, SF-20-E setbacks & sign code)	
<i>Customer Relations</i>						
9	1	Conduct a Customer Survey	2	Completed	Question Pro Survey completed with P&Z; this type of survey will continue with other stake holder groups.	X
10	2	Host forums for development/building community	2	3/31/2015	To be planned 1st quarter of 2015; introduce staff, MDP Report Update, Q&A; also invite EDC and Chamber	
11	3	Host professional development opportunities for staff with speakers from the local business community	n/a	n/a	Combined with Forum	
<i>Communication</i>						

Cntrl #	Category	Recommendation	Priority	Date	Comments	Attachment(s)
12	1	Develop a checklist of topics covered in pre-development and DRC meetings	1	Completed	DRC Checklist completed	X
13	2	Conduct Pre-Construction meetings for large projects or homebuilders/contractors	1	Completed	Available upon request for significant projects/new contractors and developers - (e.g. Princeton Homes for Raleigh Creek & Reserves of Spring Creek)	
14	3	Add FAQs page on the website	2	3/1/2015	Underway	
15	4	Publicize and distribute Development Guide	1	Completed	Placed on the CDD Home Page and printed for front lobby, also on Twitter and Facebook	X
16	5	Establish a 24 hour return policy on phone calls and emails	1	Completed	Reiterated this policy to all staff and will ensure we continue to do so	
17	6	Make notification of technical criteria, interpretations or process changes via website and other means 30 days in advance of the effective date	3	Completed	Began with change to Building Inspections, others as needed	X
<i>Planning Division</i>						
18	1	Establish a Site Plan review goal (limit on cycles)	2	3/1/2015	Planning developing check-lists to help limit review times. Lists will be made public as well	
19	2	Establish a policy that no new comments can be added after first review	1	Completed	On-going. Addressing comments can create new ones, health/safety issues need to be addressed if initially missed	
20	3	Reinforce the intent that site plans are to be evaluated for compliance with regulations "to the best extent possible"	3	Completed	Reiterated to all staff and will ensure we continue to do so. Additionally, we will maintain Zoning appeal process to BOA (e.g. Breaux fence/trees)	
21	4	Conduct training for new P&Z Commissioners	3	Completed	Training offered Fall & Winter 2013; One new member since training was conducted. Currently evaluating new training opportunities for all	
22	5	Deliver staff reports no later than the Thursday prior to the meeting	1	Completed	On-going	
23	6	Conduct a review of recent BOA cases to identify possible code changes	2	Completed	On-going; In 2014: Identified 8 set-back variance cases, 3 parking special exceptions (Examples: Single-Family 20 setbacks change, GR District heights) - Proposing text amendments for SF 20 setback change & GR District heights (Ex: Marriott)	
24	7	Include a possible compromise solution in staff reports to BOA when recommending denial	1	Completed	Conditions included and options presented	

Cntrl #	Category	Recommendation	Priority	Date	Comments	Attachment(s)
25	8	Define the difference between "pre-development" and "DRC" meeting and applicant requirements of each	1	Completed	Pre-development meeting are informal & generally single focused minor projects (e.g. building & site plans) DRC meetings are formal and involve all CDD staff, usually for a significant development (e.g. Will Benson, Yaupon Development)	
<i>Engineering</i>						
26	1	Deliver plat review staff reports no later than the Thursday before the P&Z meeting	n/a	n/a	Recommend no change; would need to change submittal deadline which would be problematic for applicants	
27	2	Create an Assistant City Engineer position	2	2016 Budget	Will assess during FY 2015-2016 Budget Process	
28	3	Begin tracking data on the number of infrastructure inspections performed	3	3/1/2015	To be implemented with the hiring of new Construction Manager; Currently receiving applications	X
29	4	Improve functionality of GIS and allow more on-line access to GIS data for outside engineers	3	2016 Budget	Joint exploration effort between IT & CDD - Possible action FY 2015-2016	
<i>Building</i>						
30	1	Create plan review checklists	2	3/1/2015	Internal use to ensure consistency	
31	2	Establish back-up for Building Official (on-call contract or plan reviewer position)	1	Completed	Contract in place - GMS Home Inspection Service	
32	3	Create inspection checklists	2	3/1/2015	Internal use to ensure consistency	
33	4	Consider a "yellow tag" inspection result option (Correct and Proceed)	1	Completed	On-going; Green tag with corrective notes	
34	5	Assign inspectors to geographic regions	n/a	n/a	Not necessary at this time	
35	6	Establish a policy that when one inspector has to follow up for another, he is only to inspect the red tagged item	1	Completed	Building Official conducts Quality Service Audits (QSA)	
36	7	Pair up inspectors/Building Official to perform inspections together	1	Completed	On-going	
37	8	Establish a clear protocol that the Building Official has authority to issue the certificate of occupancy & establish mechanisms for resolving conflicts between divisions	1	Completed	On-going; documented in Guardian Tracking	

Cntrl #	Category	Recommendation	Priority	Date	Comments	Attachment(s)
38	9	Provide back-up to the Permits Technician	1	Completed	Back-up person is currently in training, and all front office staff moved to a 5-day work week as of January 2015	
39	10	Require electronic submittals of approved plans and "as-builts"	1	Completed	On-going	
40	11	In FAQs, include examples of types of projects that require permits and those that do not	2	3/1/2015	In development	
	<i>Fire Marshal</i>					
41	1	Create plan review checklists	2	Completed	Internal only to ensure consistency	X
42	2	Assist Council in re-evaluating the current fire sprinkler requirements	3	4/1/2015	In development	
	<i>Software</i>					
43	1	Retain a consultant to assist in the software vendor selection process	n/a	n/a	Evaluation being done internally; \$30,000 budgeted for FY 2013-2014 - Narrowed to two vendors, conducting site visits to other cities	
44	2	Allow for automated inspection requests	1	Completed	Displayed on adques in the lobby, on website, Twitter and Facebook	X
45	3	Allow inspectors to input results from the field	2	9/30/2015	Currently evaluating with software	
46	4	Allow customers to see plan review status	1	9/30/2015	Currently evaluating with software	
47	5	Land management system to track actions and past approvals related to each parcel	2	9/30/2015	Currently evaluating with software	
48	6	Incorporate data field to track plat applications and locate recorded plats	1	9/30/2015	Currently evaluating with software	
49	7	Send automatic notifications to staff to begin review	1	9/30/2015	Currently evaluating with software	
50	8	Send automatic notifications of stop work orders	1	9/30/2015	Currently evaluating with software	
51	9	Communicate the approval status of applications	1	9/30/2015	Currently evaluating with software	
52	10	Fully integrated	2	9/30/2015	Currently evaluating with software	

Cntrl #	Category	Recommendation	Priority	Date	Comments	Attachment(s)
53	11	Link to Firehouse	2	9/30/2015	Currently evaluating with software	
54	12	Able to attach electronic files	1	9/30/2015	Currently evaluating with software	
55	13	Capable of accepting electronic plan submittals	1	9/30/2015	Currently evaluating with software	
	<i>Zoning Ordinance</i>					
56	1	Codification of ordinances revising the zoning code	1	Completed	This was completed in late 2014	
57	2	Annual update of the future land use plan coinciding with the annual comprehensive plan review	3	2016 Budget	On-going; comprehensive plan update- consider budgeting in FY 2015-2016	
58	3	Add a "staff-approved deviations" section for greater flexibility for unique situations where the full intent of the code cannot be achieved	n/a	n/a	Staff will track case issues and evaluate solutions with City Management	
59	4	Allow for simultaneous site plan review and building plan review	1	Completed	Not ideal but will do on case-by-case basis when applicant justified urgency exists (Ex: Planet Fitness)	
60	5	Delete Parking provisions for an increase in parking greater than 50%	3	6/1/2015	Staff will research possible compromise	
	<i>Subdivision Code</i>					
61	1	Allow for exemptions from platting for: permits for repair or remodeling of an existing structure or site improvements involving no increase in square footage of any enclosed structure and permits for demolition or removal of a structure from a parcel or tract	3	6/1/2015	Requires a change in City Ordinance - Discuss with Loren	
62	3	Discontinue the submittal of plats to City Council for approval	2	6/1/2015	Concur with P&Z final approval with the ability to appeal to Council; Verify with Loren	
63	4	Allow acceptance of dedicated improvements to be approved by the City Engineer (discontinue Council approval)	1	Completed	On-going	
64	5	Codify Old Town Lot Joinders into the Subdivision Code and remove certain restrictions	1	Completed	On-going	
	<i>Development Guide</i>					

Cntrl #	Category	Recommendation	Priority	Date	Comments	Attachment(s)
65	1	Place link to document on CDD main page	1	Completed	Staff to maintain	
66	2	Distribute copies to customers	1	Completed	Copies to be place in front lobby; Email signature to have link to page and Twitter	X
67	3	Add/Create visual process flow charts: (1) overall development process (2) include all the approvals needed for CO including third party certifications (3) minor plat and joinder process	1	Completed	Staff to maintain	X
68	4	Make DRC Meeting Request Form more prominent on the website	1	Completed	Complete 11/26/14 - Placed on CDD Home Page	X
69	5	Add exceptions to platting	1	Completed	Added to Development Guide	X
70	6	Fix typo in Section 4.2: "three items" to "five items"	1	Completed	Complete 11/26/14	
71	7	Keep the most recent version on the website	1	Completed	Staff to maintain	
72	8	Fix link to "Agreement with Developer for Construction of Public Improvements" on Page 10	1	Completed	Complete 11/26/14	
73	9	The Building Division is referred to as the "Permits and Inspections Division"	1	Completed	Complete 11/26/14	
<i>Applications</i>						
74	1	Add "conditional" statement to all forms	1	3/1/2015	Currently on Single Family Site Plan Application. All other forms being revised.	
75	2	Add submittal checklists to all applications	3	6/1/2015	Staff to complete	
76	3	Re-label all forms to reflect "Community Development Department/_____ Division"	2	3/1/2015	Staff to complete	
77	4	Add a full preamble to all forms to include: "Application Submittal", "Application Processing", "Time", "Appeals"	2	3/1/2015	To be reviewed with Division Heads	
78	5	Update fee schedules	1	Completed	Incorporated into Master Fee Schedule	
79	6	Eliminate the \$25 fee for Zoning Verification Application	n/a	n/a	Disagree; takes staff time and already in Master Fee Schedule	
80	7	Update all forms to a "fillable forms" format	2	6/1/2015	Staff to complete	

Cntrl #	Category	Recommendation	Priority	Date	Comments	Attachment(s)
81	8	Single Family Site Plan and Site Plan Applications contain requirements to submit exterior building materials and colors but there is no code basis for this requirement	2	3/1/2015	Only in OTMU District - To be added to applications	
82	9	Add Revision Date to Building Division forms	2	3/1/2015	Staff to complete	
<i>Website</i>						
83	1	Display the following links on the CDD main page: "Schedule a Pre-Development Meeting", Development Guide, Plan Review checklists, Inspection checklists, FAQs, Approved tree and landscape list	2	3/1/2015	Staff to complete	
		<u>83 Total Consultant Recommendations</u>	<u>Color Code</u>	<u>Status</u>		
		41 = Priority 1		Not Completed		
		22 = Priority 2		Completed		
		14 = Priority 3		Modified		
		7 = Not Applicable		Not Applicable		
		<u>76 Total Viable Recommendations</u>				
		40 Completed Recommendations (53% overall completion)				
		32 = Priority 1 (78% completed)				
		3 = Priority 2 (14% completed)				
		4 = Priority 3 (29% completed)				
		Note: Software implementation accounts for 11 recommendations (14%). Implementaiton of software will raise overall completion rate to 67 percent.				

#9

1/9/2015

Survey : Annual Planning and Zoning Commission Survey 2014

Language: English | Feedback | Support | My Account | Logout



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Integrations

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Annual Planning and Zoning Commission Survey 2014 ▾ Preview

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Global Edit Options

Display

Display Options

Language / Multilingual

Add Images & Multimedia

Settings

Security

Notifications

Finish Options

Rewards

Live Customer Support

Start Chat

800-531-0228

Live Survey Link <http://questionpro.com/t/AlIYzZRwU1>[Customize](#)

SURVEYS COMPLETED 2

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Customize Theme

More ▾

View All Questions ▾

★ INTRO

Preview

Edit

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Logic

More >>

Make Required (*)

Separator

Page Break

Commissioners -

As I explained at the November 10, P&Z meeting, I would like to solicit your feedback with regards to staff reports and presentations of cases to gauge what, if any, improvements can be made. Additionally, I'd like to solicit feedback in regards to the type and frequency of training the Commission would like to receive. There is also space at the end for general feedback which may not be covered in the questions provided.

I look forward to receiving your feedback. If at any time I can be of any assistance, please don't hesitate to let me know.

Thanks in advance for your time and feedback.

Harold Ellis
City Planner

Separator

Page Break

Q16

Staff Reports

Separator

Q2

How satisfied are you with the method in which you are currently receiving your staff reports?

Very Unsatisfied Unsatisfied Neutral Satisfied Very Satisfied

☐ ☐ ☐ ☐ ☐

Separator

Q3

How satisfied are you with the content provided in staff reports provided to the commission?



Separator

Q4

How satisfied are you with the format of the reports that are provided to the commission?



Separator

Q5

Please let us know what you like and do not like with regards to the staff reports and provide any additional information you would like with regards to the staff reports.

Separator

Q18

Presentations

Separator

Q6

How satisfied are you with the content provided in staff presentations of cases presented to the commission?



Separator

Q7

How satisfied are you with the format of the staff presentations of the cases that are presented to the commission?

Very Unsatisfied Unsatisfied Neutral Satisfied Very Satisfied

☐ ☐ ☐ ☐ ☐

Separator

Q8

Please let us know what you like and do not like with regards to the staff presentations and provide any additional information you would like with regards to the staff presentations.

Separator

Q19

Training

Separator

Q9

How frequently would you like to receive training on planning related topics in the form of workshops held before or after Commission meetings?

- ☐ Monthly >
- ☐ Quarterly >
- ☐ Annually >

Separator

Q10

Would you be interested in attending local forums, brown-bag lunches (at HGAC in Houston), etc. which relate to planning topics?

- ☐ Yes [➤](#)
- ☐ No [➤](#)

Separator

Q11

Would you be interested in attending state and national annual planning conferences (if City funding permits)? This would potentially involve overnight travel.

- ☐ Yes [➤](#)
- ☐ No [➤](#)

Separator

Q12

Would you be interested in meeting with Planning Staff to discuss training opportunities, the role of the Commission, the timeline and process of zoning cases, or other planning related topics?

- ☐ Yes » [Q17](#) [➤](#)
- ☐ No [➤](#)

Separator

Automatic Logic Break

Q17

What would you like to discuss with staff?

Separator

Q13

Please provide any additional information you would like with regards to training.

Separator

Q20

Suggestions

Separator

Q14

What suggestions would you like to make to the Planning Division with regards to the meetings and general planning process in Tomball?

Separator

Q21

Comments

Separator

Q15

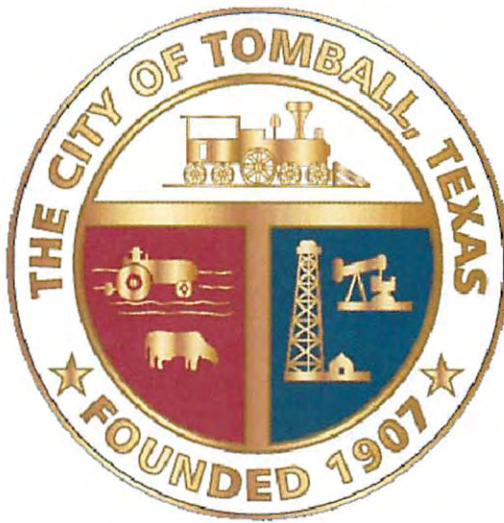
Comments/Suggestions:

Add Question

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Edit Footer

Thank You Page



PRE-DEVELOPMENT MEETING

DEVELOPMENT REGULATIONS OVERVIEW – PLANNING DIVISION

The development information in this document is provided to the applicant for informational purposes only. All development regulations may not be included in this packet and it is the responsibility of the property owner/developer to research and comply with all City of Tomball development regulations.

INTRODUCTION

The purpose of a Pre-Development meeting is to provide property owners, their representatives, or developers the opportunity to meet with all City departments/divisions involved in the development process at the one time.

The meeting is attended by representatives of the following City departments/divisions:

- Planning
- Engineering
- Fire Marshal
- Building Official/Permits
- Assistant City Manager/City Manager

Predevelopment meetings are scheduled to introduce the developers to the City of Tomball's development regulations and the City representatives responsible for all aspects of development. These meetings provide an opportunity for a property owner, their representatives, or developer to discuss a proposal with City representatives and receive feedback on applicable development requirements.

Predevelopment meetings are not required but are strongly encouraged for each new development as this is the only venue where representatives from all the City departments/divisions are present at one time to relay development regulations and answer questions.

Pre-Development meetings are scheduled on an as-needed basis and typically are one hour long. During the meeting, a checklist is completed by Staff that explains the various city regulations and ordinances applicable to a particular project. In addition to the completed checklist provided at the meeting, all relevant forms and applications are provided at the end of the meeting.

For additional information please contact the Amelia Vasquez, Community Development Office Coordinator, at 281.290.1405, or avasquez@tomballtx.gov.

TABLE OF CONTENTS

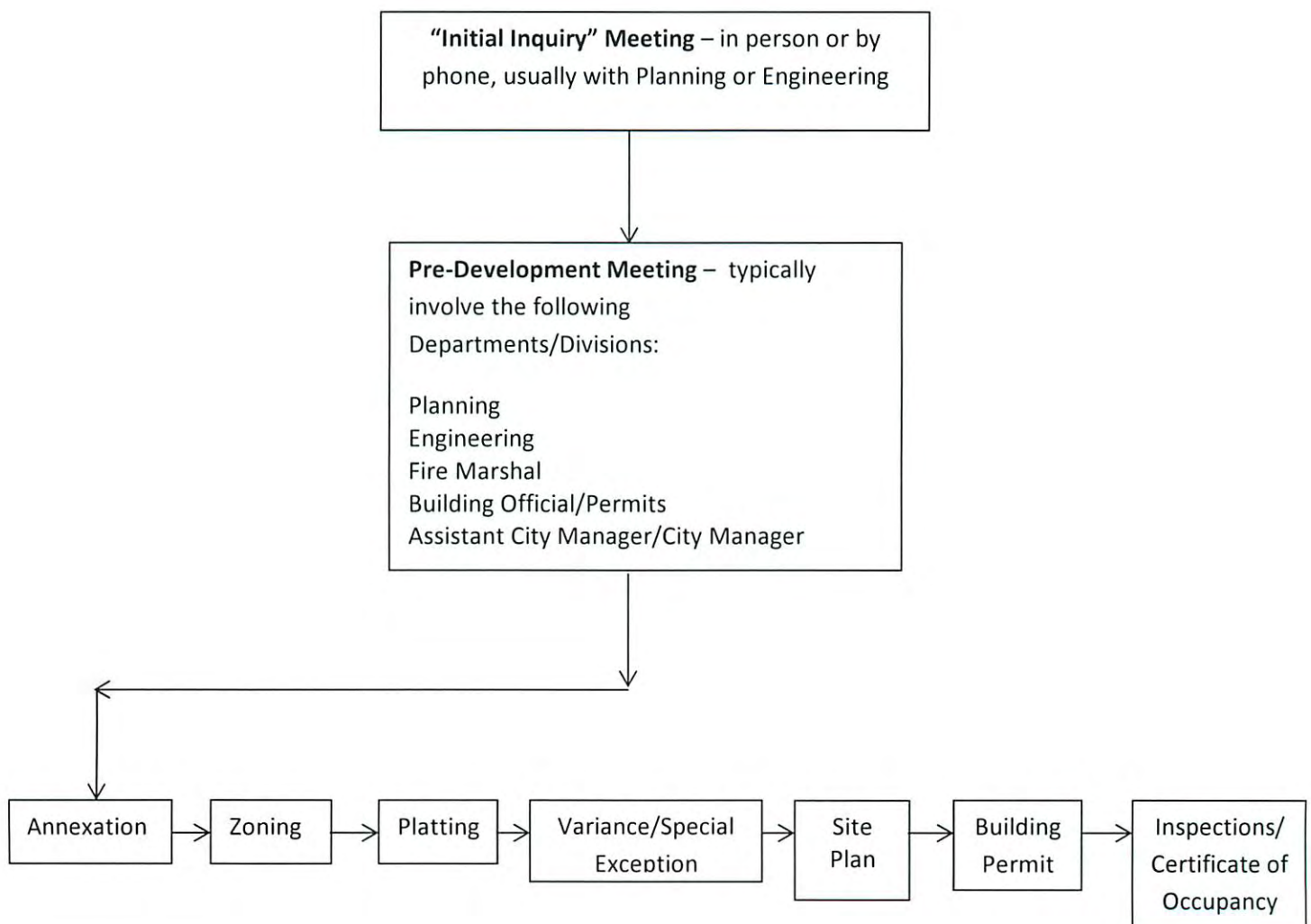
I.	DEVELOPMENT PROCESS	1
II.	IMPORTANT DOCUMENTS, CODES AND ORDINANCES	2
III.	PLANNING	
	Site Research Checklist	4
	Planning and Zoning Checklist	5
IV.	USE & ZONING CLARIFICATION/VESTING DISCLAIMER	8
V.	SUPPLEMENTAL INFORMATION	10

DEVELOPMENT PROCESS

The flowchart below provides an overview of the development process in the City of Tomball. Details and process specific flowcharts are provided in subsequent sections of this packet.

An “initial inquiry” meeting is usually the first step in the development process. This is usually the first time a property owner, their representative, or developer contacts the City regarding a new project. This “initial inquiry” meeting may either be in the form of an unscheduled walk-in meeting with Staff or a phone call to Staff. At this time, the inquiring person will be advised as to whether a pre-development meeting is recommended for the proposed project.

All of the processes below may not be required. If one is already completed or not necessary, move to the next step.



IMPORTANT CODES AND DOCUMENTS

Codes

- City of Tomball Code of Ordinances, Section 50 – Planning Division only
- 2012 International Fire Code
- 2012 Life Safety Code, through the City of Tomball Fire Department only
- 2012 International Building Code, Commercial
- 2012 International Residential Code, Residential
- 2012 International Energy Conservation Code
- 2012 International Mechanical Code
- 2011 National Electrical Code
- 2012 International Plumbing Code

Other Documents

- Development Handbook
- Engineering Design Criteria Manual (EDCM)
- Official Fee Schedule

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PLANNING

Date and time of Pre-Development Meeting: _____

Staff Contact: _____ Phone: _____

Site Location and Development: _____

Applicant Contact: _____

In the City of Tomball, the Planning Division of the Community Development Department is responsible for facilitating the development process. This is done by administrating the land use regulations contained in Chapter 50 of the Code of Ordinances, in accordance with the Comprehensive Plan, to ensure public health, safety, and welfare in the City of Tomball's corporate limits, and as applicable, in the ETJ.

In addition to meeting with developers, property owners, and other interested parties with regards to new and redevelopment, the Planning division is responsible for developing and maintaining short and long range plans for the growth of the City, in order to create and maintain a desirable place to live and an enhanced quality of life for our residents.

SITE RESEARCH CHECKLIST

Site Conditions: _____ Vacant _____ Existing Structures
(attach photo)

Site Zoning: _____ Proposed Use: _____

Land Use Classification: _____

Site Case History: _____ CUP _____ Variance _____ Special Exception
_____ Zone Change _____ Misc. _____ None

Case: _____ Details: _____

Site Comments: _____

PLANNING AND ZONING CHECKLIST

Proposed Use:
(Land Use Matrix Designation from
Code of Ordinances)

Previous Use:

Existing Use:

Request for Annexation

_____ Yes _____ No _____ Not Applicable

Zoning

Previous Case History:
(Zone Change, CUP, Variance,
Special Exception, etc)

Zoning of the Property:

Is proposed use allowed? _____ Yes _____ No

If no, explain process or CUP/Zone Change: _____

Future Land Use Plan Classification: _____

Known non-conformities: _____

Façade Requirements

Fence Requirements

Screening Requirements

Development Requirements

Minimum Building Setbacks:

Front: _____

Rear: _____

Side: _____

Side, if abutting res/com: _____

Minimum lot width: _____

Minimum lot depth: _____

Minimum lot area: _____

Maximum height: _____

Maximum lot coverage: _____

Parking

Ratio:

Size of spaces:

Sidewalks required:

_____ Yes _____ No

Width of sidewalks:

Refuse screening/outdoor storage:

Landscaping Requirements

Total site area landscaped

Trees

Street Trees

Parking lot landscaped islands

Landscaping within landscaped islands

Additional Comments

Interior Site Landscaping

- No parking space shall be greater than 60' from a tree. Each island to have at least 1 tree.
- Adjacent to a Single-Family Use or Zoning District: A 25' wide landscaped buffer along the property line that is adjacent to such use or district. May be located with the required yard/setback area and may count towards landscaped area.

All requirements of the Code of Ordinances (on city homepage – www.tomballtx.gov) should be met. This outline is a guide only.

USE AND ZONING CLARIFICATION

City Planner	Date	Applicant (Property Owner/Agent)	Date
--------------	------	----------------------------------	------

I understand and agree that Pre-Development Meetings are voluntary and intended to be information sessions only and do not substitute for my own diligence in determining all requirements that may apply to my development. I agree that this request and everything that occurs during a Pre-Development Meeting, including shall not constitute a formal application for purposes of vesting under the Texas Vesting Statute.

City Planner _____	Applicant (Property Owner/Agent) _____
Date _____	Date _____

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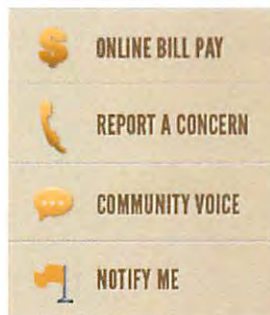
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Building Division

Engineering Division

Planning



You are here: [Home](#) > [Departments](#) > Community Development

Community Development

Building Division

Find out more about the Building Division.

Engineering Division

Get the latest on engineering in the city.

Planning

Obtain information about the City's development requirements and procedures. Understand code enforcement policies and City Code/Ordinance violations.

The Community Development Department has produced a [Development Guide](#) to assist local landowners, architects, engineers, developers, and other interested parties to understand the significant phases of the development and building process in the City of Tomball and its extraterritorial jurisdiction (ETJ).

DRC Meeting Request

Development Review Committee meetings are held every Wednesday from 1:00-4:00 pm at the Public Works Building, located at 501 James Street.

You can complete the [DRC Meeting Request Form](#) online and return it via email to [Amelia Vasquez](#) or fax it to her attention at (281) 351-4735.

If you have any questions or require additional information, please contact the Community Development Department at (281) 290-1405.

Follow us on Twitter at [@tomballcdd](#) or on Facebook at [City of Tomball Community Development](#).



CONTACT US

Craig Meyers, PE, CFM
Community Development
Director
281-290-1412
[Email Craig](#)

Amelia Vasquez
Community Development
Coordinator
281-290-1405
[Email Amelia](#)

501 James St.
Tomball, TX 77375

Fax: 281-351-4735

Hours
Monday - Friday
8:00 am - 5:00 pm

#15
#66 #65
#67

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Tomball CDD
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- Tweets Photos Favorites



Tomball CDD @tomballcdd 12/9/14

The City of Tomball Development Guide has been updated tx-tomball.civicplus.com/DocumentCenter...



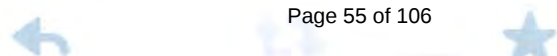
Tomball CDD @tomballcdd 12/5/14

Planet Fitness To Open First Club in Tomball, Texas - WSET.com - ABC13 wset.com/story/27546222...



Tomball CDD @tomballcdd 12/5/14

Planning gets underway for new community park in Tomball chron.com/neighborhood/s... via @houstonchron



#15 #65
#66 #67 #69



Development Guide

A Guide to Development and Building
in the
City of Tomball



1.0 INTRODUCTION

This guide has been developed to assist local landowners, architects, engineers, developers, and other interested parties understand the significant phases of the development review process in the corporate limits and extraterritorial jurisdiction (ETJ) of the City of Tomball. With the numerous codes, policies, regulations, and procedures involved in securing development approval, this guide has been prepared to provide a basic understanding of the major City requirements when seeking to develop property within the City of Tomball and its ETJ.

Development in Tomball is regulated in order to promote public health and safety, and protect public and private property. Regulations and procedures have been developed to establish rules and implementation for development. This guide is intended to help applicants through the development process.

The development process can be broken down into four basic steps. Zoning, the first step, identifies permitted uses and development regulations for the property. The second step, Platting, submission and approval, identifies the subdivision of land and any proposed public dedications such as right-of-way or easements. The third step, the Site Plan process, involves the review and approval of the actual plans for construction of public infrastructure contained within the public dedication areas and improvements on the site. Construction plans indicate exact locations of connections to City infrastructure and include site details that address existing and proposed paving, grading, drainage and utility improvements. The fourth step, the Permitting process, addresses the review and approval of building plans for conformance with minimum building standards to ensure the safety of future property owners and occupants.

Project Elements

Every project must be:

1. ZONED for the intended use;
2. Located on a Recorded PLATTED lot or legally subdivided lot;
3. Approved through the SITE PLAN APPROVAL and/or a BUILDING PERMIT process;
4. INSPECTED during and upon completion of construction; and
5. Issued CERTIFICATE OF OCCUPANCY (if applicable).

Each of these elements has a specific process. Summary details of each process are provided in this guide.

The reader is advised that additional permitting requirements may apply to specific projects. All construction projects should be carefully reviewed for any additional federal, state, or county requirements.

3.0 ZONING – DETERMINING LAND USE

3.1 Zoning Overview

Importance of Zoning

Zoning is an important land use and development tool for many municipal governments. Authorized by state law, zoning allows the City to develop distinct districts for the purpose of regulating the use and development of land. Through the zoning process, the City attempts to ensure compatible land use patterns, minimize conflicts between land uses, protect public and private property, and enhance the natural and built environments.

Chapter 50, titled “Zoning”, of Tomball’s Code of Ordinances defines the geographic area, regulates the allowable land uses, and defines standards of development for each zoning district.

Uses Allowed in the Current Zoning

When considering the use of a property, the first step will be to review the City of Tomball’s [Zoning Map](#), locate the subject property, determine what zoning district the property is located within, and review the *Use Regulations* contained in Section 50-82 of the Code of Ordinances, to determine whether the proposed use, of the property, is allowed within that district.

3.2 Zoning Verification Request

In order to determine that Tomball’s Zoning Ordinance permits a proposed project on a property, the applicant may request a zoning verification letter. The purpose of the zoning verification letter is to obtain written confirmation from the City of Tomball regarding the zoning district(s), permitted uses, and other information requested regarding the zoning of a property. It is important to remember that the City’s Zoning Ordinance is only enforceable in the corporate city limits. All properties located in the ETJ are exempt from the City’s Zoning Ordinance, but may be subject to other City codes and regulations (i.e. platting, signage, etc.).

The [Application for Zoning Verification](#) can be downloaded from the City of Tomball’s website.

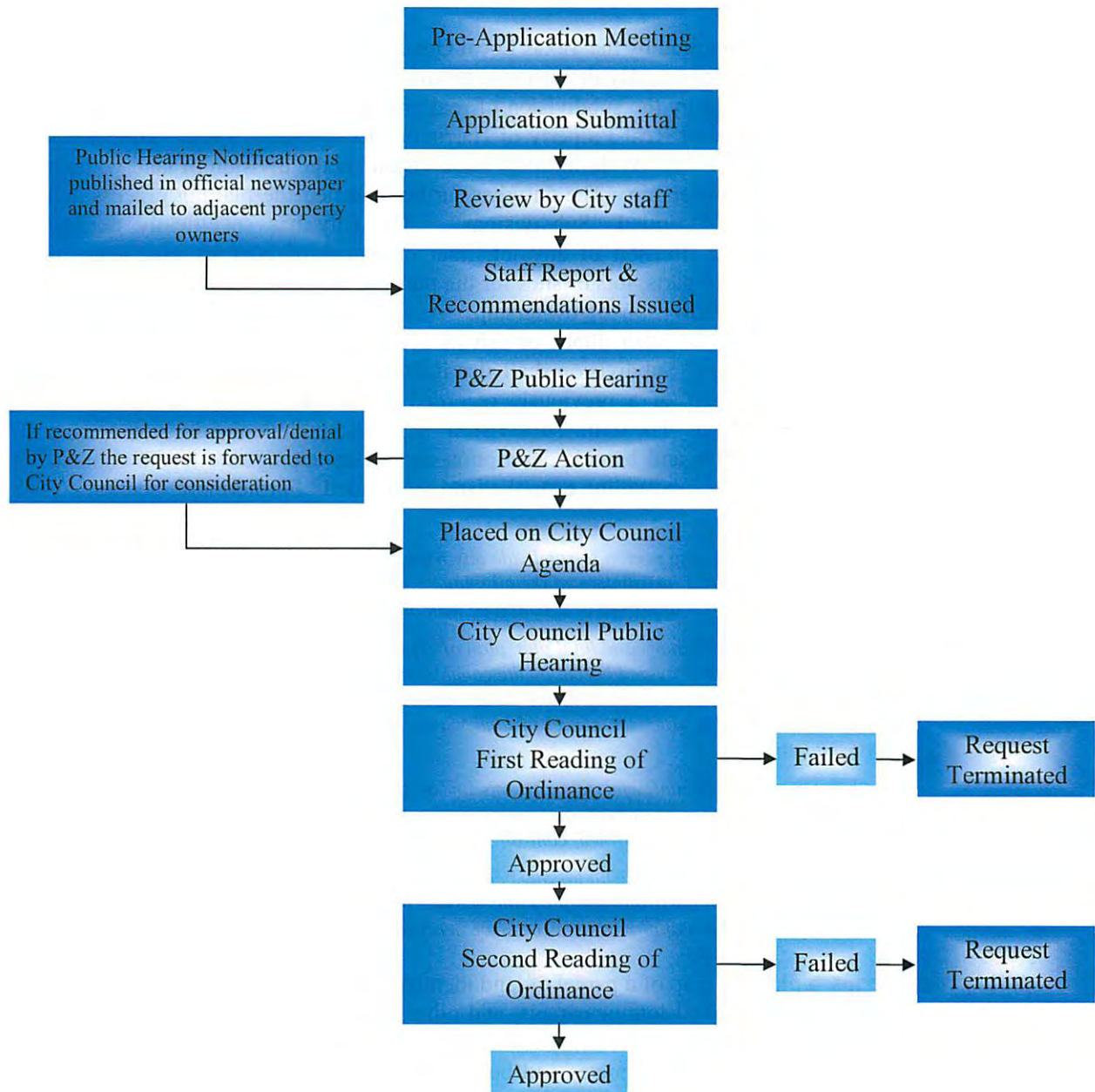
3.3 Zoning Changes

Options to Change Current Zoning

If the applicant determines that the proposed use conflicts with the allowable uses within the existing zoning district, the applicant/owner may request to change the designated zoning of the site to one that will accommodate the proposed use. This request may entail:

- Expansion of existing adjacent zoning boundaries;
- Change of the existing district to another standard zoning district;

3.5 City of Tomball Zoning Process Flowchart



Importance of Platting

The manner in which land is subdivided, how streets are designed, and how the lots are laid out have a lasting effect on the physical character of the City. Tomball's subdivision ordinance (Chapter 40) regulates all subdivisions of land within the City and its ETJ to ensure that the public health and safety, and public and private property are protected. Street, water, sanitary, and storm drainage systems must be adequately sized, designed, and constructed to meet the public's needs. Future property owners must be guaranteed a parcel with access to public right-of-way and utilities suited for the intended use.

When to Plat

There are several situations that require the platting of property. Generally, a plat is required if:

- The property has never been platted;
- An existing platted lot is subdivided;
- It is necessary to make changes to a previously recorded plat due to an error or omission; and/or
- The owner desires to relocate, add, or remove lot/building lines between adjacent lots.

It is unlawful for any person or entity to subdivide any tract, lot, or parcel of land within the City or within Tomball's ETJ, unless and until a preliminary and final plat have been approved by Tomball City Council. Additionally, City permits may not be issued on land that has not been legally subdivided.

All plats must be prepared by a Registered Public Land Surveyor (RPLS) licensed by the State of Texas.

The City requires that applicant's schedule a **PRELIMINARY PLAT MEETING** with the Engineering & Planning Divisions prior to submitting a plat. It is strongly recommended that the property owner, surveyor, and/or engineer attend the Preliminary Plat Meeting. This meeting is intended to provide a dialogue between City staff and the applicant regarding subdivision requirements, land use, development regulations, and the platting process.

4.2 Types of Plats

Plat approval is generally divided into three (3) distinct phases:

1. Master Plan
2. Preliminary Plat
3. Final Plat

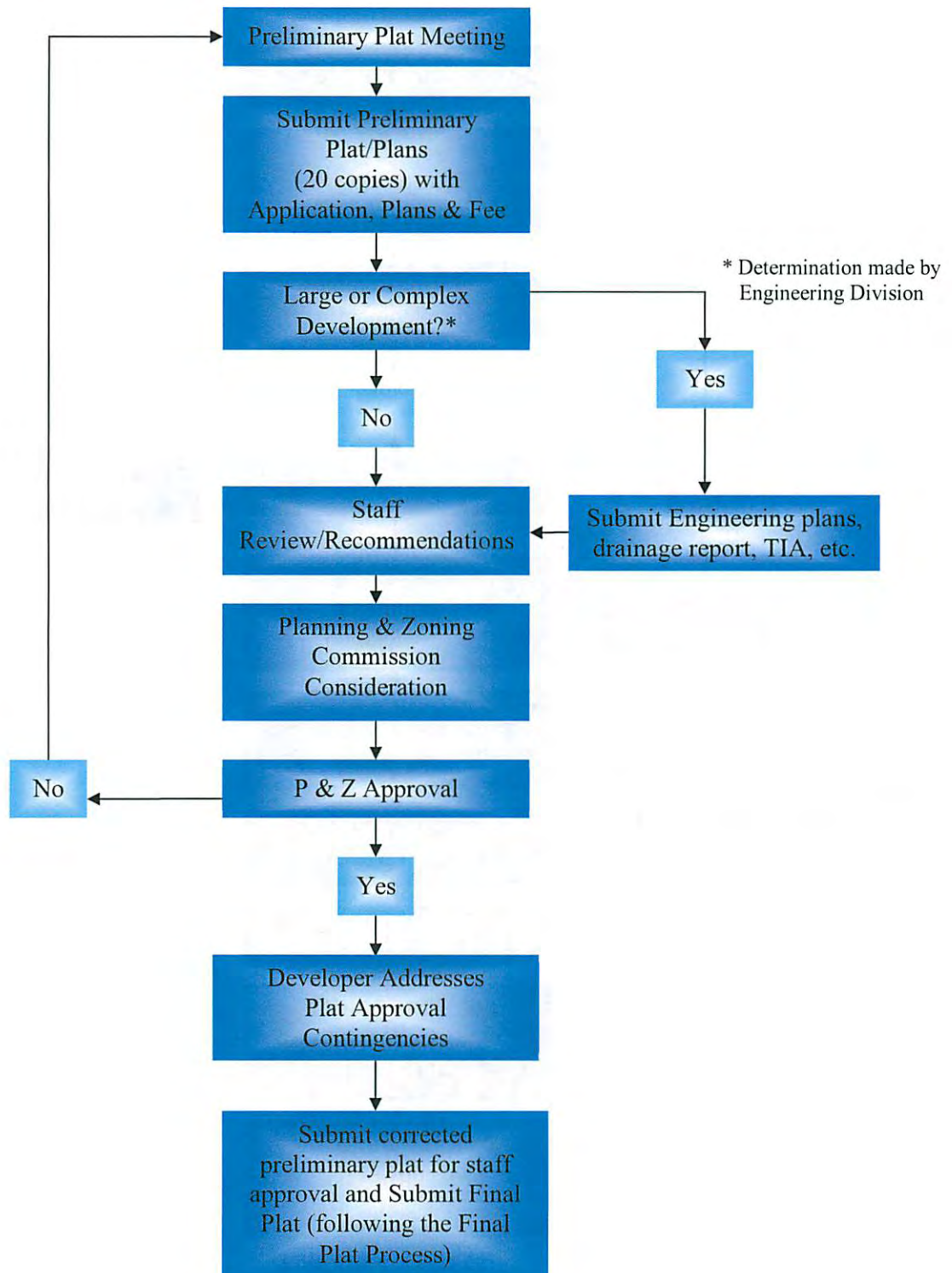
- The lots or tracts had at least one (1) owner in common as of the effective date, July 5, 2011;
- The lots or tracts are located in the Recorded Plat Revised Map of Tomball Harris Co. Texas recorded July 9, 1912;
- A structure existed on the lots or tracts, as of the effective date, July 5, 2011, provided, however, that this exception shall not apply in the event that sixty-percent (60%) or more of the square feet of the structure is removed or destroyed;
- The joinder of lots or tracts does not require the dedication or removal of any public rights-of-way, public easements or other public improvements;
- The owner(s) agrees in writing on a form approved by the City that the merged lot may not be divided in the future unless a subdivision plat authorizing such division is approved by the City and filed of record in accordance with applicable state laws and City Ordinances governing plats and the subdivision of land. The form must also inform and declare that any subsequent purchaser will be bound by the requirements of this exception and the form shall be filed in the County Clerk's office of the County in which the property is located. A property owner who has elected to join one (1) or more lots pursuant to this subsection may file an election with the City to reverse the joinder of lots so long as no violation of the City's setback requirements in the building, subdivision, or zoning regulations is created by this reversal.

4.3 The Platting Process

Both the Preliminary and Final plat process consists of seven (7) general steps:

1. Mandatory Preliminary Plat Meeting with City staff.
2. Formal submission of the application, plat, development plans (if required*), and the payment of filing fees (refer to the [Plat Application and Fee Schedule](#) on the City of Tomball's website for all submittal requirements).
3. Technical review by City staff for formal recommendations to the Planning & Zoning Commission with regard to compliance with City ordinances.
4. Consideration by the Planning & Zoning Commission.
5. Developer shall address approval contingencies prior to submittal of final plat for City Council consideration. City staff shall confirm that such contingencies have been fully addressed prior to placing the plat on a City Council agenda.
6. City Council approval of plat.
7. Recordation with the County Clerk of Harris or Montgomery County or sent to Harris or Montgomery County Commissioner's Court if located within the City's ETJ.

4.4 City of Tomball Preliminary Plat Process Flowchart



5.0 SITE PLANS

City policies, standards, and regulations on land use and development are designed to help ensure public health and safety, and protect private and public property. Site plan review allows City staff to review projects for land use, zoning, transportation, drainage, environmental and safety considerations. Site plan reviews also determine if the proper infrastructure is in place to service the development in accordance with City requirements (applicable codes and ordinances).

Although City staff reviews plans for these issues, the ultimate responsibility for the construction documents rests with the Design Professional preparing the plan. The reader is advised that additional permitting requirements may apply to specific projects. All construction projects should be carefully reviewed for any additional federal, state, or county requirements.

5.1 Plan Review

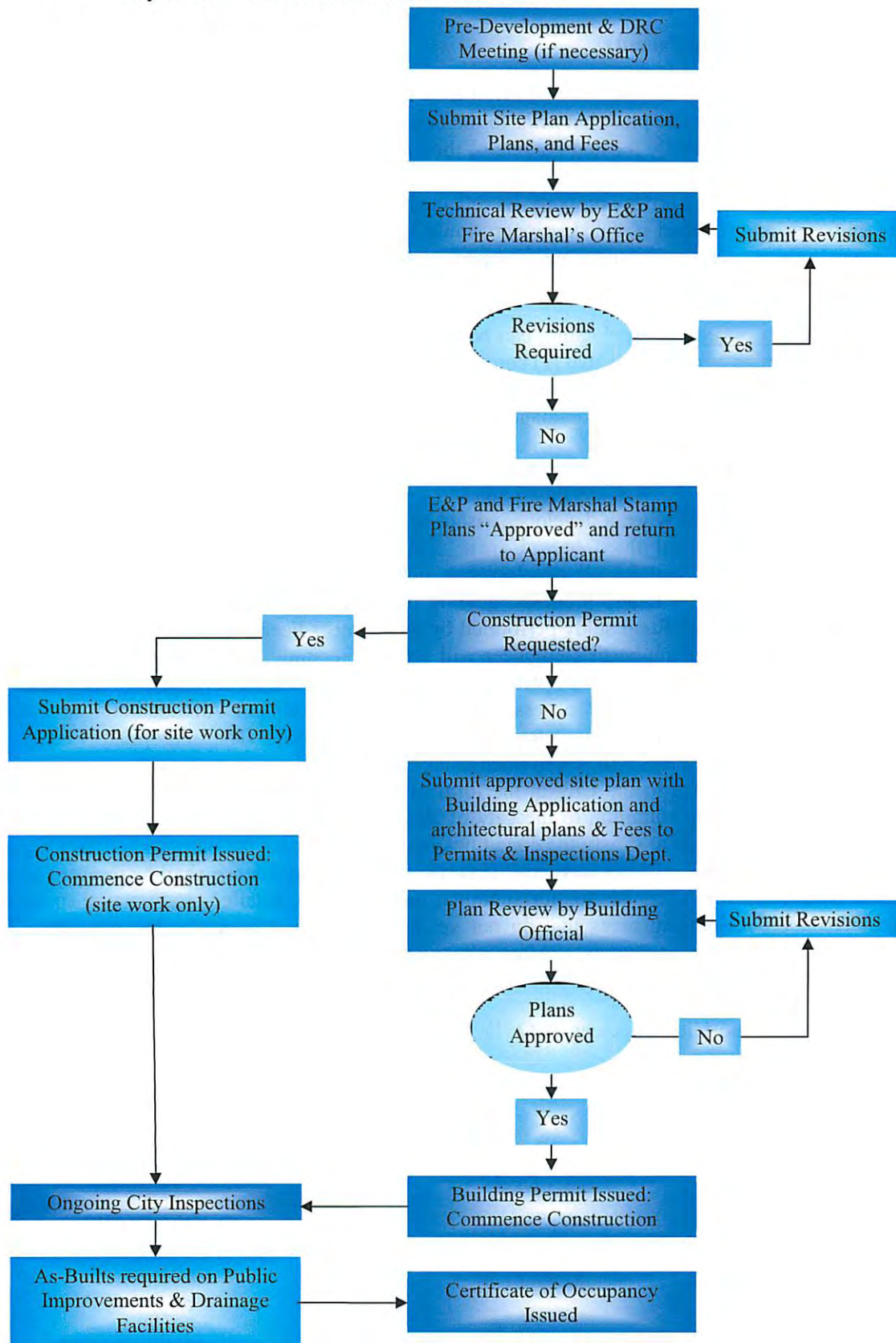
Once zoning and platting issues are addressed, a site plan application must be submitted for all projects within the City limits. There are two basic types of site plan review: 1). [Single-Family Site Plan Application](#) for all single-family (one dwelling) and duplex (two-family) developments/projects, excluding residential subdivisions; and 2). [Site Plan Application](#) for all nonresidential developments, residential subdivisions, and multi-family developments. A site plan submittal must be approved by the Engineering & Planning Divisions prior to submitting a building permit application.

Each site plan application provides a complete list of submittal requirements; not all requirements listed may be applicable to every project. Additionally, depending on the nature of the project, additional plans or documents may be required in order to adequately review the submittal. Additional requirements may include a Traffic Impact Analysis (TIA), drainage report, photometric study, required permits by federal, state, or county agencies, etc. The initial review will take approximately thirty (30) days from time of complete application submittal. If the application is incomplete or inaccurate, the project may be delayed until corrections or additions are received.

5.2 Single-Family Site Plan Applications

Single-Family Site Plan Applications are required for all new single- and two-family homes, additions to existing single- and two-family homes, decks, detached garages, carports, patios, and accessory structures over 200 square feet. The Planning Division reviews the site plan submittal for compliance with the Zoning Ordinance and Subdivision Regulations and routes the plans to the Engineering Division for review of any proposed public improvements, drainage, utilities, grading, etc., if necessary. If it is found that the proposal does not meet the City's requirements, the applicant will be notified and alternatives will be discussed to address any issues.

5.4 City of Tomball Site Plan Process Flowchart



6.3 Erosion and Sediment Control Management Permit

This permit is required for all land-disturbing activities, including clearing and grubbing, that require the uncovering of 5,000 or more square feet, excluding emergency activities, nursery and agricultural operations, and activities on lots less than one acre in size and used for single-family and two-family residential purposes. A bond, letter of credit, or refundable deposit is required with the submission of the permit for the amount equal to the erosion and sediment control activities. A separate permit is not required for a development/project that is issued a construction permit or a building permit, but the bond, letter of credit, or refundable deposit must be submitted in the name of the City of Tomball.

Please contact the City Engineer at (281) 290-1466 for more information on Erosion and Sediment Control permits.

6.4 Building Permits

A Building Permit is a legal document that gives permission to start construction of a building project in accordance with approved drawings and specifications. Building permitting is the process through which the City ensures compliance with all codes and ordinances, relative to the construction of buildings and building sites. Generally, such permits will fall into one of two categories: 1) residential; or 2) commercial. Refer to the [Residential Plan Submittal Guidelines](#) and [Commercial Building Permit Process Checklist](#) for the submittal requirements.

The permitting process includes the review and approval of construction and site plans, the payment of permit fees, the issuance of a Building Permit, scheduled inspections of the work in progress, and approval at its completion. Building permit applications will not be accepted until the site plans are approved by the Engineering & Planning Divisions. After the Building Division receives the building permit application and plan set, the Building Official will ensure that the site plans have the Engineering & Planning Division's stamps of approval and that the Building Plans match. The Building Official will route the plans to the Fire Marshal's Office for review and approval. Once the Fire Marshal and Building Official approve the building plans, the permit may be issued.

Plan review fees are due at the time of submittal of the building permit application. Building Permit Fees, including tap and impact fees are due at the issuance of a building permit. Additionally, all contractors are required to present a Certificate of Liability Insurance with the City of Tomball listed as the Certificate Holder. After the Building Permit is issued, the applicant is ready to start construction. All requests for building inspections must be submitted through the Inspection Line at (281) 290-1480. A Building Inspector will then be notified to inspect each part of the project as it progresses in order to ensure that the work is done safely and in accordance with the approved plans and codes.

7.0 CONTACT INFORMATION

For questions regarding the development process, contact the appropriate divisions. All of the official's offices are located at the Public Works Building located at 501 James Street, Tomball, Texas 77375.

Community Development Department

Director of Community Development: (281) 290-1412

Community Development Coordinator: (281) 290-1405

Planning Division

City Planner: (281) 290-1491

Assistant City Planner: (281) 290-1410

Building Division

Building Official: (281) 290-1404

Permit Technician: (281) 290-1402

Building Inspector: (281) 290-1465

Engineering Division

City Engineer: (281) 290-1466

Fire Marshal's Office

Fire Marshal: (281) 290-1440

Code Enforcement: (281) 290-1470

#17

City of Tomball Inspections

C H A N G E N O T I C E

**As of March 1, 2015, the cut-off time for
calling inspections will be changing as
follows:**

3:00 p.m. the day before the inspection
is needed

Inspection Line: (281) 290-1480

Setup inspection online:

www.tomballtx.gov/inspection

#17

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Tomball CDD @tomballcdd 12/23/14

Starting 3/1/15, permit inspections need to be requested by 3:00 pm the business day before at ci.tomball.tx.us/FormCenter/Ins... or 281.290.1480.



Tomball CDD @tomballcdd 12/22/14

Newsletter No. 2, Only Rain Down the Storm Drain, in accordance with the City's TPDES Phase II MS4 Permit ci.tomball.tx.us/DocumentCenter...



Tomball CDD @tomballcdd 12/19/14

Tribune article » tinyurl.com/k4mjrx



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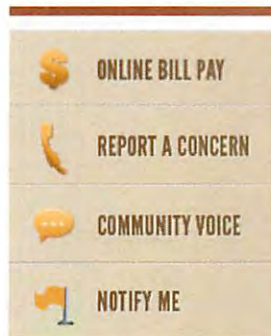
COMMUNITY

VISITORS



Building Inspections

Building Permits

You are here: [Home](#) > [Departments](#) > [Community Development](#) > [Building Division](#) > Building Inspections

Building Inspections

After the plans have been approved, field inspections are performed during the actual construction to ensure compliance with the approved construction documents. The inspectors are state licensed and certified by various code authorities, and are required to participate in continuing education classes to keep updated with the ever changing construction industry.

The Building Office is located at 501 James Street, Tomball, Tx, 77375.

The City of Tomball Building Office is open between the hours of 7:45 a.m. till 5:00 p.m.
Monday – Thursday, and 7:45 a.m. till 4:00 p.m. on Fridays.

To schedule an inspection, please call our automated line (281) 290-1480. Calls must be received the day before the inspection is needed and no later than 7:00 a.m. the morning of the inspection. All calls received after this time will be scheduled for the following work day.

[Request Inspections Online](#)

CHANGE NOTICE

**As of March 1, 2015 The cut-off time
for calling inspection will be changed as follows:
3:00 PM The day before the inspection is needed**

CONTACT US

Permit Technician
Mary L. Cook
(281) 290-1402
mcook@tomballtx.gov

Building Official
Ken Cole
(281) 290-1404
kcole@tomballtx.gov

Building Inspector
Robert Pemberton
(281) 290-1465
rpemberton@tomballtx.gov

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Tomball, TX • 401 Market St. • Tomball, TX 77375
Ph: (281) 351-5484 • Fx: (281) 351-6256

#17



(AM 8:00am to 12:00pm)

(PM 1:00pm to 5:00pm)

Building Inspection Requests

Beginning March 1, 2015, inspection requests received by 3:00pm will be conducted the following day (AM or PM).

Schedule Inspection:

www.tomballtx.gov/inspection or (281) 290-1480

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COMMUNITY VOICE



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You are here: [Home](#) > [Departments](#) > [Human Resources](#) > Job Opportunities

Job Opportunities

Thank you for your interest in employment with the City of Tomball. All job openings are listed below. Applications will only be accepted for open positions and will not be accepted after the job closing deadline.

****A CITY OF TOMBALL [APPLICATION](#) MUST BE SUBMITTED TO BE CONSIDERED FOR ANY OPEN POSITION.****

Tomball Municipal Court

[Assistant Court Clerk](#)

[Associate Municipal Court Prosecutor](#)

[Municipal Court Associate Judge](#)

Community Development Department

[Construction Manager/Inspector](#)

Tomball Fire Department

[Deputy Fire Marshal - Part-Time](#)

[Volunteer Fire Fighter](#)

Tomball Police Department

[Reserve Officer](#)

[Physical Agility Test Requirements](#)

Resumes without a City of Tomball application will not be considered. You may submit your [employment application](#) in the following ways:

Email your application to hr@tomballtx.gov

Fax your application to 281-290-1088

Mail your application or apply in person:
City of Tomball
401 Market St.
Tomball, TX 77375

FAQs

What positions are available?

How do I apply?

How do I know if I qualify for a position?

Does the City of Tomball maintain an application or resume bank?

[VIEW ALL](#)



CITY OF TOMBALL

Fire Marshal's Office

Doug Sanguedolce

Fire Marshal

www.ci.tomball.tx.us

firecode@ci.tomball.tx.us



501 James Street – Tomball, Texas – 77375 – 281.290.1440 office – 281.290.1439 fax

CIVIL PLAN REVIEW

GENERAL NOTES

Type of Plan: Residential Commercial Other

Name of Business: _____

Street Address: _____

Existing building(s) on site: Y N

○ Square footage of existing buildings: _____

○ Square footage of new construction: _____

FIRE SPRINKLERS

Is building equipped with fire sprinklers: Y N

Check for location of fire water line – may not go under building, except for Riser stub-out

FDC within 100' of nearest Fire Hydrant

Fire Hydrant within 400' (600' sprinkler) of all exterior portions of the building on ground level. Measured by hose lay not radius.

Show location of FDC within 50' of fire access road (preferred street side)

Show location of PIV on water line. Between hydrant and building.

Separate water line for fire sprinkler. No taps allowed.

FDC/PIV located outside of collapse zone of building = 1 ft above building elevation, or on corner of building.

IF PIV is used, it shall not be located closer than 40' to building, otherwise use OS&Y, or wall post.

#41



CITY OF TOMBALL

Fire Marshal's Office

Doug Sanguedolce

Fire Marshal

www.ci.tomball.tx.us

firecode@ci.tomball.tx.us



501 James Street – Tomball, Texas – 77375 – 281.290.1440 office – 281.290.1439 fax

FIRE LANES

Show fire lane at 24' minimum width and 14' minimum vertical clearance.

Fire lanes to be provided to reach within 150' (200' sprinkler) of all exterior portions of the building at ground level.

Where a fire hydrant is located along the fire access route width shall be at 26' width for 20' on one side.

Fire lanes shall be minimum 26' where buildings are 30' or 3 stories in height.

Buildings exceeding 30' or 3 stories, two separate fire access roads shall be provided. (see IFC '06 Section D104.3)

Where aerial access is required, overhead utilities shall not be located to interfere with placement of apparatus.

Fire access roads exceeding 150 shall be equipped with an approved turn-around. (see IFC '06 Section D103.4)

Gates along fire access routes shall provide a clear opening of 24'.

Fire apparatus roads shall not exceed 10% grade.

Include COT fire lane spec with plans, or indicate on plan

Verizon 4:07 PM 49%

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**Tomball CDD** @tomballcdd

12/2/14

Tomball building inspection requests can now be requested online. Go to: ci.tomball.tx.us/FormCenter/Ins...

**Community Impact TOM**

12/1/14

#Tomball City Council amended its zoning ordinance for a planned devt district of 27 acres at Holderrieth Rd. #impactnews #HOU

**Tomball CDD** @tomballcdd

11/24/14

Tomball City Council continues to tackle zoning » tinyurl.com/qzbzru4

**Tomball CDD** @tomballcdd

11/20/14

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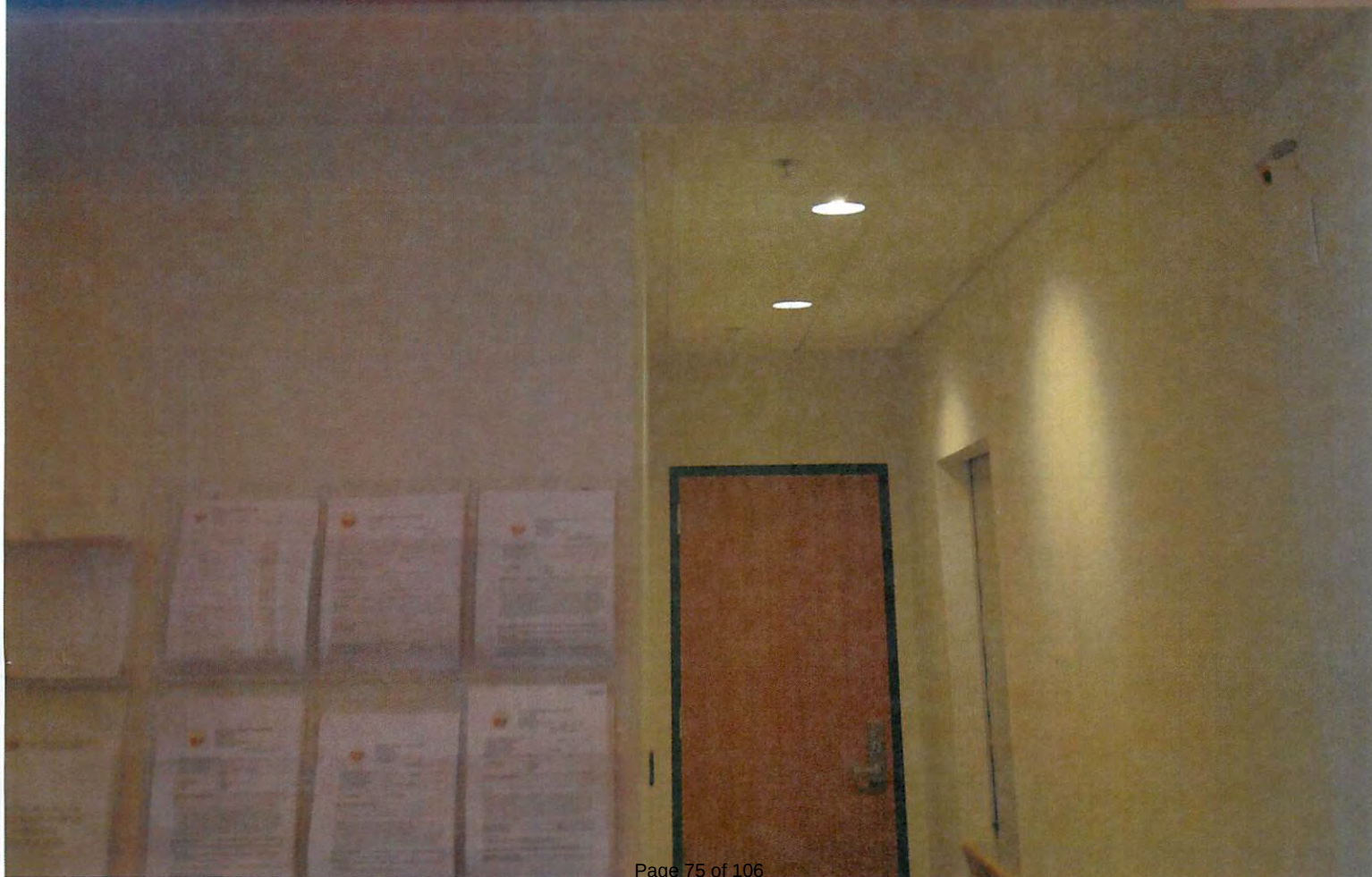
10

www.tomballtx.gov/inspection

You can now make your
building inspection
requests on-line:

As of
9:45 am
January 9th, 2015

The advertisement is displayed on a digital screen with a warm orange and red background. It features a URL at the top, a central message about online inspection requests, and a date stamp in the bottom left corner. The background of the ad includes abstract geometric shapes in white, blue, and yellow.



Regular City Council Agenda Item Data Sheet

Meeting Date: February 2, 2015

Topic:

Set the Date for a Public Hearing on March 2 to Approve the Proposed Public Improvement District (PID) Number Five, Yaupon Trails

Background:

Recently, Scott Bean of Hawes Hill Calderon, LLP contacted me to place an item on the agenda requesting that City Council call for a public hearing on March 2 to approve the proposed PID through adoption of the findings and creation resolutions. A development agreement between the City and the Developer is attached for your review. The development agreement describes the terms of the PID and the reimbursement of certain public infrastructure costs. Additionally, a map illustrating the development and location are included.

Scott Bean, our PID consultant from the firm of Hawes Hill Calderon, LLP and Will Benson, the developer, will be at the meeting to answer any questions that anyone may have relating to the PID.

Origination:

Finance

Recommendation:

Call for a public hearing on March 2, 2015 to approve the proposed PID Number 5, Yaupon Trails.

Funding:

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

Glenn Windsor, CPA Finance Director

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

PID Number Five Council Information Sheet

PID Primer

PID Number Five Development Agreement

Council Item Information Sheet - Proposed Public Improvement District (PID) Number Five (Yaupon Trails)

Council Action Requested

It is requested that City Council call for a public hearing on March 2 to approve the proposed PID through adoption of the findings and creation resolutions. A development agreement between the City and Developer will also be presented for consideration. The development agreement describes the terms of the PID and the reimbursement of certain public infrastructure costs.

Area

Public Improvement District Number Five would be approximately 10.9460 acres representing the entirety of the proposed Yaupon Trails Subdivision, a subdivision that will be developed in one (1) section containing 37 lots. The land is located at the northeast corner of Quinn and Brown-Hufsmith Road as shown on the attached maps.

Purpose

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

Assessment Rate

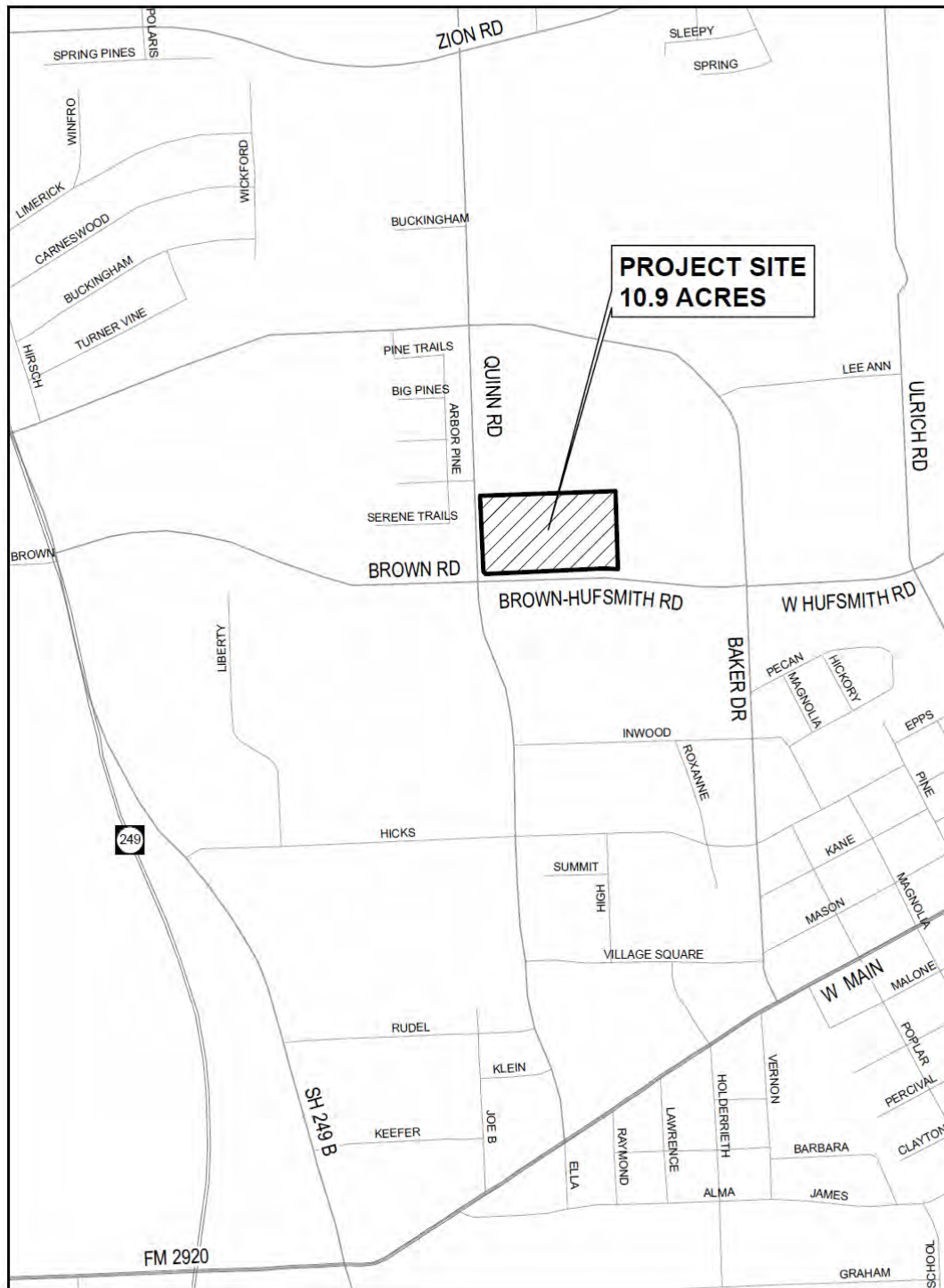
The PID assessment is expected to be approximately \$2,975 per lot per year, or the equivalent of an 85-cent tax rate on a \$350,000 home. Included in the annual payment are financing and interest costs allowing for a level annual payment over the proposed fifteen (15) year term of the PID. The principal amount of the assessment is payable at any time by the homeowners which would terminate the assessment, and an amortization schedule will be kept for each property covered by the assessment to track annual payments and the outstanding principal balance.

Disclosure

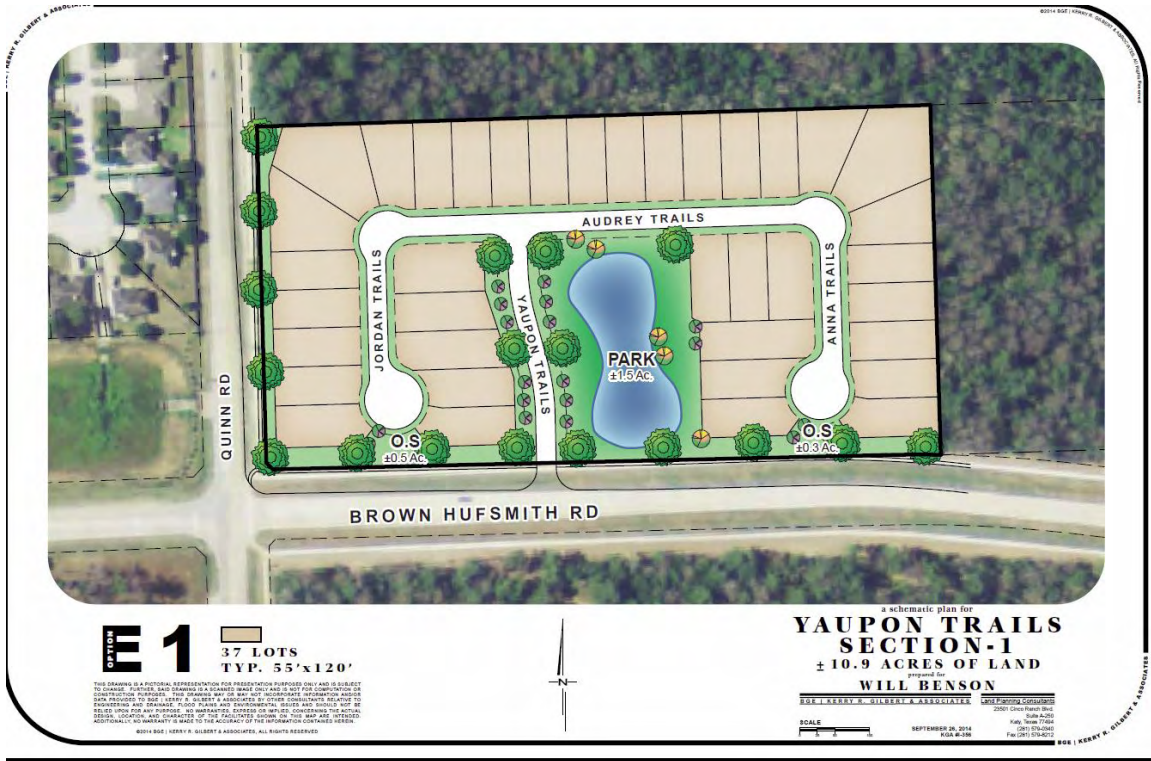
Proper disclosure notices detailing the assessment will be presented to potential homebuyers by the builders, and for acknowledgement at closing in the same manner as disclosure notices used in MUDs and other special districts with an ad valorem tax rate.

Future Actions

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



HHC LLP | Jan. 7, 2015



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.

DEVELOPMENT AGREEMENT

This Development Agreement (this “*Agreement*”) is made as of _____, 2015, by and between the **CITY OF TOMBALL**, a municipal corporation and a home-rule city in the State of Texas (the “*City*”), and **Yaupon Trails LTD LLC** a Texas limited liability company (the “*Developer*”).

RECITALS

WHEREAS, in accordance with the provisions of Chapter 372, TEX. LOCAL GOV’T CODE, and Resolution _____, the City Council of the City of Tomball created the Public Improvement District Number Five (the “*PID*”) pursuant to the petition for creation from the owner thereof; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City and the land within the PID to finance the construction of certain PID Improvements (defined below) and that an assessment against the benefited property within the PID should be made; and

WHEREAS, the Developer is the owner of certain property within the PID described in Exhibit A and B, and wishes to finance and construct certain PID projects; and

WHEREAS, the Developer intends to assist the City in the financing and construction of the PID Improvements, in exchange for the City’s agreement to reimburse the Developer in accordance with the terms of this Agreement; now, therefore,

AGREEMENT

For and in consideration of the mutual promises, covenants, obligations, and benefits of this Agreement, the Developer contract and agree as follows:

ARTICLE 1 GENERAL TERMS

1.01 Definitions. The terms “*Agreement*,” “*City*,” “*Developer*,” “*PID*,” and “*PID Agreement*” have the meanings set forth in the preamble hereof, and the following terms shall have the meanings provided below, unless otherwise defined or the context clearly requires otherwise. For purposes of this Agreement, the words “shall” and “will” are mandatory, and the word “may” is permissive.

Act shall mean the Public Improvement District Assessment Act, Chapter 372, TEX. LOCAL GOV’T CODE, as amended.

Assessments shall mean assessments levied and collected in connection with the PID pursuant to the Act and the Plan, and deposited by the City into a PID Revenue Fund.

Developer Advances shall mean any funds advanced by the Developer pursuant to **Section 5.01**, and shall include any interest payable thereon.

Net Assessments shall mean the annual deposits of the Assessments into the PID Revenue Fund, less amounts reasonably required or anticipated to be required for the administration and operation of the PID in carrying out its responsibilities hereunder, including a reasonable operating reserve.

Parties or Party shall mean the City, and the Developer as parties to this Agreement.

PID Improvements shall mean the improvements described in **Article 3** hereof.

PID Revenue Fund shall mean the special fund established by the City and funded with payments made to the City pursuant to the PID.

Plan shall mean the final Service and Assessment Plan for the PID as approved by City Council in accordance with the Act.

Project shall mean the residential development within the PID projected to be carried out by the Developer described on Exhibit B.

1.02 Singular and plural; gender. Words used herein in the singular, where the context so permits, also include the plural and vice versa. The definitions of words in the singular herein also apply to such words when used in the plural where the context so permits and vice versa. Likewise, any masculine references shall include the feminine, and vice versa.

ARTICLE 2 REPRESENTATIONS

2.01 Representations of the City. The City hereby represents that:

a. The City is duly authorized and is qualified to do business in the State of Texas and is duly qualified to do business wherever necessary to carry on the operations contemplated by this Agreement.

b. The City has the power, authority and legal right to enter into and perform its obligations set forth in this Agreement, and the execution, delivery and performance hereof, (i) have been duly authorized, (ii) will not, to the best of its knowledge, violate any judgment, order, law or regulation applicable to the City, and (iii) does not constitute a default under or result in the creation of, any lien, charge, encumbrance or security interest upon any assets of the City under any agreement or instrument to which the City is a party or by which the City or its assets may be bound or affected.

c. This Agreement has been duly authorized, executed and delivered and constitutes a legal, valid and binding obligation of the City, enforceable in accordance with its terms.

2.02. Representations of the Developer. The Developer hereby represents that:

a. The Developer is duly authorized, created and existing under the laws of the State of Texas, is qualified to do business in the State of Texas and is duly qualified to do business wherever necessary to carry on the operations contemplated by this Agreement.

b. The Developer has the power, authority and legal right to enter into and perform its obligations set forth in this Agreement, and the execution, delivery and performance hereof, (i) have been duly authorized, (ii) will not, to the best of its knowledge, violate any judgment, order, law or regulation applicable to the Developer or any provisions of the Developer's organizational documents, and (iii) does not constitute a default under or result in the creation of, any lien, charge, encumbrance or security interest upon any assets of the Developer under any agreement or instrument to which the Developer is a party or by which the Developer or its assets may be bound or affected.

c. The Developer has sufficient capital to perform its obligations under this Agreement and will commence construction of the Project within eighteen (18) months of execution of this Agreement.

d. This Agreement has been duly authorized, executed and delivered and constitutes a legal, valid and binding obligation of the Developer, enforceable in accordance with its terms.

ARTICLE 3 THE PLAN AND PID IMPROVEMENTS

3.01 The PID Improvements. The PID Improvements are intended to enhance the proposed implementation of a development within the PID constituting the Project, as more fully described in the Plan.

3.02 PID Improvements description. The PID Improvements consist of acquisition, construction and development of the public improvements within the portion of the PID comprising the Project, as more fully described in Exhibit C, and as described in the Plan. The PID Improvements will be developed pursuant to a schedule consistent with the pace of development of the Project that is mutually agreeable to the Parties. The PID Improvements shall include all engineering, legal and other consultant fees and expenses related to such PID Improvements. The Developer shall be entitled to reimbursement of the project costs described in Exhibit C subject to the limitations contained in Section 3.03 of this agreement.

3.03 General terms of the Plan. The Plan has not yet been adopted by the City. The Parties anticipate that the Plan, at a minimum, will include the PID Improvements described above to serve the land within the PID, and such other facilities as may be agreed upon by the Parties, and that the Assessments shall be assessed in phases to affect only the portions of the PID directly benefited by the PID improvements to be financed by each Assessment. The Assessments shall be based upon the agreed-upon estimated costs of the Public Improvements as reflected in Exhibit C, plus those related costs as deemed reimbursable by the City; however, the Assessments in the Plan shall be formulated in a manner that generally conforms to the equivalent of a \$0.90 tax rate for properties covered by the Plan on a project-wide basis, and a maximum fifteen (15) year payment term for each property covered by the Plan.

3.04. Additional Projects. This Agreement does not apply to any projects not specifically included in the Plan and defined herein unless this Agreement is amended to provide for the design and construction of such additional projects.

ARTICLE 4

DUTIES AND RESPONSIBILITIES OF THE DEVELOPER

4.01 Construction manager. The Developer agrees to construct the PID Improvements and to provide and furnish, or cause to be provided and furnished, all materials and services as and when required in connection with the construction of the PID Improvements. The Developer will obtain all necessary permits and approvals from the City and all other governmental officials and agencies having jurisdiction, provide supervision of all phases of construction of the PID Improvements, provide periodic reports of such construction to the City upon request, and cause the construction to be performed in accordance with the Plan.

4.02 Design of the PID Improvements. The Developer shall prepare or cause to be prepared the plans and specifications for the PID Improvements. Prior to the commencement of construction or implementation of the PID Improvements, the plans and specifications must be approved by the City. The PID Improvements shall be designed in accordance with City standards applicable to similar public improvements within the City.

4.03 Construction contracts. The Developer shall prepare the PID Improvements construction contract documents to ensure that the contract documents are in accordance with the approved plans and specifications. The Developer shall comply with all laws and regulations regarding the bidding and construction of public improvements applicable to similar facilities constructed by the City, including without limitation any applicable requirement relating to payment, performance and maintenance bonds.

4.04. Construction and implementation of the PID Improvements. The Developer shall be responsible for the inspection and supervision of the construction and implementation of the PID Improvements.

a. The Developer shall commence construction of the PID Improvements in a timely fashion to coincide with the expected development of the Project.

b. Upon completion of a contract for the construction of the PID Improvements, the Developer shall provide the City with a final summary of all costs associated with such contract, and show that all amounts owing to contractors and subcontractors have been paid in full evidenced by customary affidavits executed by such contractors. Following completion of a construction contract, the Developer will call for inspection of the applicable PID Improvements by the City, and upon approval thereof as being in compliance with City standards relating thereto, the PID Improvements will be conveyed to the City, subject only to the right to reimbursement for Developer Advances with respect thereto.

ARTICLE 5

PROJECT FINANCING AND FUNDING

5.01. The Developer Advances.

a. In connection with the construction of the PID Improvements the Developer has determined are required to be constructed to serve the Project, the Developer agrees to provide sufficient funds as such become due for all costs thereof (the “Developer Advances”), such as costs of design, engineering, materials, labor, construction, and inspection fees arising in connection with the PID Improvements, including all payments arising under any contracts entered into pursuant to this Agreement.

b. Interest on each Developer Advance shall accrue at a rate one-half of one percent above the highest average interest rate reported by *The Bond Buyer* newspaper in a weekly bond index in the month before the date of this agreement, compounded annually, whether such costs, fees, or expenses are paid or incurred before or after the effective date of this Agreement. The interest rate shall not exceed eight percent (8%). Interest shall be calculated on the basis of a year of 360 days and the actual days elapsed (including the first day but excluding the last day) occurring in the period for which such interest is payable, unless such calculation would result in a usurious rate, in which case interest shall be calculated on the per annum basis of a year of 365 or 366 days, as applicable, and the actual days elapsed (including the first day but excluding the last day).

5.02. Repayment of Developer Advances.

a. In consideration of the development and construction of the PID Improvements, the City shall begin repaying the Developer Advances, and shall continue such repayment until repaid in full, on the earliest date that funds are available from the following source, and solely from such source:

(i) the Net Assessments, subject to the limitations set forth in **subsection (c)**.

b. the City shall reimburse the Developer for Developer Advances, plus interest, from Net Assessments from the Project accumulated in the PID Revenue Fund available in accordance with the priorities described in **Section 5.03** below.

c. At such time as funds are available to pay all or any portion of the Developer Advances made hereunder, the City shall hire a certified public accountant at the Developer’s expense to calculate the amount due the Developer and prepare and submit a report to the City certifying the amount due the Developer for the Developer Advances being repaid with interest calculated thereon. Such report shall be approved at the earliest practicable time, but not later than 90 days after submission by the Developer of the records required therefor. The City shall make payment to the Developer within 30 days of approval of the accountant’s report.

5.03. Priorities. Amounts deposited in the PID Revenue Fund shall be applied in the following order of priority (i) administrative and operating costs of the PID, (ii) payments to the Developer pursuant to **Section 5.02**, above.

ARTICLE 6 DEFAULT

6.01. Default.

a. If the City does not perform its obligations hereunder in substantial compliance with this Agreement, in addition to the other rights given the Developer under this Agreement, the Developer may enforce specific performance of this Agreement or seek actual damages incurred by the Developer for any such default.

b. If the Developer fails to commence or complete the PID Improvements or the Project in accordance with the terms of this Agreement, including the failure to fund Developer Advances or commence construction of the Project within eighteen (18) months, the City may terminate this Agreement with respect to its obligations to the Developer and shall be relieved of any obligation to reimburse the Developer for any Developer Advances or seek actual damages incurred for any such default.

c. The Party alleging default shall provide written notice to the other party of such default, and the defaulting party shall have 60 days to remedy the default prior to the declaration of any default hereunder.

ARTICLE 7 GENERAL

7.01. Inspections, audits. The Developer agrees to keep such operating records with respect to the PID Improvements and other activities contemplated by this Agreement and all costs associated therewith as may be required by the City, or by State and federal law or regulation. The Developer shall allow the City access to, and the City shall have a right at all reasonable times to audit, all documents and records in the Developer's possession, custody or control relating to the PID Improvements that the City deems necessary to assist the City in determining the Developer's compliance with this Agreement.

7.02 Developer operations and employees. All personnel supplied or used by the Developer in the performance of this Agreement shall be deemed contractors or subcontractors of the Developer and will not be considered employees, agents, contractors or subcontractors of the City for any purpose whatsoever. The Developer shall be solely responsible for the compensation of all such contractors and subcontractors.

7.03 Personal liability of public officials, legal relations. To the extent permitted by State law, no director, officer, employee or agent of the City shall be personally responsible for any liability arising under or growing out of the Agreement. THE DEVELOPER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS RESPECTIVE OFFICERS, REPRESENTATIVES, AND AGENTS FROM ALL SUITS, ACTIONS, OR CLAIMS OF ANY CHARACTER BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED BY ANY PERSON, PERSONS, OR PROPERTY RESULTING FROM THE NEGLIGENT ACTS OF THE DEVELOPER, OR ANY OF ITS AGENTS, OFFICERS, OR REPRESENTATIVES IN PERFORMING ANY OF THE SERVICES AND ACTIVITIES UNDER THIS AGREEMENT.

7.04 Notices. Any notice sent under this Agreement (except as otherwise expressly required) shall be written and mailed, or sent by electronic or facsimile transmission confirmed by mailing written confirmation at substantially the same time as such electronic or facsimile transmission, or personally delivered to an officer of the receiving party at the following addresses:

City of Tomball
c/o City Manager
401 Market Street
Tomball, Texas 77375

PID Contract Administrator
Hawes Hill Calderon, LLP
P.O. Box 22167
Houston, Texas 77092
Attn: Scott Bean

Yaupon Trails LTD LLC
c/o Jean Michael Rebesch
DEVELOPER ADDRESS

Each party may change its address by written notice in accordance with this section. Any communication addressed and mailed in accordance with this section shall be deemed to be given when so mailed, any notice so sent by electronic or facsimile transmission shall be deemed to be given when receipt of such transmission is acknowledged, and any communication so delivered in person shall be deemed to be given when receipted for by, or actually received by the City, or the Developer, as the case may be.

7.05 Amendments and waivers. Any provision of this Agreement may be amended or waived if such amendment or waiver is in writing and is signed by the City and the Developer. No course of dealing on the part of the Parties, nor any failure or delay by one or more of the Parties, with respect to exercising any right, power or privilege under this Agreement shall operate as a waiver thereof, except as otherwise provided in this section.

7.06 Invalidity. In the event that any of the provisions contained in this Agreement shall be held unenforceable in any respect, such unenforceability shall not affect any other provision of this Agreement.

7.07 Successors and assigns. All covenants and agreements contained by or on behalf of a Party in this Agreement shall bind its successors and assigns and shall inure to the benefit of the other Parties, their successors and assigns. The Parties may assign their rights and obligations under this Agreement or any interest herein, only with the prior written consent of the other Parties, and any assignment without such prior written consent, including an assignment by operation of law, is void and of no effect; provided that, the Developer may make a collateral assignment in favor of a lender without consent. This section shall not be construed to prevent

the Developer from selling lots, parcels or other portions of the Project in the normal course of business. If such assignment of the obligations by the Developer hereunder is effective, the Developer shall be deemed released from such obligations. If any assignment of the obligations by the Developer hereunder is deemed ineffective or invalid, the Developer shall remain liable hereunder.

7.08 Exhibits; titles of articles, sections and subsections. The exhibits attached to this Agreement are incorporated herein and shall be considered a part of this Agreement for the purposes stated herein, except that in the event of any conflict between any of the provisions of such exhibits and the provisions of this Agreement, the provisions of this Agreement shall prevail. All titles or headings are only for the convenience of the parties and shall not be construed to have any effect or meaning as to the agreement between the parties hereto. Any reference herein to a section or subsection shall be considered a reference to such section or subsection of this Agreement unless otherwise stated. Any reference herein to an exhibit shall be considered a reference to the applicable exhibit attached hereto unless otherwise stated.

7.09 Construction. This Agreement is a contract made under and shall be construed in accordance with and governed by the laws of the United States of America and the State of Texas, as such laws are now in effect.

7.10 Entire Agreement. **THIS WRITTEN AGREEMENT REPRESENTS THE FINAL AGREEMENT BETWEEN THE PARTIES AND MAY NOT BE CONTRADICTED BY EVIDENCE OF PRIOR, CONTEMPORANEOUS, OR SUBSEQUENT ORAL AGREEMENTS OF THE PARTIES. THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES.**

7.11 Term. This Agreement shall be in force and effect from the date of execution hereof for a term expiring on the date that the Developer Advances have been repaid in full, or January 1 of the year following the date the last assessment payment has been made in accordance with the PID Service and Assessment Plan and Assessment Roll(s).

7.12 Time of the essence. Time is of the essence with respect to the obligations of the Parties to this Agreement.

7.13 Approval by the Parties. Whenever this Agreement requires or permits approval or consent to be hereafter given by any of the parties, the parties agree that such approval or consent shall not be unreasonably conditioned, withheld or delayed.

7.14 Counterparts. This Agreement may be executed in multiple counterparts, each of which when so executed and delivered shall be deemed an original, but such counterparts together shall constitute but one and the same instrument.

7.15 Legal costs. If any Party hereto is the prevailing party in any legal proceedings against another Party brought under or with relation to this Agreement, such prevailing Party shall additionally be entitled to recover court costs and reasonable attorneys' fees from the non-prevailing Party to such proceedings.

7.16 Further assurances. Each Party hereby agrees that it will take all actions and execute all documents necessary to fully carry out the purposes and intent of this Agreement.

[EXECUTION PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed as of _____, 2015.

CITY OF TOMBALL, TEXAS

By: _____
Name: _____
Title: _____

Yaupon Trails LTD LLC

Jean Michael Rebescher, Sole Member

EXHIBIT A



Windrose Land Services, Inc

3200 Wilcrest Dr., Suite 325

Houston, Texas 77042

Phone (713) 458-2281 Fax (713) 461-1151

Professional Development Consultants

Land Surveying, Platting, Project Management and GIS Services

Firm Registration No. 10108800

**DESCRIPTION OF
10.9460 ACRES OR 476,809 SQ. FT.**

A TRACT OR PARCEL CONTAINING 10.9460 ACRES OR 476,809 SQUARE FEET OF LAND, SITUATED IN THE JOSEPH HOUSE SURVEY, ABSTRACT NO. 34, HARRIS COUNTY, TEXAS, BEING ALL OF UNRESTRICTED RESERVE "E" OF FINAL PLAT OF LESLIE'S PARK, MAP OR PLAT THEREOF, RECORDED IN FILM CODE NO. 400005, HARRIS COUNTY MAP RECORDS (H.C.M.R.) AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN THAT CERTAIN DEED OF TRUST BETWEEN LAR PROPERTIES LC AND PATRIOT BANK AS RECORDED IN HARRIS COUNTY CLERK'S FILE NUMBER (H.C.C.F. NO.) 20130365283 AND BEING DESCRIBED AS FOLLOWS WITH ALL BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD 83:

BEGINNING AT A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTH END OF A CUTBACK CORNER OF THE INTERSECTION OF THE EAST RIGHT OF WAY (R.O.W.) LINE OF QUINN ROAD (90 FEET WIDE AT THIS LOCATION) AND THE NORTH R.O.W. LINE OF BROWN-HUFFSMITH ROAD (100 FEET WIDE R.O.W.);

THENCE, NORTH 02 DEGREES 10 MINUTES 41 SECONDS WEST, ALONG SAID EAST R.O.W. LINE, A DISTANCE OF 480.73 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE SOUTH LINE OF RESTRICTED RESERVE "A" OF FINAL PLAT OF TOMBALL I.S.D. TRANSPORTATION CENTER, SECTION ONE, MAP OR PLAT THEREOF, RECORDED IN FILM CODE NO. 347073, H.C.M.R. AND MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 87 DEGREES 34 MINUTES 12 SECONDS EAST, ALONG THE SOUTH LINE OF SAID TOMBALL I.S.D. TRANSPORTATION CENTER, A DISTANCE OF 964.34 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTHWEST CORNER OF A CALLED 9.997 ACRE TRACT TO TREK INVESTMENTS AS RECORDED IN H.C.C.F. NO. T-767809 AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT; FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS FOR REFERENCE NORTH 61 DEGREES 52 MINUTES 39 SECONDS EAST, 0.27 FEET;

THENCE, SOUTH 02 DEGREES 18 MINUTES 47 SECONDS EAST, A DISTANCE OF 499.92 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE CURVED NORTH R.O.W. LINE OF BROWN-HUFFSMITH ROAD (BASED ON A WIDTH OF 100 FEET) MARKING THE SOUTHWEST CORNER OF SAID 9.997 ACRE TRACT, THE WEST CORNER OF UNRESTRICTED RESERVE "F" OF SAID LESLIE'S PARK AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT; FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS FOR REFERENCE NORTH 13 DEGREES 05 MINUTES 16 SECONDS WEST, 0.28 FEET;

THENCE, ALONG SAID CURVED R.O.W. LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 2,018.50 FEET, A CENTRAL ANGLE OF 02 DEGREES 13 MINUTES 53 SECONDS, AN ARC LENGTH OF 78.61 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 89 DEGREES 11 MINUTES 22 SECONDS WEST, 78.61 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR A POINT OF TANGENCY;

SHEET 1 OF 2



Windrose Land Services, Inc

3200 Wilcrest Dr., Suite 325

Houston, Texas 77042

Phone (713) 458-2281 Fax (713) 461-1151

Professional Development Consultants

Land Surveying, Platting, Project Management and GIS Services

Firm Registration No. 10108800

THENCE, SOUTH 88 DEGREES 04 MINUTES 25 SECONDS WEST, CONTINUING WITH SAID NORTH R.O.W. LINE, A DISTANCE OF 873.68 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

THENCE, SOUTH 87 DEGREES 34 MINUTES 18 SECONDS WEST, CONTINUING WITH SAID NORTH R.O.W. LINE, A DISTANCE OF 3.96 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING SOUTHERLY END OF A CUTBACK CORNER AND A SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 47 DEGREES 18 MINUTES 06 SECONDS WEST, A DISTANCE OF 13.11 FEET TO THE PLACE OF BEGINNING AND CONTAINING 10.9460 ACRES OR 476,809 SQUARE FEET OF LAND, AS SHOWN IN JOB NO. 51981 FILED IN THE OFFICES OF WINDROSE LAND SERVICES, INC.




MIKE KURKOWSKI
R.P.L.S. NO. 5101
STATE OF TEXAS
51981

09/10/14
DATE

Description of Residential Development



EXHIBIT C

The PID Improvements

Storm & Detention - \$470,350.

Water Distribution - \$81,450.

Sanitary Distribution - \$125,800

Paving - \$341,625

Electrical, Gas, & Street Lights - \$62,500

TOTAL EST - \$1,081,725

Landscaping - \$103,000

Regular City Council

Agenda Item

Meeting Date: February 2, 2015

Data Sheet

Topic:

Approve **REPLAT: GUSMERI HOME**: A replat of Lots 37 and 38 into New Lot 37 in Block 90 of Revised Map of Tomball, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the Map Records of Harris County, Texas. Said Block 90 lying in the Ralph Hubbard Survey (A-383).

Background:

The Planning and Zoning Commission voted 5-0 to approve the Replat: Gusmeri Home with contingencies on December 8, 2014. The plat has been corrected and is now being forwarded to the City Council for approval consideration.

Origination:

Recommendation:

Funding:

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

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Replat: Gusmeri Home

STATE OF TEXAS
COUNTY OF HARRIS

I, Stephanie L. Gusmeri, hereinafter referred to as owner of the 0.1607 acre tract described in the above and foregoing plat of "GUSMERI HOME", do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said map or plat and hereby dedicate to the use of the public forever, all streets (except private), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations herein expressed, and do hereby bind myself and my heirs, successors, and assigns to warrant and defend the title to the land so dedicated.

FURTHER, owner has dedicated and by these presents dedicate to the use of the public for public utility purposes an unobstructed aerial easement five feet in width from a plane twenty feet above the ground upward, located adjacent to all public utility easements shown hereon.

FURTHER, owner does hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private walkways crossing such drainage facilities.

FURTHER, owner does hereby dedicate to the public a strip of land 25 feet wide on each side of the centerline of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage course located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owner does hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain into this easement except by means of an approved drainage structure.

WITNESS my hand, this 23rd day of JANUARY, 2015 Stephanie L. Gusmeri

Stephanie L. Gusmeri, Owner

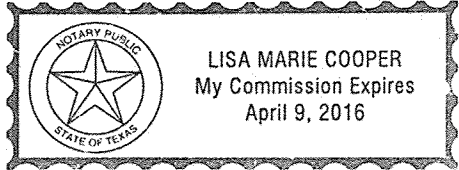
STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Stephanie L. Gusmeri, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said owner.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 23 DAY OF Jan, 2015 MC

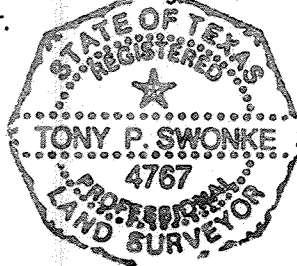
Don Van Gorp
Notary Public in and for the State of Texas

My Commission expires on the 23 day of Jan, 2015 MC



I, Tony P. Swonke, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that the elevation benchmark reflected on the face of the plat was established as required by regulation; that all corners and angle points of the boundaries of the original tract to be subdivided of reference have been marked with iron rods having a diameter of not less than five-eighths of an inch (5/8") and a length of not less than three feet (3') and that the plat boundary corners have been tied to the nearest survey corner.

Tony P. Swonke
Registered Professional Land Surveyor No. 4767



This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public easements and rights-of-way in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat on this ____ day of ____, 2015.

Gretchen Fagan
Mayor

Doris Speer
City Secretary

We, the City Manager and City Engineer for the City of Tomball, do hereby certify that this plat of "GUSMERI HOME" is in conformance with the City of Tomball ordinances.

George Shackelford
City Manager

Lori Lakatos
Lori Lakatos, P.E., CFM
City Engineer

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of "GUSMERI HOME", in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat on this ____ day of ____, 2015.

Barbara Tague
Chairman

Darrell Roquemore
Vice-Chairman

I, Stan Stanart, Clerk of the County Court of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the ____ day of ____, 20__, at ____ o'clock __, M., and was duly recorded on the ____ day of ____, 20__, at ____ o'clock, __, M. and filed under Film Code No. ____ of the Map Records of Harris County, Texas.

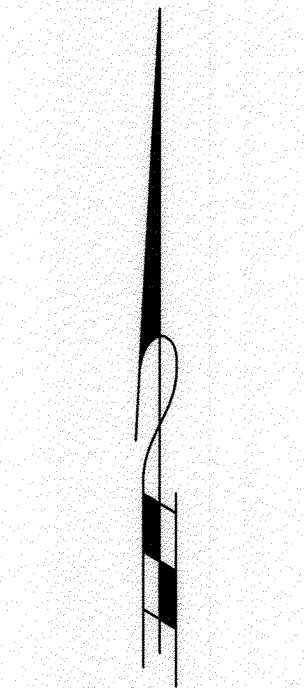
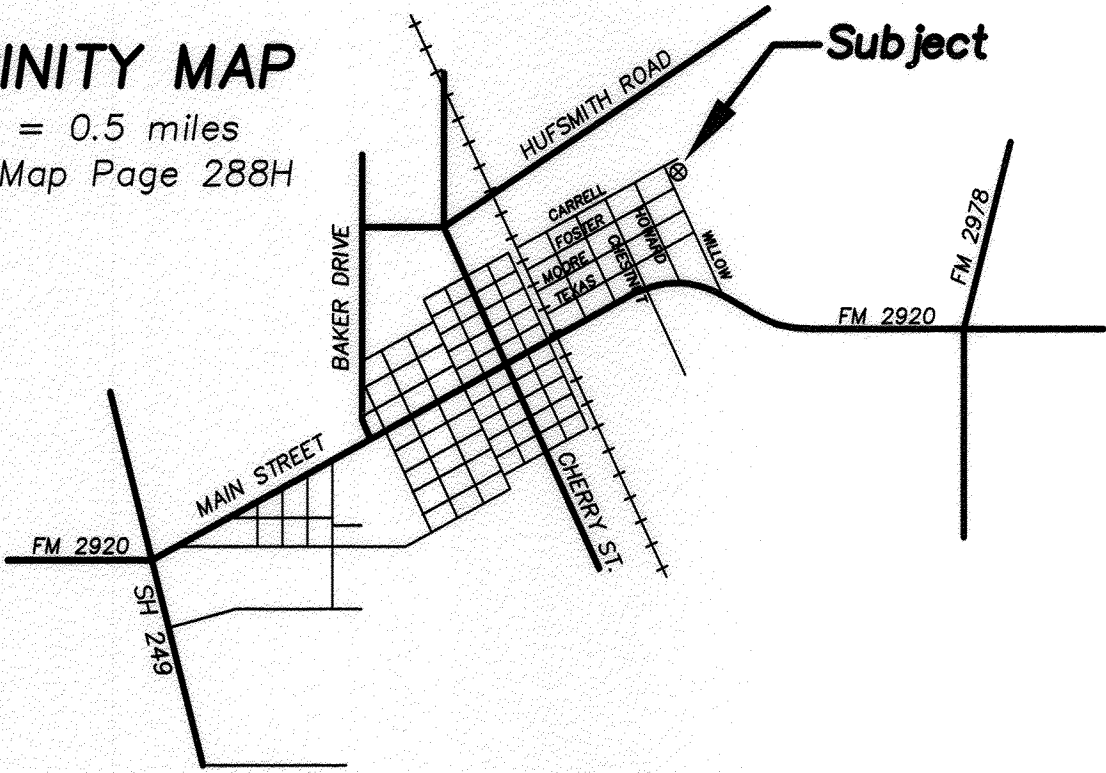
WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, TEXAS, THE DATE AND DATE LAST ABOVE WRITTEN.

Stan Stanart
Clerk of the County Court
Harris County, Texas

Deputy

VICINITY MAP

1" = 0.5 miles
Key Map Page 288H



SCALE: 1" = 20 Ft.
0 5 10 15 20

OWNER:

Stephani L. Gusmeri
16335 Stable Manor Lane
Cypress, TX 77429
Ph: 832-771-7973

PREPARED BY:

Tony Swonke Land Surveying
700 Kane Street
Tomball, TX 77375
281 351 7789

DATE: November 30, 2014

- Note #1 All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- Note #2 All oil/gas wells (plugged, abandoned, and/or active) through the subdivision have been shown.
- Note #3 No building or structure shall be constructed across any pipelines building lines, and/or easements. Building setback lines will be required, adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- NOTE #4: This plat does not attempt to amend or remove any valid restrictions or covenants.
- NOTE #5: The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building line required by the City of Tomball Code of Ordinances at the time of the development of the property.

FLOOD INFORMATION: According to FEMA Firm Panel No. 48201C0230 L (Dated June 18, 2007), this property is in Zone "X" and not in the 0.2% Annual Chance Flood Plain.

PUBLIC EASEMENT:

Public easements denoted on this plat are hereby dedicated to the use of the public forever. Any public utility, including the City of Tomball, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, paved surfaces, fences, trees shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

7.9993 Acres
Undeveloped/ Agriculture

CARRELL STREET
(60 Ft. R-O-W per Vol. 4, Pg. 25, HCMR)

WILLOW STREET
(60 Ft. R-O-W per Vol. 4, Pg. 25, HCMR)

NEW LOT 37
0.1607 Acres
(7000.00 Sq. Ft.)

BLOCK 90

BLOCK 84

LOT 47
Vol. 4, Pg. 25, HCMR
(Residential w/ home)

LOT 48
Vol. 4, Pg. 25, HCMR
(Residential w/ home)

LOT 18
Vol. 4, Pg. 25, HCMR
(Residential w/ home)

LOT 17
Vol. 4, Pg. 25, HCMR
(Residential w/ home)

"HITCHCOCK PLACE"
Film Code No. 501048 HCMR
(VACANT)

LOT 34
Vol. 4, Pg. 25, HCMR
(VACANT)

LOT 33
Vol. 4, Pg. 25, HCMR
(VACANT)

LOT 39
Vol. 4, Pg. 25, HCMR
(Vacant)

LOT 40
Vol. 4, Pg. 25, HCMR
(Vacant)

LOT 41
Vol. 4, Pg. 25, HCMR
(residential w/ home)

LOT 42
Vol. 4, Pg. 25, HCMR
(residential w/ home)

Regular City Council

Agenda Item

Meeting Date: February 2, 2015

Data Sheet

Topic:

Approve the Replacement of the Pump, Pump Motor, Piping, Foam Unit and Other Equipment on Booster 2 as Approved in the 2014/2015 Budget, in the Amount of \$55,681

Background:

Council approved the retrofit of a new skid unit and improvements to the suspension and storage for Tomball Fire Department Booster 2. The original pump, motor, foam system and piping systems, having been in service since 2003, have worn out on the unit and needed replacement. TFD determined a replacement system similar to the system on the Texas Forest Service Truck (Booster 3) would provide greater capabilities for the unit. The cost of the retrofit is \$55,681 versus a budget of \$66,000.

Origination:

Fire Department

Recommendation:

Staff recommends approval

Funding: Yes

Account Number: 142-6405

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

Randy Parr

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Proposal from NEEL Fire Protection Apparatus Buy Board Contractor

NEEL Fire Protection Apparatus, INC.

Serving Fire Departments SINCE 1960
Texas Motor Vehicle License 101005 & A101978
P O BOX 20126, TEXAS 76702 - 0126
1118 IH - 35 North (exit 338-B) WACO, TEXAS 76705
800-433-3402 / 254-799-9176 Fax 254-799-9248
Email neel@texnet.net · www.neelfire.com

Buy Board Contractor

Member of the Better

January 20, 2015

Mr. Randy Parr
Tomball Fire Department
rparr@tomballtx.gov
281-924-3324

REF: Retro Fit Brush Truck Proposal

Mr. Parr:

We at NEEL Fire Protection Apparatus, INC. appreciate the opportunity
To provide our proposal for the RETRO FITTING OF your Brush Truck.

Options are also available for you to choose equipment that will best
service your department needs and your department budget.

Add, Change or Delete any equipment that will better service your
department's needs. Changes may affect the final investment amount.

If you have any questions, call, email or fax us.

Call us for any of your fire fighting equipment needs.

Thank you.

Gene Lednicky
Gen. Mgr. Encl: Spec's

NEEL Fire Protection Apparatus, INC.
Serving the Fire Service Needs Since 1960
Retro Fit Brush # 2 Unit Specification

January 20, 2015

FireBed BODY:

Existing equipment will be removed and the body will be cleaned.

Rails will be added to replicate rails on unit E7-62.

All Aluminum Compartment 57" Long; 24" High and 18" Deep with lift up door will be installed on the Right/Passenger side of the bed. A Long tool bin, with lift up lid will be installed on top of this compartment.

All Aluminum Compartment 72" Long; 24" High and 18" Deep with two (2) lift up doors will be installed on the Left/Driver side of the bed. A Hose lay, with lift up lid will be installed on top of this compartment. There will be a 1 1/2" pre connect swivel in the hose lay for ease of hose deployment.

All compartment doors will have slam "D" handle, lockable latches. Compartments will be illuminated with strip LED lights, have rubber tile on the floor and be vented.

CHASSIS:

New tires and wheels will be installed on the chassis.

Items will be "BIG WHEELS" 335 X 80R20 X 22R and an Spare wheel & tire to match. Load range M; steel wheels 20" x 11.00" 10 hole.

A 4" Heavy Duty lift kit will be installed, with heavy duty shocks.

Entire chassis will be painted RED; Front bumper/grill guard & NURF Steps will be Powder Coated Color of choice, Black, Red or Silver.

New L E D clearance, stop/tail and backup lights will be installed;

Replace Emergency lights that are not L E D. DOES NOT INCLUDED LIGHT BAR.

IF WE CAN LOCATE A 6" LIFT KIT, WE WILL INSTALL IT.

D O T LIGHT & EQUIPMENT:

The 12 volt apparatus electrical wiring will be independent of the chassis electrical system. The Service Body electrical system shall incorporate a state of the art distribution center. All wires will be color coded. Each circuit will be protected by a mechanical reset circuit breaker. The distribution shall be mounted in the area behind and beneath the chassis rear seat; this will be easily accessible and weather proof.

The system will have spare ports for additional electrical components, should there be a need to add systems in the future.

All wiring will be encased in split barrel loom, which is moisture and heat resistant.

All wiring will be a continuous length, no splice. The wiring will be strand copper alloy, automotive grade, of a gauge ample in size of carrying 125% of the anticipated load.

All connections shall be made with lugs or terminal mechanically secured to the conductors. The wiring will be thoroughly secured in all places and suitably protected from heat, oil and possible physical damage.

A wiring diagram will be provided. All wiring shall meet or exceed all automotive wiring

NEEL Fire Protection Apparatus, INC. Waco, TX
Retro Fit Body Kit Spec's (cont'd)

Page 2 of 3
Jan 20 2015

Stop/Signal/Tail & Back Up Lights: LED 4" round will be installed in the rear skirt.

Clearance Lights: four(4) clearance **LED** lights, 2 - red & 2 - amber; lights will be mounted at each corner of the service body inside the rub rails.

Three Light DOT Rear Cluster: will be installed in the channel of the rear tailboard.

License plate light: will be installed on the rear of the service body.

Back Up alarm: will be installed under the rear of the service body, it will be activated when the transmission is placed in the reverse mode.

Work Lights; Four (4) work lights; 2 - headache rack; 1 - RT; 1 - LF; 2 @ rear on rails.

Emergency Flashing Lights: 2 front; 2 rear and 4 side new L E D flashing lights
Will be installed, all red.

Fire Fighting Unit:

The current water tank will be use. Tank will be checked of leaks and "cleaned UP".
An aluminum storage area will be installed for storage of the spare wheel/tire unit.

A new Hale HP 200 18 hp pump unit will be installed on the bed. Hale pump has
A exhaust primer.

A discharge manifold with stainless steel plumbing and all Akron
Valves will in installed off the pump discharge.

1 - 3" tank to pump valve; 1 - 2 ½" intake valve w/swivel, screen & plug; 1 - 2 ½" valve
discharge w/cap; 1 - 1 ½" valve connected to hose lay; 1 - 1 ½" valved feed line to
Feed 2 - 1" valves for jumplines; 1 ½" valved discharge to rear; 1 - automatic pump
Cooling line; 1 - 1" valve pump to tank;

All valves will be labeled and have a direct control handle and all discharges will
Have a male NH tread.

Hannay electric aluminum reel with spools and roller;

150' of 1" Kocheck Life hose on reel and 2 - 10' x 1" for jump lines.

Nozzle storage clip at reel and each jumpline.

Control panel will have throttle, choke, start/stop; low pressure warning light
And pressure gauge. Panels will be illuminated with an LED light.

WARRANTIES: Pump: by Hale 5 years
Electrical: by Manufacturer of Product
Other: by Part manufacturer
Compartments: by NEEL 3 years

NEEL FIRE PROTECTION APPARATUS, Inc.
Tomball FD RETRO Fit of Brush #2

Page 3 of 3
Jan 20, 2015

YOUR INVESTMENT FOR THIS RETRO FIT \$55,681.00

TERMS: TOTAL 30% DEPOSIT w/ORDER – Contract
BALANCE NET DUE AT DELIVERY.
Delivery & Pick UP of Apparatus by Department

COMPLETION WITHIN 60 WORKING DAYS AFTER RECEIPT OF UNIT

OPTIONAL ITEMS:

Emergency Light & Sound Package – Basic	ADD \$	2,325.00
Front Bumper Spray tips w/elec valves	ADD \$	2,450.00
Front Bumper Elec Monitor, Valve, JoyStk	ADD \$	7,000.00
Warn winch 9500# w/Carrier	ADD \$	1,700.00
Warn winch 9500# wAir Compressor & Car'r	ADD \$	2,100.00

Prices Include Installation

We are FULLY INSURED; can provide Bid and Performance Bonds,
at an additional fee. Our firm is in compliance with ALL current
Texas & Oklahoma Department of Motor Vehicle regulations.

WE ARE LISTED CONTRACTORS WITH BUY BOARD BUYING CO' OP.
REFERENCES, Schulenburg, Holland, Little River, Jarrell, Sargent, Port Neches
Gilmer, Groveton, Crockett, Lovelady, Weldon, Willow City and others are available.
Should you have any question, call me at 800-433-3402 or Fx 254-799-9248;
Email neel@texnet.net.

I am available to come to your department to discuss this unit or any other
Fire fighting equipment needs your department may have.
Your favorable consideration will be appreciated!

Thank You,

GENE LEDNICKY
Gen. Mgr.

TOMBALL REHAB 1 15 15 Qty
 by: NEEL Fire Protection
 Apparatus, INC.
 BIG/Large Wheel UPFit & 4" Lift Kit 1
 Spare Wheel & Tire 1
 Spare Tire Stg Tank Alum Dung 1
 Change Gear Ratio Rear & Front 0 Optional
 Change Gear Ratio Front 0 Optional
 Fender Flares pair 0 N / A
 Rear Wheel Alignment Kit 0 Optional
 Bed Rails 2
 LIFT KIT 4" 1 6" if available
 PAINT CHASSIS 1
 PowerCoat Grill Guard 1

Clean Aluminum Bed 4
 New HP 200 Hale 1
 New Manifold Stainless steel 1
 1 1/2" Preconnect on rear hosebed 2
 AV
 1 1/2" Preconnect Crosslay Swivel 1
 2 1/2" discharge to rear Av 1
 1- 1 1/2" discharge to 2-1" jumplines 1
 frt bd
 1" @ jumplines 2
 1" pump to tank 1
 1 - 3" Tank to Pump 1
 2 1/2" cap Chrome 1
 2 1/2" Plug Chrome 1
 Jumplines 10' Kocheck Lite Hose 2
 Jumpline & Reel Nozzles Clips 3
 Hannay Reel Aluminum 1
 150' Kocheck KBH Lite Hose 100 & 50 1
 Compt 57"L x 24"H x 18"D Rt/Psg 1
 Side
 Compt 72"L x 24"H x 18"D Lf/Dr 1
 Side
 Alum Hose Lay Left w/lid 1
 Long tool stg right w/lid 1
 Tail Lights; Stop & Signal L E D 4" 2
 Red
 Back Up Lights LED 4" Clear 2
 Triple Lite Cluster, Rear L E D 1
 Clearance Lights 2-R; 2-A L E D's 1
 License Plate Light 1
 Back UP Alarm 1
 L E D Flashing Lights 8
 Work Lights L E D on HeadacheRk 2
 Compartment LED Strip Lights 4
 Compartment Vents EA 4
 Ground Lights 6
 Weight Certificate Empty & Full 2
 Identification Plates 1

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 2, 2015

Topic:

Discussion regarding Restricting Parking on Certain Side Streets in the Old Town District Due to the Narrow Streets

Background:

Most streets in the residential areas of the Old Town District are very narrow and all have open ditches for stormwater runoff. During festivals and other events, parking on both sides of these streets makes it virtually impossible for fire apparatus to navigate through them, potentially restricting our access to homes and businesses located on these streets.

George Shackelford prepared a memo, copy attached, summarizing staff discussions and presenting various alternatives for consideration. A map was included, copy attached, which indicated the affected streets. It is suggested that notification to and discussions with residents of the affected area be held to discuss and address their concerns for this action.

Staff is seeking additional input from Council on the desired direction to move to mitigate the issue.

Origination:

City Council request

Recommendation:

Discussion only

Funding:

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

Randy Parr

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

City Manager e-mail summarizing discussions

Map of proposed restricted parking

Randy Parr

From: George Shackelford
Sent: Monday, January 19, 2015 12:45 PM
To: City Council Distribution List
Cc: George Shackelford;

Subject: Robert Hauck; David Esquivel; Steve Purvis; Randy Parr
Attachments: Neighborhood parking issues during festivals
map1_Aerial.pdf

Mayor and Council

At the December 15th Council meeting, the issue of neighborhood parking during major events was brought up and asked to be placed on a future agenda. Staff discussed this several times and following are a number of ideas to discuss. Attached is a map of the streets that when cars are parked on both sides of the street, the fire department believes a truck could not go through.

1. Place “no parking” signs on one side of the street—could determine that by which have deeper drainage ditches. The signs would remain full time. Neighborhood would probably not like the signs as it would restrict their on-street parking option. Some in the neighborhood won’t like the placement location of the signs either.
 - a. Could place sleeves in the ground and alter side to side per festival—would take a lot of manpower to put and remove signs
2. Place “no parking” signs on one side of the street with language that restricted parking would be during festivals only—not as restrictive to the neighborhood—again which side to place the signs on
3. During festivals, we would have to actively enforce the no parking signs.
4. In order to enforce, an ordinance would need to be adopted by the Council.
5. We could mail notice to the individual houses to receive their input also—could set up web survey for them to fillout.

I wanted the Council to have the map of the affected areas to review prior to placing on the agenda for discussion. We’ll plan on placing it on the February 2, 2015 agenda for discussion—I’m sure there are other possible solutions.

George T. Shackelford
City Manager
City of Tomball
281.290.1006-direct

