NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

TUESDAY, SEPTEMBER 2, 2014

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Tuesday, September 2, 2014 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by the Reverend Thomas Hopper, St. Anne's Catholic Church

3.0 Pledges to U.S. and Texas Flags

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

5.0 Reports and Announcements

- ***Tomball City Pool - 2014 Swim Season - Jerry Matheson Park Pool*** closed on September 1, 2014.
- September 13, 2014 – ***2nd Annual "New Life" 5K and Kid's Walk Fundraiser*** *(Tomball Pregnancy Center and Salem Lutheran)*
- September 13, 2014 - **2nd Saturday at the Depot - *"Barnyard"*** - 6:00 p.m.
- September 27, 2014 – **4th Annual Bugs, Brew & Barbeque Festival**
- October 7, 2014 – **Mayor's Coffee, Cisco's Salsa,** *Sol de Luna* - 5:30 p.m.-7:00 p.m.
- October 11, 2014 – ***2nd Annual "Sherine's Stride" 5K Run and 1-Mile Kids Run for Breast Cancer Awareness***
- October 20-31, 2014 – Early Voting for **November 4, 2014 Local Option Election**
- October 25, 2014 – **3rd Annual Tomball *Bluegrass Festival***
- **November 4, 2014 (Tuesday) – Local Option Election, City Hall, 7:00 a.m.-7:00 p.m.**
- November 8, 2014 – ***6th Annual 5K Tomball Dash*** *(Woodforest Bank)*
- ***Walk Tomball!*** – Every Saturday at 8:00 a.m. at the Depot – **NOTE: Beginning September 6, walk will begin at 9:00 a.m.**
- Reports by City staff and members of council about items of community interest on which no action will be taken:
  - Mike Baxter – Report on ***Texas Music Festival***

6.0 Approve the Minutes of the August 18, 2014 Regular City Council Meeting

7.0 Old Business:

7.1 Adopt, on Second Reading, **Ordinance No. 2014-23**, an Ordinance Amending Chapter 22, Emergency Management, by Deleting Chapter 22 in Its Entirety and Adopting a New Chapter 22, Emergency Management; Establishing Program Response and Recovery Phases of Comprehensive Emergency Management; Acknowledging the Office of Emergency Management Director; Authorizing the Appointment of an Emergency Management Coordinator; and Providing for the Duties and Responsibilities of Those Offices; Identifying an Operational Organization; Granting Necessary Powers to Cope with All Phases of Emergency Management which Threaten Life and Property in the City of Tomball; Authorizing Cooperative and Mutual Aid Agreements for Relief Work between This and Other Cities or Counties and for Related Purposes; Repealing Ordinance No. 92-16, Passed, Approved and Adopted on October 19, 1992; Providing for Severability; and Making Other Findings Related Thereto.

7.2 Adopt, on Second Reading, Ordinance No. 2014-25, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2014-2015; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2013-2014 Fiscal Year in Accordance with Actual Expenditures; and Providing other Details Relating to the Passage of This Ordinance

7.3 Adopt, on Second Reading, Ordinance No. 2014-27, an Ordinance of the City of Tomball, Texas, Amending Its Zoning Ordinance, by Approving a Planned Development (PD) District of Approximately 39.4 Acres of Land, Legally Described as Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4a, 4b, and 5, Abstract 629, J. Pruitt; Within the City of Tomball, Harris County, Texas; Amending the Official Zoning Map of the City to Reflect the PD to be known as PD District #7 (PD-7); Adopting a Concept Plan and Regulations Applicable to PD-7; Providing for Severability; Providing for a Penalty of an Amount not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.

7.4 Adopt, on Second Reading, Ordinance No. 2014-28, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, Within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars ($200.00) for the Violation of this Ordinance

8.0 New Business:

8.1 Ratify the FY 2014-2015 Budget and Find that the Proposed Tax Rate of $.341455/$100 Does Not Exceed the Effective Tax Rate and Will Generate Less Property Tax Revenue than the FY 2013-2014 Budget.

8.2 Announce that No Public Hearings on the Proposed Tax Rate for 2014 will be Required

8.3 Approve Long-Term Use Agreement between the City of Tomball and Tomball Farmers Market Allowing Tomball Farmers Market to Use City of Tomball Property Located at 105-A Cherry Street

8.4 Cast Ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees (TML-IRP)

8.5 Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2014-2015 Budget.

8.6 Consideration and possible action to approve, as a Project of the Corporation, an agreement with Advanced Pressure Systems, L.P., to make direct incentives to or expenditures for equipment expansion for the creation and retention of primary jobs for Advanced Pressure Systems. The estimated amount of expenditures for such project is $22,500.00.

8.7 Consideration and possible action to approve First Amendment to Economic

Development Agreement between the Tomball Economic Development Corporation and Inline Services, Inc. for additional funding of $21,129.00.

8.8 Consideration and possible action to approve, as a Project of the Corporation, an agreement with Compass Instruments, LLC, to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation and development of a manufacturing facility located at 321 South Persimmon Street, Tomball, TX. The estimated amount of expenditures for such Project is $45,000.00.

8.9 Approve the Assignment of Development Agreement regarding the Assignment of Annual Assessment Collections for PID No. 1, Pine Country of Texas

8.10 Approve and Authorize City Manager to Execute Pipeline Relocation/Reimbursement Agreement with Tortuga Operating Company ("Tortuga") in the amount $85,199.00.

8.11 Consideration to approve **Live Oak Center**; A Subdivision of land containing 0.3335 acre, more or less, being a Replat of all of Lot 4, the adjoining 3.30 feet of Lot 3, and the adjoining south 10' of a 200' wide alley, in Block 10, of Main Street Addition, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 15, Page 43 of the map records of Harris County, Texas.

8.12 Adopt, on First Reading, Ordinance No. 2014-26, an Ordinance of the City of Tomball, Texas, Establishing Rates and Charges for Potable Water, Sanitary Sewer, Natural Gas, and Garbage Collection and Disposal Services; Repealing Ordinance No. 2013-12 and All Other Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; Providing for an Effective Date; Providing Other Matters Relating to the Subject; and Providing for Severability

8.13 Approve Resolution No. 2014-17, a Resolution of the City of Tomball, Texas, adopting the City of Tomball's Investment Policy, as set forth in the City's Administrative Policy No. 13, entitled "Investment Policy"

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

- Sec. 551.071 - Private Consultation with Attorney in Closed Meeting Regarding a Matter of Potential Litigation that the Duty of the Attorney Requires be Held in Closed Session
- Sec. 551.072 – Deliberations Regarding Real Property.

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

Approve Resolution No. 2014-02, a Resolution of the City Council of the City

of Tomball, Texas Determining that a 3.608 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

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

Approve Resolution No. 2014-03, a Resolution of the City Council of the City of Tomball, Texas, Determining that 8.288 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

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

Approve Resolution No. 2014-21, a Resolution of the City Council of the City of Tomball, Texas, determining that 3.001 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

9.0 Adjournment

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 28th day of August 2014 by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

*Doris Speer*_____
Doris Speer
City Secretary, TRMC

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

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

- Led by the Reverend Thomas Hopper, St. Anne's Catholic Church

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

- ***Tomball City Pool - 2014 Swim Season - Jerry Matheson Park Pool*** closed on September 1, 2014.

- September 13, 2014 – ***2nd Annual "New Life" 5K and Kid's Walk Fundraiser*** *(Tomball Pregnancy Center and Salem Lutheran)*
- September 13, 2014 - **2nd Saturday at the Depot - *"Barnyard"*** - 6:00 p.m.
- September 27, 2014 – **4th Annual Bugs, Brew & Barbeque Festival**
- October 7, 2014 – **Mayor's Coffee, Cisco's Salsa,** *Sol de Luna* - 5:30 p.m.-7:00 p.m.
- October 11, 2014 – ***2nd Annual "Sherine's Stride" 5K Run and 1-Mile Kids Run for Breast Cancer Awareness***
- October 20-31, 2014 – Early Voting for **November 4, 2014 Local Option Election**
- October 25, 2014 – **3rd Annual Tomball *Bluegrass Festival***
- **November 4, 2014 (Tuesday) – Local Option Election, City Hall, 7:00 a.m.-7:00 p.m.**
- November 8, 2014 – ***6th Annual 5K Tomball Dash*** *(Woodforest Bank)*
- ***Walk Tomball!*** – Every Saturday at 8:00 a.m. at the Depot – **NOTE: Beginning September 6, walk will begin at 9:00 a.m.**
- Reports by City staff and members of council about items of community interest on which no action will be taken:
    - Mike Baxter – Report on ***Texas Music Festival***

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	☐ 1ST ☐ 2ND	

ATTACHMENTS:

September 13, 2014 - 2nd Saturday at the Depot

2ND SATURDAY AT THE DEPOT





SATURDAY, SEPTEMBER 13TH
STARTING AT 6:00 PM

- THE MOVIE "*BARNYARD*" ON THE GIANT SCREEN
- THE HOUSTON LIVESTOCK SHOW & RODEO SPECIAL EVENTS TEAM
- ANDY THE ARMADILLO FROM TEXAS ROADHOUSE
- MUSIC BY "THE JUKE BOX
- PETTING ZOO, CRAFTS & GAMES
- BRING A LAWN CHAIR OR PICNIC THROW
- SNACK CONCESSIONS AND DRINKS

FREE!

201 S. Elm Street | Tomball | visit tomballtx.gov | 281-351-5484

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:
Approve the Minutes of the August 18, 2014 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	☐ 1ST ☐ 2ND	

ATTACHMENTS:
Draft Minutes - August 18, 2014 Regular Council Meeting

MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

MONDAY, AUGUST 18, 2014

6:00 P.M.

1.0 Call to Order

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

Councilman Hudgens
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – George Shackelford
Assistant City Manager/Police Chief – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Fire Chief – Randy Parr
Director of Public Works – David Kauffman
Marketing Director – Mike Baxter
Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
Finance Director – Glenn Windsor
IT Manager – Doug Tippey
Accountant – Christine Brookshire
Community Events Coordinator – Rosalie Dillon

2.0 Invocation

- Led by Dr. Russell Hall, Tomball United Methodist Church

3.0 Pledges to U. S. and Texas Flags were led by Randy Parr, Fire Chief.

4.0 The following public comments were received:

Mike Wangsmo 29607 Imperial Creek, 77375	-	City Secretary read Mr. Wangmo's email regarding his support for 95-gallon polycarts into the record.

Ellis Carmichael 1306 Pine Bark, 77375	- Expressed his opposition to proposed changes in the City's sanitation service.
Tina Evans 308 Lawrence, 77375	- Expressed her opposition to proposed changes in the City's sanitation service.
Karen Vantronk 314 Foster, 77375	- Expressed her opposition to proposed changes in the City's sanitation service.
Patsy Herald 315 Foster, 77375	- Expressed her opposition to proposed changes in the City's sanitation service.

5.0 Presentations:

- Mayor Fagan and Rosalie Dillon made presentations to the Sponsors of Tomball Kids Club:
  - Lunch Meal Donations: Buffalo Wild Wings, Cisco's Salsa Company, and H-E-B
  - Volunteers: Tomball Bible Church, Redeemer Church, Salem Lutheran Ministries, Tomball High School NJROTC, Tomball High School Charms, Tomball High School National Honor Society, and Concordia Lutheran High School
  - Monetary/Supplies Donations: Cisco's Salsa Company, Resale with a Purpose, Lone Star College Tomball, and French Quarter Restaurant
  - Programs/Support: Tomball Lowe's, Denise Neef, Mi Pottery, Houston Livestock Show & Rodeo Special Event Team, Tomball Soo Bahk Do, Texas Star Gymnasium, Waste Corporation of America, Northwest EMS, Tomball Public Works Department, Tomball Fire Department, and Tomball Police Department

6.0 Reports and Announcements:

- ***Tomball City Pool - 2014 Swim Season*** **- Jerry Matheson Park Pool** opened May 24, 2014 and will close on September 1, 2014. May 24-June 6, 2014, the pool will be open only during weekends. The pool will be closed every Monday during swim season 2014, except Memorial Day and Labor Day. June 6-August 24, 2014 will be regular weekly days and hours. After August 24, 2014, the pool will open weekends only until September 1, 2014.
- August 30, 2014 –***Texas Music Festival***
- September 13, 2014 – ***2nd Annual "New Life" 5K and Kid's Walk Fundraiser*** *(Tomball Pregnancy Center and Salem Lutheran)*
- September 13, 2014 - **2nd Saturday at the Depot -** ***"Barnyard"*** - 6:00 p.m.
- September 27, 2014 – **4th Annual Bugs, Brew & Barbeque Festival**
- October 7, 2014 – **Mayor's Coffee, Cisco's Salsa,** *Sol de Luna* – 5:30 p.m.-7:00 p.m.
- October 11, 2014 - ***2nd Annual "Sherine's Stride" 5K Run and 1-Mile Kids Run for Breast Cancer Awareness***
- October 20-31, 2014 – Early Voting for **November 4, 2014 Local Option Election**
- October 25, 2014 – **3rd Annual Tomball** ***Bluegrass Festival***
- **November 4, 2014 (Tuesday) – Local Option Election, City Hall, 7:00 a.m.-7:00 p.m.**

- November 8, 2014 – ***6th Annual 5K Tomball Dash*** *(Woodforest Bank)*
- ***Walk Tomball!*** – Every Saturday at 8:00 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

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the August 4, 2014 Regular City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

8.1 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Solid Waste Collection and Disposal Services for the City of Tomball, Texas and the Proposed Service Level for the Contract for Project No. 2014-06, Solid Waste Collection and Disposal Services for the City of Tomball, between the City of Tomball and WCA Waste Corporation, and specifying Option 1, Maintaining Current Service Levels.

Motion carried unanimously.

8.2 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2014-19, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include All of the Territory within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory within Such Limits and Boundaries; Approving a Service Plan for All of the Area within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause [70.36 Acres of Land Located on FM 2978 (Hufsmith-Kohrville Road), North of Spell Road; Located within the Extraterritorial Jurisdictional of the City of Tomball, Harris County, Texas]. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried unanimously.

8.3 Motion was made by Councilman Degges, second by Councilman Hudgens, to adopt, on Second Reading, Ordinance No. 2014-20, an Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Plan by Changing the Future Land Use Classifications of Approximately 70.36 Acres of Land, Legally Described as All of Proposed Alexander Estates Subdivision and Being a Partial Replat of Tomball Greens Unrestricted Reserve "C" as Recorded in F.C. No. 440128, H.C.M.R. out of the Elizabeth Smith Survey, A-70 Harris County, Texas, within the City of Tomball, Harris County, Texas; from Rural

Residential and Business/Industrial to Medium Density Residential; Said Property Being Generally Located East of Hufsmith-Kohrville Road, North of Spell Road; Providing for the Amendment of the Comprehensive Plan of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Nay
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried, 4 votes Aye, 1 vote Nay.

8.4 Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt, on Second Reading, Ordinance No. 2014-21, an Ordinance of the City of Tomball, Texas, Amending Its Zoning Ordinance by Changing the Zoning District Classification of Approximately 70.36 Acres of Land, Legally Described as All of Proposed Alexander Estates Subdivision and Being a Partial Replat of Tomball Greens Unrestricted Reserve "C" as Recorded in F.C. No. 440128, H.C.M.R. out of the Elizabeth Smith Survey, A-70 Harris County, Texas, within the City of Tomball, Harris County, Texas; from the Agricultural District to the Single-Family Residential-9 District; Said Property Being Generally Located East of Hufsmith-Kohrville Road, North of Spell Road; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Nay
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried, 4 votes Aye, 1 vote Nay.

8.5 Motion was made by Councilman Stoll, second by Councilman Hudgens, to adopt, on Second Reading, Ordinance No. 2014-24, an Ordinance of the City of Tomball, Texas, Amending the "2009 Major Thoroughfare Plan" for the City of Tomball, Texas; Making Certain Findings; and Providing for Severability. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye

Councilman Klein Quinn	Aye

Motion carried unanimously.

8.6 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Joint Resolution and Interlocal Agreement between the City of Tomball and Harris County Emergency Management regarding Updates to the Interlocal Agreement between Harris County and the City of Tomball regarding the Harris County Emergency Operations Plan for the Provision of Mutual Aid between Harris County and the City of Tomball during a Disaster Event, to which the City of Tomball is a Signatory, and to read **Ordinance No. 2014-23** by Caption Only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Joint Resolution and Interlocal Agreement between the City of Tomball and Harris County Emergency Management regarding Updates to the Interlocal Agreement between Harris County and the City of Tomball regarding the Harris County Emergency Operations Plan for the Provision of Mutual Aid between Harris County and the City of Tomball during a Disaster Event, to which the City of Tomball is a Signatory, and to adopt, on First Reading, **Ordinance No. 2014-23**, an Ordinance of the City of Tomball, Texas, Establishing an Emergency Management Program by Amending Chapter 22, Emergency Management, by Deleting Chapter 22 in Its Entirety and Adopting a New Chapter 22, Emergency Management; Establishing Program Response and Recovery Phase of Comprehensive Emergency Management; Acknowledging the Office of Emergency Management Director; Authorizing the Appointment of an Emergency Management Coordinator; and Providing for the Duties and Responsibilities of those Offices; Identifying an Operational Organization; Granting Necessary Powers to Cope with All Phases of Emergency Management which Threaten Life and Property in the City of Tomball; Authorizing Cooperative and Mutual Aid Agreements for Relief Work between This and Other Cities or Countries and for Related Purposes; Repealing Ordinance No. 92-16, Passed, Approved and Adopted on October 19, 1992; Providing for Severability; and Making Other Findings Related Thereto. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried unanimously.

9.0 New Business:

9.1 Motion was made by Councilman Stoll, second by Councilman Degges, to approve Resolution No. 2014-18, a Resolution and Order of the City Council of the City of

Tomball, Texas, Ordering a Special Local Option Election, to be Held in the City of Tomball on Tuesday, November 4, 2014; Designating the Polling Places and Appointing Election Officials for Such Election; Directing the Giving of Notice of Such Election; and Providing Details Relating to the Holding of Such Election
El Concejal Stoll, secundado por el Concejal Degges, presentó la moción para aprobar la Resolución Nro. 2014-18, una Resolución y Orden del Consejo Municipal de la Ciudad de Tomball, Texas, que ordena una Elección de Opción Local Especial, a celebrarse en la Ciudad de Tomball el martes 4 de noviembre de 2014; que designa los lugares de votación y los funcionarios electorales para dicha elección; que instruye la entrega del aviso de dicha elección; y que dispone detalles relativos a la celebración de dicha elección.
Cuộc Vận Động được tiến hành bởi Ủy Viên Hội Đồng Stoll, tán thành bởi Ủy Viên Hội Đồng Degges, thông quan Nghị Quyết số 2014-18, một Nghị Quyết và Lệnh của Hội Đồng Thành Phố Tomball, Texas, Ra Lệnh một Cuộc Bầu Cử Lựa Chọn Địa Phương Đặc Biệt, sẽ được tổ chức tại Thành Phố Tomball vào Thứ Ba, ngày 4 tháng Mười Một, 2014; Chỉ định các Địa Điểm Bỏ Phiếu và Bổ Nhiệm Các Viên Chức Bầu Cử cho Cuộc Bầu Cử đó; Chỉ thị đưa ra Ngày cho cuộc Bầu Cử đó; và Đưa ra các Chi Tiết Liên Quan đến việc tổ chức Cuộc Bầu Cử đó
動議已由市議員Stoll，第二由市議員Degges,通過決議案2014-18，
即Texas州Tomball市市議會的決議和命令，需要計劃在2014年11月4日星期二於Tomball市舉行一次特殊的本地選項選舉；指定這次選舉的投票站和指定所要任命的官員；管理該選舉信息的發出；和提供這次選舉舉行的相關詳細資料。

Motion carried unanimously.
La moción fue aprobada por unanimidad.
Cuộc Vận Động được nhất trí tiến hành.
動議一致通過。

9.2 Presentation was provided by George Shackelford and Paul Howard and Charlie Burditt, Burditt Land Consultants.

Mayor Fagan called the Public Hearing for the Purpose of Council Consideration, Approval and Submission of a Grant Application to the Texas Parks and Wildlife Outdoor Recreation Grant Program for the Proposed Development of a New City Park, said Park being located at 1414 Hufsmith, Tomball, Texas to order at 7:01 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 7:01 p.m.

9.3 Motion was made by Councilman Hudgens, second by Councilman Townsend, to approve the Submittal of Grant Application to the Texas Parks & Wildlife Outdoor Recreation Grant Program.

Motion carried unanimously.

A copy of the application will be provided to Council prior to submission.

9.4 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Resolution No. 2014-19, a Resolution of the City of Tomball, Texas, as Hereinafter Referred to as "Applicant", Designating Certain Officials as Being Responsible For, Acting For, and on Behalf of the Applicant in Dealing with the Texas Parks & Wildlife Department, Hereinafter Referred to as "Department," for the Purpose of Participating in the Local Park Grant Program, Hereinafter Referred to as the "Program"; Certifying that the Applicant is Eligible to Receive Program Assistance; Certifying that the Applicant Matching Share is Readily Available; and Dedicating the Proposed Site for Permanent (or for the Term of the Lease for Leased Property) Public Park and Recreational Uses.

Motion carried unanimously.

9.5 Motion was made by Councilman Stoll, second by Councilman Townsend, to read Ordinance No. 2014-28 by Caption Only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Hudgens, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2014-28, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, Within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars ($200.00) for the Violation of this Ordinance. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried unanimously.

9.6 Presentation was given by Trent Conner, Kimley-Horn, Regarding a Proposed/Potential Development at SH 249 and Holderrieth Road.

No action necessary.

9.7 Mayor Fagan called the Public Hearing on the Proposed Budget for Fiscal Year 2014-2015 and Set Dates for Public Hearings on the Proposed Tax Rate to order at 7:24 p.m.

The following public comments were received:

Pat Bailey 1319 Dove Trails	-	Requested Council consideration to fund sidewalks on South Cherry instead of on Zion Road.

Receiving no additional public comments, Mayor Fagan closed the Public Hearing at 7:26 p.m.

Motion was made by Councilman Townsend, second by Councilman Hudgens, to set the public hearing dates for the proposed tax rate of $0.341455 to support the Budget for Fiscal Year 2014-2015 as September 8, 2014 at 5:00 p.m. and September 15, 2014 at 6:00 p.m. and to place a proposal to adopt the proposed tax rate on a future agenda, following the public hearings. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried unanimously.

9.8 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2014-25 by Caption Only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt, on First Reading, Ordinance No. 2014-25, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2014-2015; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2013-2014 Fiscal Year in Accordance with Actual Expenditures; and Providing other Details Relating to the Passage of This Ordinance. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried unanimously.

9.9 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Resolution No. 2014-20, a Resolution of the City of Tomball, Texas, Soliciting

Support for Legislative Action to Change the Deadline for Posting the Proposed Property Tax Rate Notice as Required by Texas Local Government Code Section 140.010.

Motion carried unanimously.

9.10 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve **CABANAS**; A Subdivision of a 0.2410-acre tract; Being a Replat of Lots 42, 43 and 44, Block 68 of Revised Map of Tomball as recorded in Volume 4, Page 25, Harris County, Texas.

Motion carried unanimously.

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

Motion was made by Councilman Stoll, second by Councilman Hudgens, to approve Resolution No. 2014-02, a Resolution of the City Council of the City of Tomball, Texas Determining that a 3.608 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings and "that the City of Tomball authorize the use of the power of eminent domain to acquire the 3.608 acre right-of-way for drainage purposes, owned by James Midkiff for the M121 Drainage Project".

Motion was made by Councilman Stoll, second by Councilman Hudgens, to table consideration and action regarding Resolution No. 2014-02, a Resolution of the City Council of the City of Tomball, Texas Determining that a 3.608 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings and to place consideration of Resolution No. 2014-02 on the September 2, 2014 Council agenda, following an executive session to receive information from the City Attorney.

Motion to table Item 9.11 until September 2, 2014 carried unanimously.

Motion was made by Councilman Stoll, second by Councilman Hudgens, to table consideration and action regarding Items 9.12 and 9.13, Resolution No. 2014-03 and Resolution No. 2014-21, and to place consideration of Resolution No. 2014-03 and Resolution No. 2014-21 on the September 2, 2014 Council agenda, following an executive session to receive information from the City Attorney.

Motion to table Items 9.12 and 9.13 until September 2, 2014 carried unanimously.

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

Approve Resolution No. 2014-03, a Resolution of the City Council of the City of Tomball, Texas, Determining that 8.288 Acre Tract of Land is Needed for Use as a

Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings

No action taken.

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

Approve Resolution No. 2014-21, a Resolution of the City Council of the City of Tomball, Texas, determining that 3.001 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

No action taken.

9.14 Consideration to approve **ZONING CASE P14-123**: Request by Bill Merriman, on behalf of Concordia Lutheran High School, to amend the City's Zoning Ordinance by rezoning approximately 39.4 acres of land, legally described as Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4A, 4B, and 5, Abstract 629, J. Pruitt; within the City of Tomball, Harris County, Texas; generally located southerly of East Main Street, northerly of Lizzie Lane, easterly of South Chestnut Street, and westerly of South Persimmon Street; from the General Retail and Single-Family Residential-6 Districts to the Planned Development - 7 District to facilitate the expansion of Concordia Lutheran High School.

- Mayor Fagan called the Public Hearing on **ZONING CASE P14-123** to order 15 7:46 p.m.

  Receiving no public comments, Mayor Fagan closed the Public Hearing at 7:46 p.m.

- Motion was made by Councilman Hudgens, second by Councilman Klein Quinn, to read Ordinance No. 2014-24 by Caption Only on First Reading.

  Motion carried unanimously.

  Motion was made by Councilman Degges, second by Councilman Hudgens, to adopt, on First Reading, Ordinance No. 2014-27, an Ordinance of the City of Tomball, Texas, Amending Its Zoning Ordinance, by Approving a Planned Development (PD) District of Approximately 39.4 Acres of Land, Legally Described as Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4A, 4B, and 5, Abstract 629, J. Pruitt; within the City of Tomball, Harris County, Texas; Amending the Official Zoning Map of the City to Reflect the PD to be Known as PD District #7 (PD-7); Adopting a Concept Plan and Regulations Applicable to PD-7; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed $2,000 for Each Day of Violation of Any

Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Hudgens	Aye
Councilman Stoll	Aye
Councilman Degges	Aye
Councilman Townsend	Aye
Councilman Klein Quinn	Aye

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 2nd day of September 2014.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Adopt, on Second Reading, **Ordinance No. 2014-23**, an Ordinance Amending Chapter 22, Emergency Management, by Deleting Chapter 22 in Its Entirety and Adopting a New Chapter 22, Emergency Management; Establishing Program Response and Recovery Phases of Comprehensive Emergency Management; Acknowledging the Office of Emergency Management Director; Authorizing the Appointment of an Emergency Management Coordinator; and Providing for the Duties and Responsibilities of Those Offices; Identifying an Operational Organization; Granting Necessary Powers to Cope with All Phases of Emergency Management which Threaten Life and Property in the City of Tomball; Authorizing Cooperative and Mutual Aid Agreements for Relief Work between This and Other Cities or Counties and for Related Purposes; Repealing Ordinance No. 92-16, Passed, Approved and Adopted on October 19, 1992; Providing for Severability; and Making Other Findings Related Thereto.

Background:

On August 18, 2014, City Council approved the Joint Resolution and Interlocal Agreement between the City of Tomball and Harris County Emergency Management regarding Updates to the Interlocal Agreement between Harris County and the City of Tomball regarding the Harris County Emergency Operations Plan for the Provision of Mutual Aid between Harris County and the City of Tomball during a Disaster Event, to which the City of Tomball is a Signatory, and adopted Ordinance No. 2014-23 on First Reading. Council is asked to adopt Ordinance No. 2014-23 on Second Reading.

The City of Tomball became a signatory to the Harris County Emergency Operations Plan by Ordinance No. 1992-16. The Tomball Office of Emergency Management participates with the Harris County Office of Homeland Security and Emergency Management (HCOHSEM) in updating the plan every two years. As the plan is improved, the City Council is requested to re-ratify the agreements and has continuously done so.

Harris County Office of Homeland Security and Emergency Management's request was presented to Council on July 21, 2014 for Council consideration to approve the proposed updates to the Interlocal Agreement between Harris County and the City of Tomball regarding the Harris County Emergency Operations Plan for the Provision of Mutual Aid between Harris County and the City of Tomball during a Disaster Event, to which the City of Tomball is a Signatory.

In preparing the documents for execution, City staff discovered a procedural error, in that Harris County had attached a revised Ordinance No. 92-16 containing the proposed upldates instead of requesting an Ordinance to amend the City's original Ordinance No. 92-16, which can only be amended through Council's adoption of a new ordinance.

Upon its adoption, Ordinance No. 2014-23 will amend the City's original Ordinance 92-16 with the updates proposed by HCOHSEM and will replace Chapter 22 in its entirety.

Please Note: The recodification of the City's Code of Ordinances is currently underway; Chapter 22 will be renumbered as Chapter 14 in the recodified Code of Ordinances.

Origination:

Tomball Office of Emergency Management (Fire Department)

Recommendation:

Staff recommends Adoption of Ordinance No. 2014-23 on Second Reading.

Funding:

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

Randy Parr and Doris Speer

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2014-23
Joint Resolution
Interlocal Agreement
Original Ordinance No. 92-16
HCOHSEM Proposed Ordinance No. 92-16

ORDINANCE NO. 2014-23

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, ESTABLISHING AN EMERGENCY MANAGEMENT PROGRAM BY AMENDING CHAPTER 22, EMERGENCY MANAGEMENT, BY DELETING CHAPTER 22 IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 22, EMERGENCY MANAGEMENT; ESTABLISHING PROGRAM RESPONSE AND RECOVERY PHASE OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR; AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF TOMBALL; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTRIES AND FOR RELATED PURPOSES; REPEALING ORDINANCE NO. 92-16, PASSED, APPROVED AND ADOPTED ON OCTOBER 19, 1992; PROVIDING FOR SEVERABILITY; AND MAKING OTHER FINDINGS RELATED THERETO.

* * * * * * * * * *

WHEREAS, the City Council of the City of Tomball finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the City if the lives and property of the populace are to be protected; and

WHEREAS, the City Council hereby declares that the preparation of a Comprehensive Emergency Management plan, and the means for its implementation, for the protection of lives and property of lives and property in the City of Tomball from natural or man-caused disasters or threat thereof is immediately essential; and

WHEREAS, the City Council further finds that in times of disasters which may imperil the safety of the inhabitants of the City, or their property, it becomes necessary to effectuate and place into operation the preconceived plans and preparations with a minimum of delay; and

WHEREAS, the City Council finds, therefore, that the preparation and implementation of such plans are now imperative; **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:**

Section 1. <u>ORGANIZATION</u>. There exists the office of Emergency Management Director of the City of Tomball, which shall be held by the Mayor in accordance with State Law.

a) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director;

b) The Director shall be responsible for a program of comprehensive emergency management within the City and for carrying out the duties and responsibilities set forth in this ordinance. He/she may delegate this responsibility but the authority for the execution of the powers and duties shall remain with the Director.

c) The operational Emergency Management organization of the City of Tomball shall consist of the officers and the employees of the City so designated by the Director in the emergency management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the Emergency Management Plan.

Section 2. EMERGENCY MANAGEMENT DIRECTOR-POWERS AND DUTIES. The duties and responsibilities of the Emergency Management Director shall include the following:

a) Surveying actual or potential hazards that threaten life and property within the City and identifying and requiring or recommending the implementation of measures that would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur.

b) Supervision of the development and approval of an emergency management plan for the City of Tomball and shall recommend for adoption by the City Council all mutual aid arrangements deemed necessary for the implementation of such plan.

c) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of 7 days except by or with the consent of the City Council. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

d) Issuance of necessary proclamations, regulations, or directives that is necessary for carrying out the purposes of this ordinance. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the City Secretary.

e) Direction and control of the operations of the Emergency Management organization as well as the training of Emergency Management personnel.

f) Determination of all questions of authority and responsibility that may arise within the Emergency Management organization of the City.

g) Maintenance of liaison with other municipal, County, District, State, regional or federal Emergency Management organizations.

h) Marshaling of all necessary personnel, equipment, or supplies from any department of the City to aid in the carrying out of the provisions of the emergency management plan.

i) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representative of the State and of other local political subdivisions of the State, and the drafting and execution, if deemed desirable, of an agreement with the county in which said City is located and with other municipalities within the County, for the County-wide coordination of Emergency Management efforts.

j) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions, which may be offered for the purpose of improving Emergency Management within the City.

k) Authorizing of agreements, after approval by the City Attorney, for use of private property for public shelter and other purposes.

l) Surveying the availability of existing personnel, equipment, supplies, and services which could be used during a disaster, as provided for herein.

m) Other requirements as specified in the Texas Disaster Act (Chapter 418 of the Government Code).

Section 3. EMERGENCY MANAGEMENT PLAN. A comprehensive Emergency Management Plan shall be developed and maintained in a current state. The plan shall set forth the form of the organization; establish and designate divisions and functions; assign responsibilities, tasks, duties, and powers; and designate officers and employees to carry out the provisions of this ordinance. As provided by State law, the plan shall follow the standards and criteria established by the State Division of Emergency Management of the State of Texas. Insofar as possible, the form of organization, titles, and terminology shall conform to the recommendations of the state Division of Emergency Management. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The emergency management plan shall be considered supplementary to this ordinance and have the effect of law during the time of a disaster.

Section 4. INTER-JURISDICTIONAL PROGRAM. The Mayor is hereby authorized to join with the County Judge of the County of Harris and the Mayors of the other cities in said County in the formation of an inter-jurisdictional emergency management program for the County of Harris, and shall have the authority to cooperate in the preparation of an inter-jurisdictional emergency management plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a County-wide program of emergency management insofar as said program may affect the City of Tomball.

Section 5. OVERRIDE. At all times when the orders, rules, and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

Section 6. LIABILITY. This ordinance is an exercise by the City of its governmental functions for the protection of the public peace, health, and safety and the City Tomball, the agents and representatives of said City, any individual, receiver, firm, partnership, corporation, association, or trustee, and any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule, regulation promulgated pursuant to the provisions of this ordinance shall, to the extent permitted by Texas and federal law as amended, be protected from liability for any damage sustained to persons as the result of said activity.

Section 7. COMMITMENT OF FUNDS. No person shall have the right to expand any public funds of the City in carrying out any Emergency Management activity authorized by this ordinance without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement, or otherwise without prior and specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the City when deemed prudent and necessary for the protection of health, life, or property.

Section 8. OFFENSES; PENALTIES. It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the Emergency Management organization in the enforcement of any rule or regulation issued pursuant to this ordinance.

a) It shall likewise be unlawful for any person to wear, carry, or display any emblem, insignia, or any other means of identification as a member of the Emergency Management organization of the City of Tomball, unless authority to do so has been granted to such person by the proper officials.

b) Convictions for violations of the provisions of this ordinance shall be punishable by fine not to exceed one thousand dollars ($1,000.00), or such maximum amount as is set by section 418.173(b) of the Texas Government Code, as amended.

Section 9. SEVERABILITY. 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 of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 10. LIMITATIONS. This ordinance shall not be construed so as to conflict with any State or Federal statute or with any military or naval order, rule, or regulation.

Section 11. **REPEALER**. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

Section 12. City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Tex.Gov't. Code ch. 551.

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 18TH DAY OF AUGUST 2014.

COUNCILMAN HUDGENS	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN KLEIN QUINN	AYE

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 SEPTEMBER 2014.

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

_____
GRETCHEN FAGAN, Mayor

ATTEST:

_____
DORIS SPEER, City Secretary

JOINT RESOLUTION

WHEREAS, the City of Tomball by City ORDINANC[redacted]-16, and Harris County by Commissioners Court Order dated HCCC, [redacted]ablished similar programs of comprehensive emergency management which [redacted] the mitigation, preparedness, response and recovery phases of emergency mana[redacted]nd

WHEREAS, the City and the County find that vulnerability to many potential hazards is shared by residents of the City of Tomball and the unincorporated portions of Harris County; and

WHEREAS, the City and the County further find that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

WHEREAS, the contemplated action is specifically authorized by the aforementioned ORDINANCE and Court Order;

THEREFORE, BE IT RESOLVED that there is hereby established the Harris County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in an interjurisdictional emergency management plan, together with such organized volunteer groups as that plan may specify; and

BE IT FURTHER RESOLVED that this joint resolution will be reviewed and resubmitted every two years to be in compliance with the election of new mayors. The county or the city may terminate this resolution, with or without cause, prior to the expiration of the term set forth above, upon thirty (30) days prior written notice to the other party

RESOLVED this the _____ day of _____, 2014.

_____ _____

Mayor, City of Tomball Harris County Judge

ATTEST:

_____ _____

City Secretary County Clerk

INTERLOCAL MUTUAL AID AGREEMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

THIS INTERLOCAL AGREEMENT (the "Agreement") is made and entered into by and between the **City of Tomball, Texas** ("Entity"), acting by and through its governing body, and **Harris County, Texas**, acting by and through its governing body, Harris County Commissioners Court. This Agreement is made pursuant to chapter 791 of the Texas Government Code (the Interlocal Cooperation Act) and chapter 418 of the Texas Government Code (the Texas Disaster Act of 1975) to the extent it applies to this Agreement. This Agreement does not apply to "law enforcement assistance" provided, or "mutual aid law enforcement task forces" created, under Chapter 362 of the Texas Local Government Code.

RECITALS:

The Parties hereto recognize the vulnerability of the people, communities and schools to damage, injury, and loss of life and property resulting from natural or man-made catastrophes, riots, or hostile military or paramilitary action, and other emergencies.

The full and effective utilization of the resources available to Entity and Harris County is necessary for the prompt and efficient rescue, care, and treatment of persons victimized or threatened by disaster.

Chapter 791 of the Texas Government Code authorizes interlocal agreements between local governmental entities such as Entity and Harris County. Chapter 791 authorizes such entities to contract for emergency assistance, section 791.27; governmental functions and services, section 791.011, including police protection and detention services; public health and welfare; planning; administrative functions; and, other governmental functions in which the contracting entities are mutually interested, section 791.003(3), such as those provided in chapter 418 of the Texas Government Code.

Section 418.107(c) of the Texas Government Code provides that a political subdivision may render aid to other subdivisions under mutual aid agreements.

The Parties hereto desire to enter into an agreement to provide mutual aid consistent with the mutual aid and emergency assistance plans approved by their governing body.

NOW, THEREFORE, Entity and Harris County, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

TERMS:

I.

If Entity is a county or incorporated city, both Entity and Harris County shall each appoint an Emergency Management Coordinator to take all steps necessary for the implementation of this Agreement. If Entity is an independent school district, public junior college district, emergency services district, other special district, joint board, or other entity defined as a political subdivision under the laws of the State of Texas that maintains the capability to provide mutual aid, or organized volunteer group as defined in Section 418.004(5) of the Texas Government Code, Entity's chief, highest ranking officer, or Emergency Management Coordinator, as applicable, shall take all steps necessary for the implementation of this Agreement.

II.

It shall be the duty of each Party to formulate emergency management plans and programs that incorporate the use of available resources, including personnel, equipment, buildings, and supplies necessary to provide mutual aid and emergency assistance. If Entity is a county or incorporated municipality, Entity shall have an approved Emergency Management Program as defined by the Texas Division of Emergency Management.

This Agreement shall apply to the dispatch of emergency service responses by either or both Parties in response to a disaster as that term is defined in section 418.004 of the Texas Government Code, and in response to actual and imminent incidents that endanger the health, safety, or welfare of the public and require the use of special equipment, trained personnel, or personnel in larger number than are locally available in order to reduce, counteract, or remove the danger caused by the incident. This Agreement includes the provision of materials, supplies, equipment, and other forms of aid by and between the Parties including the staffing and equipping of emergency operations, and participation by personnel in exercises, drills, or other training activities designed to train and prepare for, cope with, respond to, recover from, or prevent the occurrence of any disaster.

In carrying out emergency management plans and programs, the Parties shall, insofar as possible, provide and follow uniform standards, practices and rules and regulations, including but not limited to the following:

- Warnings and signals for exercises or disasters and the mechanical devices to be used in connection therewith.
- Shutting off water mains, gas mains, and electric power connections, and the suspension of all other utility services.
- Selection of all materials, equipment or buildings used or to be used for emergency management purposes to assure that such materials and equipment will be easily and freely interchangeable when used by either Party hereto.
- The conduct of civilians and the movement and cessation of movement of pedestrian and vehicular traffic prior to, during, and subsequent to exercises or disasters.
- The safety of public meetings or gatherings.

As further set forth below, each Party shall coordinate the emergency responses within its scope of responsibility under this Agreement.

Either Party, when requested to provide mutual aid or emergency assistance, may take such action as is necessary to provide and make available the resources covered by this Agreement in accordance with the terms hereof, provided however, the Party rendering aid (the "Responding Party") to the Party receiving assistance (the "Requesting Party") may withhold resources to the extent necessary to provide other necessary governmental functions for itself.

When a request for emergency assistance is received, law enforcement, fire, emergency response personnel, and other resources shall be subject to the command and control of their respective agencies. However, the respective agencies shall coordinate their emergency responses and resources through the emergency management authorities of the Requesting Party. Any request for aid shall specify the amount and type of resources requested. However, the Responding Party shall determine the specific resources furnished. The personnel and resources deployed by the Responding Party shall report to the officer in charge of the incident and report through the incident chain of command. The Responding Party shall be released by the Requesting Party when the reserves of the Responding Party are no longer required or when the resources are needed within the Responding Party's normal emergency service area.

If Entity is a county with an Emergency Management Coordinator, each request for mutual aid assistance shall be made through the Emergency Management Coordinator of the Requesting Party to the Emergency Management Coordinator of the Responding Party.

If Entity is an incorporated municipality without an Emergency Management Coordinator, independent school district, public junior college district, emergency services district, other special district, joint board, or other entity defined as a political subdivision under the laws of the State of Texas that maintains the capability to provide mutual aid, or organized volunteer group as defined in Section 418.004(5) of the Texas Government Code, Entity's requests for mutual aid assistance shall be made through Entity's chief or highest ranking officer to Harris County's Emergency Management Coordinator, Sheriff, Fire Marshal, Public Health Director, or an elected Constable. Harris County's requests for mutual aid assistance shall be made through its Emergency Management Coordinator, Sheriff, Fire Marshal, Public Health Director, or an elected Constable to Entity's chief or highest ranking officer.

In the event of rapidly developing emergencies occurring within the jurisdiction of the Requesting Party and near the Responding Party's boundary, the Responding Party's law enforcement and/or emergency responders will respond as they are able, without the prior request of the Requesting Party, as provided by applicable law. The Responding Party's emergency response units will establish control of the scene. The Responding Party and staff representing other governmental entities requested to provide mutual assistance will provide assistance and resources as available in accordance with the existing emergency management plans and programs. The Responding Party's resources will remain on the scene as needed. In such event this Agreement shall be in effect.

When mutual aid assistance will be provided for more than 12 consecutive hours, the Requesting Party shall, prior to the expiration of the 12th hour, confirm in writing to the Responding Party that the Requesting Party desires continued mutual aid assistance from the Responding Party. Notwithstanding the above, if, due to the nature of the emergency, disaster, or other condition requiring mutual aid, the Requesting Party cannot confirm its request for continued mutual aid assistance before the expiration of the 12th hour, the written request must be sent as soon as practicable, but in all cases, within 90 days of the verbal request.

III.

Nothing in this Agreement shall be construed as making either Party responsible for the payment of compensation and/or any benefits including, but not limited to, health, workers' compensation, disability, death, and/or dismemberment insurance for the other Party's employees, contractors, vendors, or other workers. Nothing in this Agreement shall be construed as making either Party responsible for the payment of property, motor vehicle, or other insurance, on the other party's equipment, buildings, supplies, or other property or assets.

IV.

Notwithstanding Section III of this Agreement, if a Party hereto requests mutual aid assistance that requires a response that exceeds 12 consecutive hours, the Requesting Party shall reimburse the Responding Party its actual cost for providing mutual aid assistance to the Requesting Party after the first 12 hours, including costs for personnel, operation and maintenance of equipment, damaged equipment, food, lodging, and transportation, provided that, in no event shall the cost for a service or item be greater than the rate, as such rates are amended from time to time, set by the Federal Emergency Management Agency (FEMA) for the substantially same service or item. FEMA rates are available at http://www.fema.gov/schedule-equipment-rates The Parties mutually agree that a Responding Party shall not be entitled to and will not seek reimbursement from a Requesting Party for either: (a) assistance provided that does not exceed 12 consecutive hours or (b) for assistance provided during the initial 12 hours of the response.

Each Party hereto agrees to comply with such statutory and constitutional provisions, or other contracts, rules, regulations, ordinances, guidelines, procedures, or conventions, as apply to it with regard to the appropriation of funds for the payment of contractual obligations. Each Party hereto understands and acknowledges, that funds for the payment of Harris County's obligations inuring under or out of this Agreement, irrespective of the nature thereof, are available to the extent such funds are appropriated by Order of Harris County Commissioners Court, and certified as provided by law, by the Harris County Auditor, as available from current funds set aside in the annual budget in which the expenditures are incurred before expenditure of such funds. It shall be the responsibility of each Responding Party to assure itself that sufficient funds have been allocated to pay for the services provided. In the event Harris County fails to appropriate sufficient funds to perform its obligations arising out of or in relation to this Agreement, Entity acknowledges and agrees that its sole and exclusive remedy is to terminate participation in this Agreement.

The Responding Party is responsible for the work it performs under this Agreement. No later than the 90th day after services are performed under this Agreement, the Responding Party shall submit an invoice to the Requesting Party. Supporting documentation as mutually agreed upon

will be supplied. The Responding Party shall maintain auditable records verifying each service or item and the dates provided. The Responding Party shall warrant that all billing data submitted is complete and truthful. The Requesting Party will review each invoice and statement and modify it as necessary and appropriate and, thereafter, forward the same to the appropriate official, in the case of Harris County to the Harris County Auditor, for payment. Requesting Party reserves the right to withhold payment of any questionable charges or expenses, including, but not limited to, any charges in excess of the rate set by FEMA for the substantially same service or item. Should the Requesting Party determine that any payment has been made to a Responding Party in excess or in error for any reason whatsoever, Requesting Party may recoup from the Responding Party the amount made in excess or in error. Within 90 days of receipt of a request for repayment of an amount made in excess or in error, the overpaid Party shall return the amount paid in excess or in error.

V.

Neither Party to this Agreement waives or relinquishes any immunity or defense on behalf of itself, its officers, employees, agents, and volunteers as a result of its execution of this Agreement and the performance of the covenants contained herein. Furthermore, neither the terms of Section III and Section IV, nor any other provision in this Agreement, shall prohibit either Party from seeking financial aid or in-kind reimbursement from any state or federal agency or program.

Pursuant to section 421.062 of the Texas Government Code, the Responding Party is not responsible for any civil liability that arises from any act or omission made within the course and scope of its functions to provide a service under this Agreement that is related to a homeland security activity. The Parties understand and agree that the Requesting Party does not assume civil liability under any theory of law for the actions of the Responding Party in providing services hereunder.

If the equipment is damaged or destroyed, the owner may seek recovery through insurance acquired by the owner, reimbursement as set forth in Section IV, or through any other resources available to the owner.

VI.

This Agreement shall terminate on the last day of February of each year and shall automatically renew for a one-year term, subject to continued funding and certification of funds as referenced in Section IV, unless the governing body of either Party gives notice received no later than the preceding December 1 of its desire to terminate the agreement. Unless notice of termination is received by December 1, the agreement shall continue in force and remain binding subject to funding and certification as referenced in Section IV. Notwithstanding the above, the Emergency Management Coordinator of Harris County may suspend the operation of this agreement at any time during a term upon notice to the other party.

VII.

Except as otherwise provided in this Agreement, any notice required to be given under this Agreement shall be in writing and shall be duly served when it is deposited, enclosed in a

wrapper with the proper postage affixed and duly certified, return-receipt requested, in a United States post office, addressed to a Party at the following addresses.

To Harris County:
Harris County Commissioners Court
1001 Preston, Suite 911
Houston, Texas 77002
Attention: Harris County Judge

With a copy to:
Harris County Office of Homeland Security & Emergency Management
6922 Old Katy Road
Houston, Texas 77024
Attention: Emergency Management Coordinator

To _____:
_____
_____
_____, Texas _____
Attention: _____

Either Party may designate a different address by giving the other Party ten days' written notice.

VIII.

The Parties shall observe and comply with all applicable federal, Texas, and local laws, rules, ordinances, and regulations affecting the conduct of services provided and the performance of obligations undertaken by this Agreement. In case any one or more provisions contained in this Agreement is held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

IX.

The presiding officer of the governing body of each Party to this Agreement shall notify the Harris County Office of Homeland Security and Emergency Management (the "Office") of the manner in which the Party is providing or securing an emergency management program, identify the person who heads the agency responsible for the program, and furnish additional pertinent information that the Office requires. The person so designated shall accomplish training prescribed by the Office where applicable.

X.

This Agreement should be construed in a manner consistent with the Texas Disaster Act of 1975, chapter 418 of the Texas Government Code, and the Texas Interlocal Cooperation Act, chapter 791 of the Texas Government Code, as they may hereafter be amended. As used in this Agreement, the term "disaster" has the meaning given it in section 418.004 of the Texas Government Code.

XI.

Mandatory and exclusive venue of any dispute between the Parties to this Agreement shall be in Harris County, Texas.

XII.

This Agreement is not intended to be an exclusive agreement, and each Party may enter into other similar agreements.

XIII.

This Agreement replaces and terminates any previous existing mutual aid agreement for like services entered into by the same Parties.

IN WITNESS WHEREOF, this instrument has been executed on behalf of Harris County by a duly authorized representative of Harris County, and on behalf of the City of Tomball, Texas by an authorized representative of the City of Tomball, Texas.

APPROVED AS TO FORM
VINCE RYAN
Harris County Attorney

By: _____
Marva Gay
Assistant County Attorney

HARRIS COUNTY

By: _____
ED EMMETT
County Judge
Date Signed: _____

CITY OF TOMBALL

By: _____
Print Name: _____
Title: _____
Date Signed: _____

ORDINANCE NO. 92-16

AN ORDINANCE ESTABLISHING A PROGRAM INCLUDING MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR; AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF TOMBALL; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES; PROHIBITING UNAUTHORIZED WARNING AND ALL-CLEAR SIGNALS AND MAKING VIOLATIONS A MISDEMEANOR PUNISHABLE BY FINE NOT TO EXCEED $2,000.00; PROVIDING THAT THE CODE OF ORDINANCES IS AMENDED BY REPEALING CHAPTER 6, CIVIL DEFENSE, IN ITS ENTIRETY AND SUBSTITUTING THIS ORDINANCE IN ITS PLACE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED ARE OPEN TO THE PUBLIC; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE.

* * * * * * * * * * * *

WHEREAS, the City Council of the City of Tomball finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the City if the lives and property of the populace are to be protected; and

WHEREAS, the City Council hereby declares that the preparation of a Comprehensive Emergency Management Plan, and the means for its implementation, for the protection of lives and property in the City of Tomball from natural or man-caused disasters or threat thereof is immediately essential; and

WHEREAS, the City Council further finds that in times of disasters which may imperil the safety of the inhabitants of the City, or their property, it becomes necessary to effectuate and place into operation the preconceived plans and preparations with a minimum of delay; and

WHEREAS, the City Council finds, therefore, that the preparation, and implementation of such plans are now imperative;

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

Section 1.

That the Code of Ordinances is amended by deleting Chapter 6 in its entirety and substituting in its place a new Chapter 6 entitled Emergency Management, which shall provide as set out in this Ordinance.

Section 2. Organization.

There exists the office of Emergency Management Director of the City of Tomball, which shall be held by the Mayor in accordance with State law.

(a) The Chief of Police is hereby appointed by City Council as Emergency Management Coordinator and he shall serve at the pleasure of the City Council;

(b) The Director shall be responsible for a program of comprehensive emergency management within the City and for carrying out the duties and responsibilities set forth in this ordinance. He/she may delegate authority for execution of these duties to the Coordinator, but ultimate responsibility for such execution shall remain with the Director.

(c) The operational Emergency Management organization of the City of Tomball shall consist of the officers and employees of the City so designated by the Director in the emergency management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the emergency management plan.

Section 3. Emergency Management Director - powers and duties.

The duties and responsibilities of the emergency Management Director shall include the following:

(a) Conduct an on-going survey of actual or potential hazards which threaten life and property within the City and an on-going program of identifying and requiring or recommending the implementation of measures which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur.

(b) Supervision of the development and approval of an emergency management plan for the City of Tomball, and shall recommend for adoption by the City Council all mutual aid arrangements deemed necessary for the implementation of such plan.

(c) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of 7 days except by or with the consent of the City Council. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

(d) Issuance of necessary proclamations, regulations, or directives which are necessary for carrying out the purposes of this ordinance. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the City Secretary.

(e) Direction and control of the operations of the City of Tomball Emergency Management organization as well as the training of Emergency Management personnel.

(f) Determination of all questions of authority and responsibility that may arise within the Emergency Management organization of the City.

(g) Maintenance of liaison with other municipal, County, District, State, regional or federal Emergency Management organizations.

(h) Marshaling of all necessary personnel, equipment, or supplies from any department of the City to aid in the carrying out of the provisions of the Emergency Management Plan.

(i) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the State and of other local political subdivisions of the State, and the drafting and execution, if deemed desirable, of an agreement with the county in which said City is located and with other municipalities within the county, for the County-wide coordination of Emergency Management efforts.

(j) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving Emergency Management within the City.

(k) Authorizing of agreements, after approval by the City Attorney, for use of private property for public shelter and other purposes.

(l) Survey of the availability of existing personnel, equipment, supplies, and services which could be used during a disaster, as provided for herein.

(m) Other requirements as specified in the Texas Disaster Act of 1975, Vernon's Texas Codes Annotated, Government Code Chapter 418.

Section 4. Emergency Management Plan.

A comprehensive Emergency Management Plan shall be developed and maintained in a current state. The plan shall set forth the form of the organization; establish and designate divisions and functions; assign responsibilities, tasks, duties, and powers; and designate officers and employees to carry out the provisions of this ordinance. As provided by State law, the plan shall follow the standards and criteria established by the State Division of Emergency Management of the State of Texas. Insofar as possible, the form of organization, titles, and terminology shall conform to the recommendations of the State Division of Emergency Management. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The Emergency Management Plan shall be considered supplementary to this ordinance and have the effect of law during the time of a disaster.

Section 5. Interjurisdictional program.

The Mayor is hereby authorized to join with the County Judge of the County of Harris and the mayors of the other cities in said County in the formation of an interjurisdictional emergency management program for the County of Harris, and shall have the authority to cooperate in the preparation of an interjurisdictional emergency management plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a County-wide program of emergency management insofar as said program may affect the City of Tomball.

Section 6. Override.

At all times when the orders, rules, and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

Section 7. Liability.

This ordinance is an exercise by the City of its governmental functions for the protection of the public peace, health, and safety and neither the City of Tomball, the agents and representatives of said City, nor any individual, receiver, firm, partnership, corporation, association, or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply

with, any order, rule, or regulation promulgated pursuant to the provisions of this ordinance shall be liable for any damage sustained to persons as the result of said activity. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the City of Tomball a license of privilege, or otherwise permits the City to inspect, designate, and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending, or practice enemy attack or natural or man-made disaster shall, together with his successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person.

Section 8. Commitment of funds.

No person shall have the right to expend any public funds of the City in carrying out any Emergency Management activity authorized by this ordinance without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement, or otherwise without prior and specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the City when deemed prudent and necessary for the protection of health, life, or property.

Section 9. Offenses; penalties.

(a) It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the Emergency Management organization in the enforcement of any rule or regulation issued pursuant to this ordinance.

(b) It shall likewise be unlawful for any person to wear, carry, or display any emblem, insignia, or any other means of identification as a member of the Emergency Management organization of the City of Tomball, unless authority to do so has been granted to such person by the proper officials.

(c) Any unauthorized person who shall operate a siren or other device so as to simulate a warning signal, or the termination of a warning, shall be deemed guilty of a violation of this ordinance and shall be subject to the penalties imposed by this ordinance.

(d) Convictions for violations of the provisions of this ordinance shall be punishable by fine not to exceed TWO THOUSAND dollars ($2,000.00).

Section 10. Publication; Effective Date; Open Meetings

The City Secretary of the City of Tomball, Texas, is hereby directed to publish this Ordinance in the official newspaper of the City of Tomball, Texas, in compliance with the provisions of Section 6.14(a) of the City Charter, which publication shall be sufficient if it contains the caption of this Ordinance. This Ordinance shall be effective after the publication requirement of the City Charter is satisfied.

It is hereby found and determined that the meetings at which this Ordinance was considered were open to the public, as required by Article 6252-17, V.A.T.C.S., and that advance public notice of time, place, and purpose of said meeting was given.

Section 11. Penalty.

Any person, corporation, or entity who or which violates any provision of this Ordinance, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed $2,000.00. Each day in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense.

Section 12. Severability.

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 of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 13. Rights and Remedies; Repeal; Code of Ordinances.

All rights and remedies which have accrued in favor of the City under this chapter and amendments thereto shall be and are preserved for the benefit of the City.

All ordinances in force when this Ordinance becomes effective and which ordinances are inconsistent or in conflict with this Ordinance are hereby repealed, insofar as said ordinances are inconsistent or in conflict with this Ordinance.

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Tomball,

Texas, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 5TH DAY OF OCTOBER, 1992.

COUNCILMAN FORD	AYE
COUNCILMAN LANGE	AYE
COUNCILMAN MATHESON	ABSENT
COUNCILMAN PLAGENS	AYE
COUNCILMAN WOOD	AYE

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 19TH DAY OF OCTOBER, 1992.

COUNCILMAN FORD	ABSENT
COUNCILMAN LANGE	AYE
COUNCILMAN MATHESON	ABSENT
COUNCILMAN PLAGENS	AYE
COUNCILMAN WOOD	AYE

H. C. HARRINGTON, MAYOR
City of Tomball

ATTEST:

MARY REAGAN, City Secretary
City of Tomball

APPROVED AS TO FORM AND LEGALITY:

MARIO DELL'OSSO
City Attorney
City of Tomball

CITY ORDINANCE ESTABLISHING
AN EMERGENCY MANAGEMENT PROGRAM

ORDINANCE NO. 92-16

AN ORDINANCE ESTABLISHING A PROGRAM RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR; AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF TOMBALL; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES.

WHEREAS, the City Council of the City of Tomball finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the City if the lives and property of the populace are to be protected; and

WHEREAS, the City Council hereby declares that the preparation of a Comprehensive Emergency Management plan, and the means for its implementation, for the protection of lives and property of lives and property in the City of Tomball from natural or man-caused disasters or threat thereof is immediately essential; and

WHEREAS, the City Council further finds that in times of disasters which may imperil the safety of the inhabitants of the City, or their property, it becomes necessary to effectuate and place into operation the preconceived plans and preparations with a minimum of delay; and

WHEREAS, the City Council finds, therefore, that the preparation and implementation of such plans are now imperative; BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL:

Section 1. ORGANIZATION

There exists the office of Emergency Management Director of the City of Tomball, which shall be held by the Mayor in accordance with State law.

(a) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director;

(b) The Director shall be responsible for a program of comprehensive emergency management within the City and for carrying out the duties and responsibilities set

forth in this ordinance. He/she may delegate authority for execution shall remain with the Director.

(c) The operational Emergency Management organization of the City of Tomball shall consist of the officers and employees of the City so designated by the Director in the emergency management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the Emergency Management plan.

Section 2. EMERGENCY MANAGEMENT DIRECTOR – POWERS AND DUTIES

The duties and responsibilities of the Emergency Management Director shall include the following:

(a) Surveying actual or potential hazards that threaten life and property within the City and identifying and requiring or recommending the implementation of measures that would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur.

(b) Supervision of the development and approval of an emergency management plan for the City of Tomball, and shall recommend for adoption by the City Council all mutual aid arrangements deemed necessary for the implementation of such plan.

(c) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of 7 days except by or with the consent of the City Council. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

(d) Issuance of necessary proclamations, regulations, or directives that are necessary for carrying out the purposes of this ordinance. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the City Secretary.

(e) Direction and control of the operations of the Emergency Management organization as well as the training of Emergency Management personnel.

(f) Determination of all questions of authority and responsibility that may arise within the Emergency Management organization of the City.

(g) Maintenance of liaison with other municipal, County, District, State, regional or federal Emergency Management organizations.

(h) Marshaling of all necessary personnel, equipment, or supplies from any department of the City to aid in the carrying out of the provisions of the emergency management plan.

(i) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the State and of other local political subdivisions of the State, and the drafting and execution, if deemed desirable, of an agreement with the county in which said City is located and with other municipalities within the County, for the County-wide coordination of Emergency Management efforts.

(j) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions, which may be offered for the purpose of improving Emergency Management within the City.

(k) Authorizing of agreements, after approval by the City Attorney, for use of private property for public shelter and other purposes.

(l) Surveying the availability of existing personnel, equipment, supplies, and services which could be used during a disaster, as provided for herein.

(m) Other requirements as specified in the Texas Disaster Act (Chapter 418 of the Government Code).

Section 3. EMERGENCY MANAGEMENT PLAN

A comprehensive Emergency Management Plan shall be developed and maintained in a current state. The plan shall set forth the form of the organization; establish and designate divisions and functions; assign responsibilities, tasks, duties, and powers; and designate officers and employees to carry out the provisions of this ordinance. As provided by State law, the plan shall follow the standards and criteria established by the State Division of Emergency Management of the State of Texas. Insofar as possible, the form of organization, titles, and terminology shall conform to the recommendations of the State Division of Emergency Management. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The emergency management plan shall be considered supplementary to this ordinance and have the effect of law during the time of a disaster.

Section 4. INTER-JURISDICTIONAL PROGRAM

The Mayor is hereby authorized to join with the County Judge of the County of Harris and the Mayors of the other cities in said County in the formation of an inter-jurisdictional emergency management program for the County of Harris, and shall have the authority to cooperate in the preparation of an inter-jurisdictional emergency management plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a County-wide program of emergency management insofar as said program may affect the City of Tomball.

Section 5. OVERRIDE

At all times when the orders, rules, and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

Section 6. LIABILITY

This ordinance is an exercise by the City of its governmental functions for the protection of the public peace, health, and safety and the City of Tomball, the agents and representatives of said City, any individual, receiver, firm, partnership, corporation, association, or trustee, and any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule, or regulation promulgated pursuant to the provisions of this ordinance shall, to the extent permitted by Texas and federal law as amended, be protected from liability for any damage sustained to persons as the result of said activity.

Section 7. COMMITMENT OF FUNDS

No person shall have the right to expend any public funds of the City in carrying out any Emergency Management activity authorized by this ordinance without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement, or otherwise without prior and specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the City when deemed prudent and necessary for the protection of health, life, or property.

Section 8. OFFENSES; PENALTIES

(a) It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the Emergency Management organization in the enforcement of any rule or regulation issued pursuant to this ordinance.

(b) It shall likewise be unlawful for any person to wear, carry, or display any emblem, insignia, or any other means of identification as a member of the Emergency Management organization of the City of Tomball, unless authority to do so has been granted to such person by the proper officials.

(c) Convictions for violations of the provisions of this ordinance shall be punishable by fine not to exceed one thousand dollars ($1,000.00), or such maximum amount as is set by section 418.173(b) of the Texas Government Code, as amended.

Section 9. SEVERABILITY

If any portion of this ordinance shall, for any reason, be declared invalid such, invalidity shall not affect the remaining provisions thereof.

Section 10. LIMITATIONS

This ordinance shall not be construed so as to conflict with any State or Federal statute or with any military or naval order, rule, or regulation.

Section 11. REPEALER

All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

READ AND APPROVED on first reading this the _____day of_____, 20___.

READ AND APPROVED AND ADOPTED on second reading this the ____ day of _____, 20___.

_____
Mayor
City of Tomball, Texas

ATTEST:

_____
City Secretary

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Adopt, on Second Reading, Ordinance No. 2014-25, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2014-2015; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2013-2014 Fiscal Year in Accordance with Actual Expenditures; and Providing other Details Relating to the Passage of This Ordinance

Background:

This item is for the second reading of Ordinance No. 2014-25, adopting the Budget for Fiscal Year 2014-15.

Origination:

Finance Director

Recommendation:

Adopt Ordinance No. 2014-25 on Second Reading

Funding:

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2014-25

Proposed Budget for Fiscal Year 2014-2015

ORDINANCE NO. 2014-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ADOPTING THE BUDGET FOR THE CITY OF TOMBALL, TEXAS, FOR FISCAL YEAR 2014-2015; AND AUTHORIZING THE CITY MANAGER TO APPROVE INTRA-DEPARTMENTAL (WITHIN THE SAME DEPARTMENT ONLY) TRANSFERS OF BUDGETED FUNDS; AND AMENDING THE BUDGET FOR THE 2013-2014 FISCAL YEAR IN ACCORDANCE WITH ACTUAL EXPENDITURES; AND PROVIDING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE.

* * * * * * * * *

WHEREAS, the Budget of the City of Tomball for the Fiscal Year 2014-2015 was presented to the City Council of the City of Tomball on the 4th day of August 2014 and was filed with the City Secretary's Office on July 28, 2014 for the purpose of Public Display; and the City Council has reviewed and amended the proposed budget and changes as approved by the City Council have been identified and their effect included in the budget; and

WHEREAS, NOTICE OF PUBLIC HEARING for the Budget of the City of Tomball, Texas, for Fiscal Year 2014-2015 was published in the City's official newspaper advising citizens of the Public Hearing to be conducted on August 18, 2014, and also advising that said Budget was available for their inspection prior to the Public Hearing; and

WHEREAS, at said Public Hearing all citizens of the City had the right to be present and to be heard, and those who requested to be heard were heard, and it being the opinion of the Mayor and City Council that said Budget should be adopted; and

WHEREAS, said Budget shall be in effect for the ensuing Fiscal Year, October 1, 2014, through September 30, 2015;

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

Section 1.0 Adoption of Budget. That from October 1, 2014, through September 30, 2015, the appropriations, as stated in the Budget as proposed expenditures, shall be and are hereby appropriated to the several objects and purposes named and designated in the Budget.

Section 2.0 Public Record. The City Secretary is hereby directed to place in the Budget an endorsement which shall read as follows: **"The Original Budget of the City of Tomball, Texas for the Fiscal Year 2014-2015."** Such Budget as endorsed shall be kept on file in the office of the City Secretary as a Public Record and a copy of said Budget is attached to this ordinance and made a part of this ordinance for all purposes.

Section 3.0 Intra-Departmental Transfers. In accordance with the responsibility of the City Manager established by Section 7.01 C. (2) of the City Charter to administer the annual budget, the City Manager is authorized, as circumstances reasonably require, to approve intra-departmental (within the same department only) transfers of budgeted funds. Further, the documentation for such transfers shall be maintained as a part of the City's financial records.

Section 4.0 Beginning Fund Balances. That the Beginning Fund Balance reflected in the budget for each operating and capital project fund for which a Budget is adopted hereby automatically shall be adjusted to be the amount of the Ending Fund Balance for Fiscal Year 2014 as fully adjusted to reflect the final Comprehensive Annual Financial Report for Fiscal Year 2014 when released, for each respective fund. The revised Beginning Fund Balance shall thereafter be used to calculate the Fiscal Year 2015 Ending Fund Balance.

Section 5.0 2013-2014 Budget Amended. That the City Council has reviewed the actual expenditures for the 2013-2014 Fiscal Year and compared them to the projections contained in the 2013-2014 Fiscal Year budget. The 2013-2014 Fiscal Year budget is hereby amended in accordance with the actual expenditures for the 2013-2014 Fiscal Year.

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 17TH DAY OF AUGUST 2014.

COUNCILMAN HUDGENS	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN KLEIN QUINN	AYE

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 SEPTEMBER 2014.

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

_____
GRETCHEN FAGAN
Mayor

ATTEST:

_____
DORIS SPEER
City Secretary

CITY OF TOMBALL

City Manager's Proposed Budget

FISCAL YEAR 2014-2015

August 18, 2014

CITY OF TOMBALL
CITY MANAGER'S PROPOSED BUDGET
FISCAL YEAR 2014-2015

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CITY OF TOMBALL
CITY MANAGER'S PROPOSED BUDGET
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CITY MANAGER'S PROPOSED BUDGET
FISCAL YEAR 2014-2015

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CITY OF TOMBALL

Office of the City Manager

Gretchen Fagan
Mayor

To: Honorable Mayor and City Council
From: George T. Shackelford, City Manager
Subject: Budget Memo – City Manager's Proposed FY2015 Budget
Date: August 13, 2014

As required in Section 8.03 of the Tomball City Charter, please find attached the proposed budget for fiscal year 2014-2015 (FY2015). The budget is a planning tool, providing guidance and direction to City staff for the upcoming budget year.

City staff members responsible for preparation of the proposed budget continue to use a conservative approach in the budgeting process. This approach has served us well as revenue projections and spending are well within the current budget. We continued this conservative approach in preparing the FY2015 Budget. The staff will also continue to look for more cost-effective ways of doing business while providing a high level of service to our citizens.

FY2015 Proposed Budget

The total proposed budget for FY2015, including all funds and both cash and bond funding for capital projects, totals $39,119,056 Total budgeted ending fund balances of $51,395,534 provide reserve levels of 157% of operating expenditures which exceeds the Charter requirement of 25%.

General Fund Overview

Revenues for FY2014 will be approximately $19,064,541 or $1,974,994 more than budgeted. This is primarily due to increasing sales tax revenues. A very conservative estimate of revenues for FY2015 indicates $19,378,316 which is consistent with projected revenues for FY2014.

Operating expenditures for FY2014 are projected to come in approximately $180,852 less than budget. This is primarily due the departments consciously working to hold costs down in the current economic climate. Proposed FY2015 expenditures are $17,003,736 which is $1,382,607 more than FY2014, mostly due to a number of one time only supplemental programs.

Preliminary assessed values provided by the Harris County Tax Appraisal District (HCAD) are incomplete due to the large amount of value that is still under protest. The actual tax rate cannot be adopted until the City receives the calculated effective tax rate from Harris County;

however, a total tax rate of $0.341455 is recommended for the proposed budget. This is the same total tax rate as last year.

Personnel

In an attempt to maintain a competitive salary and benefits for employees, the City Council approved preparing a full salary survey and job description review for city employees. The cost to implement the plan to get all employees in their proper range is $219,184 city-wide. In addition, to stay with inflation, a 3% percent salary adjustment is proposed in FY2015 with a total estimated cost of $340,116. Our initial rate quote for major medical was a 20.0% increase, but we were able to reduce that number down to an 8.5% increase after going through a request for proposal process. We will be staying with our current carrier, Blue Cross Blue Shield; however dental will be changing companies to Aetna.

The Texas Municipal Retirement System has indicated that a 9.3% increase in the City's contribution is necessary for the upcoming fiscal year.

Additionally funded in this proposed budget is one new Records Specialists in the Police Department.

Supplemental Items

During the budget preparation and workshops, a variety of supplemental projects were identified as priorities and incorporated into the budget document. Those proposed expenditures are projected in the budget document and range from technology, safety, downtown and Four Corners redevelopment, and a generator for the North Wastewater Treatment Plant. The total supplemental projects this fiscal year is $1,740,494.

Enterprise Fund Overview

Revenues for FY2014 are projected to be $11,199,500 which is $222,000 higher than budgeted. The water sales revenues for FY2014 are projected to be level with budget. Operating expenses for FY2014 are projected to come in approximately $82,275 less than budget.

Projected revenues for FY2015 are $11,200,000 with expenses estimated at $8,941,449. The Enterprise Fund is budgeted to maintain a very strong ending fund balance in FY2015 of $19,713,682 which will provide reserves of 221% of operating expenses. Net Operating Revenues provide coverage of 172% on system supported debt. These numbers help the city maintain its strong bond rating.

The water, sewer and gas rates will remain the same for residential and commercial customers for FY2015.

Debt Service Fund Overview

The FY2014 ending fund balance in the Debt Service Fund is projected to be $2,661,853 which is more than budgeted. The ending fund balance for FY2015 is an estimated $3,431,523 and represents a reserve level of 93% of proposed debt service expenditures. The City's policy for debt service reserves targets a reserve level of 25% of the next year's debt service requirement.

Our high reserve levels give us some flexibility to issue debt to facilitate projects proposed in the Capital Improvement Plan. Early payment of the 2011 fire truck will be accomplished saving approximately $85,000. The debt payment for the fire truck payments will remain for the purchase of a new fire truck in 2015.

Standard & Poor's rating agency upgraded the City's bond rating from AA- to AA+ this past year. This was based, in their opinion, the City's strong economic and financial position.

Capital Projects Fund

The city will make application to H-GAC this fiscal year for major improvements to FM2920 (Main Street) from the downtown area to Four Corners. The city has appropriated additional funding in order to complete this project. Medical Complex Drive Segment 3 continues to be under construction with an anticipated completion date of May 2015. As soon as all the right of way is acquired, construction will begin on the M121W drainage project.

Hotel / Motel Tax

The Tourism Advisory Committee continues to meet quarterly and have reviewed a number of projects and activities. The Marketing Director continues to promote and make the City of Tomball name more prevalent in social media markets. A strong fund balance of $197,577 is still being maintained.

Summary

The City of Tomball was recently notified that it will be receiving the Platinum Leadership Award from the State Comptroller's Office. This is the highest level of transparency award given by the State Comptroller. The staff appreciates the time and effort the Council has taken to study and review the proposed budget document. The proposed budget is a workable document and will provide the citizens a strong quality of service that they deserve. The City staff involved in the preparation of the budget has done an excellent job led by Finance Director Glenn Windsor. The entire City team is dedicated to providing a high level of customer service to the Citizens of Tomball and pledges our efforts to that end.

Respectfully submitted,



George T. Shackelford
City Manager

Major items proposed in 2014-2015 Budget

Personnel

1. Salary adjustment per the salary survey documents--$186,909 in the General Fund and $32,275 in the Enterprise Fund. This places all the employees in the correct pay classifications with the current pay plan.
2. Proposed 3% salary adjustment for both the General and Enterprise fund is $340,116 including all funds.
3. TMRS rate increased from 12.55% to 13.72%. Cost city-wide is $79,000. Last year we had a reduction that saved us $51,000.
4. Workers Compensation rates remain virtually the same with a $600 increase.
5. Major Medical carrier Blue Cross Blue Shield has requested a 20.0% increase in premiums—estimated cost is $461,867 which is placed in the budget; however we are re-bidding major medical and dental. More concrete pricing will be available in late July.
6. Implemented Guardian Tracking city-wide
7. We have estimated that we will have $81,568 remaining in the SAFER grant and this amount will be utilized this fiscal year provided that an extension is received.
8. New personnel requested—Nine (9) new employees were requested from various departments. One new Records Specialists is proposed--$66,524
9. Convert to a reimbursable employer in lieu of taxable employer for unemployment compensation—estimated annual savings is $47,105 in premiums. Budgeted $10,000 in Human Resources for any payments that might be made.
10. Funded portion of Marketing in Hotel/Motel Fund to ensure adherence to current laws--$20,000 from General Fund to H/M Tax Fund.

Technology

1. Community Center audio visual improvements--$12,600
2. Modems and mobile data terminals for fire trucks--$26,000
3. Fire Department—inventory control systems--$11,675
4. Fire Department—mapping software--$5,100
5. GIS contract to remain at $50,000
6. IT—off-site backups--$3,000 (recurring cost from last year's implementation)
7. Community Development—software for development process--$30,000

Rates

1. Water, sewer, garbage, and gas rates remain the same.

Miscellaneous & Safety

1. Emergency Generator for North Wastewater Treatment Plant--$323,000.
2. Fire Department
    a. Fire Extinguisher Trailer—city share--$5,000
    b. Turnout gear replacement--$36,000 (years to replace)
    c. Replace 5 inch hoses--$25,000
    d. Wireless radio communications--$19,500

3. Required funds for Storm Water Management Plan--$50,000

Accounting

1. Assessed values
    a. Latest certified values for 2013 ended up at $1,478,138,979 after all additions and protest deductions.
    b. Preliminary assessed values 2014* are $1,501,475,384. Note that this is very rough and has not taken into account all individual categories. The end values will be much different, but it will be August/September before we get a final certified roll.
2. Ad valorem tax rate of .341455 per $100 assessed value remains the same. Debt service tax rate to pay long term indebtedness remains at $ 0.23 per $100 dollars of value.
3. Monthly check registers for current and past fiscal years are online.
4. Utility Billing switching over from card billing to an envelope.
5. Electrical rates reduced approximately 16%. Overall savings based on usage is 10% savings or $63,700 city wide.
6. Includes 380 agreement payments to Baker Katz of $64,000 in FY2013-2014 and an estimated $100,000 in FY 2014-2015

Vehicle Replacement Fund

1. The recommendation to replace vehicles is based upon evaluation of the vehicles and discussions with Department Head. Out of the fifteen (15) vehicles to be replaced per the fleet replacement schedule, six (6) are on the schedule for the 2014/2015 fiscal year. The remaining nine (9) have seen extended life for up to an additional three (3) years and just now are needing replaced. Total dollar amount proposed is $502,247 out of the General Fund and $245,063 out of the Enterprise Fund are budgeted. Fund balance for the vehicle replacement fund for the General Fund is $1,813,745 and the Enterprise Fund is $417,124, which are both strong balances.

2. New Fire Truck—proposed to pay off the 2011 truck. Principal payment will be $535,464 and result in interest savings of $85,570. New truck cost will be an estimated $800,000 and equipment cost $30,000. The new loan is estimated at 3.4%. Current truck has a 3.79% interest rate.

3. Replace Skid Unit on Booster 1--$66,000

Maintenance

1. Depot—proposed to place all overhead power lines around the Depot area underground. Price from Centerpoint for underground is $44,000, one steel pole at Market/Walnut--$14,000, eight (8) light standards and installation. Total proposed: $110,000.
2. Station 1
    a. Replace fluorescent lighting in apparatus bays—$6,969
    b. Replace 4 bay doors at--$60,000
    c. Infrared heating in apparatus bays--$20,000

3. Community Center
    a. Painting and repairs—$20,000
4. Public Works
    a. Finish up electronic door locks at PW Service Center--$6,500
    b. Replace automated gate at PW yard--$10,000
    c. Sidewalks—On Zion from Quinn to railroad tracks--$220,000
    d. Park development--$100,000
5. City Hall
    a. Replace carpet (replaced carpet in PD last year)--$40,000
    b. Upgrade Council Chambers--$20,000
    c. Upgrade employee lunchroom and women's restroom--$12,600
6. Water Department
    a. Baker Street well--$250,000—we need to have further discussion on the Baker Street well
    b. Backup generator for North Wastewater Treatment Plant (plans and specifications prepared last year)--$323,000

*Subject to protest hearings and the addition of utilities and tangible commercial property categories.

UPDATES FROM JULY 7, 2014 WORKSHOP

1. Provide Council map of streets to be overlaid this fiscal year. Also map of streets done in previous years (Attachment)
2. Hotel/Motel Tax Fund—added in $22,000 projections this fiscal year leaving ending fund balance at $212,901
3. Major Medical best and final offer came in with a 10% increase. We are now looking at the policy and determining what increased employee contributions, deductibles, and other plan changes can be modified to further reduce the increase. We only received two (2) bids on the plan. We did budget the original 20% worst case scenario in the proposed budget.
4. Fire Marshal Department—Account 100-141-6130. Revised to $6500 for expansion of the small office that Fire Marshall was in, adding additional office space and $5,000 for furniture. Total $11,500.
5. Provide Council a breakdown of the Capital Projects Fund allocations
6. Provide a balance sheet of the entire budget document.
7. Look at doing survey of all the alleys in the downtown area to have a better plan for future improvements. We can fund this out of Engineering & Planning.
8. Provide appreciation dinner for student council and youth volunteers that provide so much help to the Marketing Department for their programs. Added $3,000 to Mayor & Council account #113-6398
9. Discussed ending fund balance in the I&S Fund. No changes suggested.
10. Add $50,000 for Four Corners renovations/Main Street Project. This will be in addition to the $75,000 placed in the 2013-2014 budget.
11. Add additional $100,000 for miscellaneous park development and place in Capital Projects Fund. Total will be $200,000 available from FY2014-2015.

12. Add additional $400,000 for downtown improvements. Council discussed numerous options. I placed in another $400,000 to let you know what the ending fund balance would look like.
13. SUMMARY OF ALL THE FOUR CORNERS AND DOWNTOWN SIDEWALK FUNDS (Downtown Project) TO GO TO CAPITAL PROJECTS FUND:
    a. Sidewalks
        i. FY2013-2014--$600,000--$500K from General Fund and $100K from Red Light Camera Fund
        ii. FY2014-2015--$400,000 (added for information purpose)
    b. Four Corners
        i. FY2013-2014--$75,000
        ii. FY2014-2015--$50,000 (added by Council)
    c. Park Development
        i. FY2014-2015--$100,000 (originally placed in draft budget)
        ii. FY2014-2015--$100,000 (added by Council)

TOTAL APPROPRIATED FOR DOWNTOWN PROJECT (goes from downtown to 4-Corners)--$1,325,000.

UPDATE FROM JULY 21, 2014 WORKSHOP

1. Hotel/Motel Tax Fund—reduce Museum funding to zero and increase Grant line item by $30,000. Bottom line remains the same.
2. Hotel/Motel Tax Fund—reduce the Regional Arts Council funding to zero and increase Grant line item by $11,000. Bottom line remains the same.

UPDATED ITEMS AFTER THE JULY 21, 2014 WORKSHOP

1. Reduced the major medical expenditures due to the negotiated rates with Blue Cross Blue Shield—reduced $200,000
2. Moved salaries and supplementals into the budget document.
3. Incorporated SAFER grant funds into the Fire Department budget.
4. With some extra expenditures in the Engineering Department budget the last month or so (park land and grant application), increased their budget $30,000 for 2013-2014 projections.
5. Once final numbers were developed, based on percentages, the transfer to the General Fund from the Enterprise increased $31,000.
6. Overall, the Ending Fund Balance in General Fund increased by $156,730 and is now $10,237,101 or 60%.

NOTICE OF PUBLIC HEARING
at the
TOMBALL CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

MONDAY, AUGUST 18, 2014

6:00 P.M.

Notice is hereby given that a PUBLIC HEARING will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday August 18, 2014 at 6:00 p.m., at City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following:

Public Hearing for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2014-2015.

A copy of the Proposed Budget, as submitted to City Council and filed in the City Secretary's office, will be available for public inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas, Monday through Thursday, 7:45 a.m. to 5:00 p.m., and Friday, 7:45 a.m. to 4:00 p.m., beginning on **July 28, 2014**.

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the **23rd** day of July 2014 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer
Doris Speer, City Secretary, TRMC

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

Fund Summaries

Consolidated Statement of Anticipated Receipts and Revenues and Expenditures
and Changes in Fund Balance- All Funds
City Manager 2014-2015 Adopted Budget

	Governmental			Proprietary	Internal Service			Consolidated
	General Fund	Special Revenue Funds	Debt Service	Enterprise Fund	Fleet Replacement Fund	Health Insurance Trust Fund	Capital Projects Fund	All Funds FY 2015
Revenues:								
Property taxes	1,678,000	-	$ 3,410,000	-	-	-	-	5,088,000
Sales taxes	10,400,000	465,000	-	-	-	-	-	10,865,000
Franchise taxes	1,286,000	-	-	-	-	-	-	1,286,000
Permits and licenses	414,800	-	-	-	-	-	-	414,800
Fines and warrants	900,000	203,000	-	-	-	-	-	1,103,000
Service fees	2,050,000	-	-	10,375,000	-	-	-	12,425,000
Transfers In	2,031,276	-	-	-	767,310	2,376,960	500,000	5,675,546
Contributions/Grants	276,910	81,570	524,913	670,000	-	-	-	1,553,393
Other	15,000	72,000	-	149,000	-	-	-	236,000
Interest	326,330	850	1,500	6,000	-	200	-	334,880
Total Revenues	$ 19,378,316	$ 822,420	$ 3,936,413	$ 11,200,000	$ 767,310	$ 2,377,160	$ 500,000	$ 38,981,619
Expenditures:								
General Government	3,626,303	36,000	-	-	-	2,376,960	-	6,039,263
Public Safety	8,248,115	287,416	-	-	-	-	-	8,535,531
Public Works	3,889,736	-	-	-	-	-	-	3,889,736
Engineering and Planning	771,743	-	-	-	-	-	-	771,743
Parks and Recreation	467,839	15,250	-	-	-	-	-	483,089
Tourism & Arts	-	539,877	-	-	-	-	-	539,877
Utilities	-	-	-	6,910,173	-	-	-	6,910,173
Capital Projects/Outlay	1,465,675	-	-	-	747,310	-	4,185,000	6,397,985
Debt Service	535,464	-	3,702,207	1,313,988	-	-	-	5,551,659
Total Expenditures	$ 19,004,875	$ 878,543	$ 3,702,207	$ 8,224,161	$ 747,310	$ 2,376,960	$ 4,185,000	$ 39,119,056
Other Sources (Uses):								
Transfers	(2,417,783)	-	535,464	(3,162,231)	-	-	-	(5,044,550)
Debt Proceeds	-	-	-	-	-	-	-	-
Total Other Sources (Uses)	$ (2,417,783)	$ -	$ 535,464	$ (3,162,231)	$ -	$ -	$ -	$ (5,044,550)
Revenues Over (Under) Expenditures	$ (2,044,342)	$ (56,124)	$ 769,670	$ (186,392)	$ 20,000	$ 200	$ (3,685,000)	$ (5,181,987)
Beginning Fund Balance	$ 12,363,013	$ 929,882	$ 2,661,853	$ 19,900,074	$ 2,261,461	$ 893,385	$ 17,567,853	$ 56,577,521
Ending Fund Balance	$ 10,318,671	$ 873,758	$ 3,431,523	$ 19,713,682	$ 2,281,461	$ 893,585	$ 13,882,853	$ 51,395,534
Adopted Reserve Level	61%	99%	93%	221%	305%	38%	332%	157%

083 City of Tomball

Mailing Address:
Office of the Chief Appraiser
P.O. Box 920975
Houston, TX 77292-0975

Harris County Appraisal District
13013 Northwest Fwy, Houston, Texas
Information Center: (713)957-7800

Preliminary Report of Appraised & Taxable Values
(Prior to Hearings)
Tax Year 2014
May 9, 2014

Honorable Gretchen Fagan
Mayor
City of Tomball
401 Market St
Tomball TX 77375-4697

Dear Mayor Fagan:

The preliminary information on appraised and taxable values for 2014 may be useful to you for testing purposes. If you are an ISD, City, Harris County or College district assessor please keep in mind the preliminary rolls do not replace the certified or uncertified estimate that you received in April. **The preliminary roll values should not be compared with the values contained in the estimate. The preliminary data does not take potential hearing loss, late exemption and ag-use applications, or correction motion value loss into account. This report is not our official value estimate and only summarizes still incomplete values in appraisal records. The main purpose of the preliminary data is for testing and formatting for the jurisdiction.**

Initial Appraised Value	$1,528,768,106 (excluding Categories J & L)
Initial Taxable Value	$1,254,510,188 (excluding Categories J & L)

The attached recap report summarizes your preliminary 2014 data. Valuation is currently incomplete on personal property categories J and L. Our best estimate of your 2014 utility personal property Category J values from Pritchard and Abbott, Inc. will be made available to you when valuation is complete. Preliminary 2014 personal property data Category J and the remainder of Category L values will be made available when valuation is complete.

Informal meetings with property owners are already under way, and the appraisal review board begins holding 2014 hearings on May 12, 2014. To assist you in estimating value loss due to hearings, we will periodically prepare a series of printouts that will be furnished to your tax assessor and will schedule a series of briefings for assessors.

When values are reduced through the protest or online hearing process the hearing determination will be reflected either in the certified roll or in a subsequent correction roll. Most protests are determined before the appraisal roll is certified and their results will be reflected in the certified roll. However, the law permits a variety of late protests and correction motions that may result in changes to your 2014 values for many years to come.

Additionally, a number of circumstances may result in further reduction of your values:

Late-filed exemption applications. While in most circumstances property owners must apply for the exemption prior to April 30, the law provides for a variety of late-filed exemptions. These can result in reductions not reflected in this estimate. For example, if your jurisdiction grants the freeport exemption, you should be aware that a property owner can apply for the exemption at any time prior to the date the appraisal review board approves the appraisal records. A more common situation involves residence homestead exemptions. A person can apply for a residence homestead exemption until one year after the delinquency date for the year in question. Consequently, residence homestead exemptions for 2014 can be claimed at any time prior to February 1, 2016. Over-65 and disability exemptions for the year can be claimed up to one year after the date of the person or the property first qualified for exemption, and the exemption will apply for the entire year. Application for special agricultural or timber valuation can be filed until the date the ARB approves the 2014 appraisal records.

Results of appeals of appraisal review board decisions. A property owner who disagrees with an ARB determination on a protest or correction motion may appeal the decision to the district court, or in some cases through binding arbitration or the State Office of Administrative Hearings.

Depending on the complexity of the litigation, resolution may take several years. If the court reduces the owner's appraised value or grants an exemption, the result will be certified to the jurisdiction within 30 days of the date the judgment is entered.

Please do not hesitate to contact me or your jurisdiction coordinator if you have questions regarding this information or other matters affecting appraisal district operations.

With kindest regards,

Sands L. Stiefer, R.P.A.
Chief Appraiser

CC: Tax Assessor
Jurisdiction Coordinator

083 CITY OF TOMBALL
TAX YEAR: 2013

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED TO DATE ROLL 09

LAST UPDATED: 05/09/2014
DELV DATE: 05/23/2014

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
A1 Real, Residential, Single-Family	2,353	1,134.7320	353,380,460	351,094,512	0	57,424,639	293,669,873
A2 Real, Residential, Mobile Homes	16	22.1300	782,593	770,596	0	99,927	670,669
B1 Real, Residential, Multi-Family	51	106.2897	74,605,128	74,605,128	0	0	74,605,128
B2 Real, Residential, Two-Family	46	6.1318	5,482,026	5,482,026	0	200,804	5,281,222
B3 Real, Residential, Three-Family	1	0.2410	126,856	126,856	0	90,000	36,856
B4 Real, Residential, Four- or More-Family	0	0.0000	0	0	0	0	0
C1 Real, Vacant Lots/Tracts	393	195.2337	6,753,030	6,678,012	0	42,773	6,635,239
C2 Real, Vacant Commercial	316	851.7768	62,249,165	62,248,609	0	51,603	62,197,006
C3 Real, Vacant	196	148.3565	6,048,666	5,997,093	0	93,954	5,903,139
D1 Real, Qualified Agricultural Land	144	1,614.4942	39,968,080	0	3,232,118	0	3,232,118
D2 Real, Unqualified Agricultural Land	82	500.8425	13,581,200	13,546,998	0	57,761	13,489,237
E1 Real, Farm & Ranch Improved	2	12.7228	558,305	352,174	0	0	352,174
F1 Real, Commercial	540	910.7424	576,554,398	576,476,286	0	354,775	576,121,511
F2 Real, Industrial	7	65.4674	50,690,069	50,690,069	0	815,340	49,874,729
G1 Oil and Mineral Gas Reserves	408	0.0000	9,144,298	9,144,298	0	9,280	9,135,018
G2 Real Property Other Mineral Reserves	0	0.0000	0	0	0	0	0
H1 Tangible, Vehicles	0	0.0000	0	0	0	0	0
H2 Tangible, Goods In Transit	0	0.0000	0	0	0	0	0
I1 Real, Banks	0	0.0000	0	0	0	0	0
J1 Real & Tangible Personal, Utility Water	0	0.0000	0	0	0	0	0

083 CITY OF TOMBALL
TAX YEAR: 2013

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED TO DATE ROLL 09

LAST UPDATED: 05/09/2014
DELV DATE: 05/23/2014

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
J2 Gas Companies	0	0.0000	0	0	0	0	0
J3 Electric Companies	25	54.1523	15,826,975	15,826,975	0	0	15,826,975
J4 Telephone Companies	4	2.5000	3,860,351	3,860,351	0	0	3,860,351
J5 Railroads	7	69.2104	3,600,500	3,600,500	0	0	3,600,500
J6 Pipelines	20	0.0000	283,020	283,020	0	0	283,020
J7 Major Cable Television Systems	3	0.0000	1,835,450	1,835,450	0	0	1,835,450
L1 Tangible, Commercial	1,392	0.0000	131,228,137	131,228,137	0	1,154,352	130,073,785
L2 Tangible, Industrial	72	0.0000	217,880,021	217,880,021	0	420,337	217,459,684
M1 Tangible, Nonbusiness Watercraft	0	0.0000	0	0	0	0	0
M2 Tangible, Nonbusiness Aircraft	0	0.0000	0	0	0	0	0
M3 Tangible, Mobile Homes	54	0.0000	629,130	629,130	0	123,985	505,145
M4 Tangible, Miscellaneous	0	0.0000	0	0	0	0	0
N1 Intangibles	0	0.0000	0	0	0	0	0
O1 Inventory	94	20.8105	1,912,395	1,912,395	0	5,000	1,907,395
O2 Inventory	2	0.0000	319,150	319,150	0	0	319,150
S1 Dealer Inventory	19	0.0000	1,263,605	1,263,605	0	0	1,263,605
U0 Unknown	0	0.0000	0	0	0	0	0
XA Public Property for Housing Indigent Persons	0	0.0000	0	0	0	0	0
XB Income Producing Tangible Personal Property Valued Under $500	0	0.0000	0	0	0	0	0
XC Mineral Interest Property Valued Under $500	0	0.0000	0	0	0	0	0

083 CITY OF TOMBALL
TAX YEAR: 2013

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED TO DATE ROLL 09

LAST UPDATED: 05/09/2014
DELV DATE: 05/23/2014

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
XD Improving Property for Housing w/ Volunteer Labor	0	0.0000	0	0	0	0	0
XE Community Housing Development Organizations	0	0.0000	0	0	0	0	0
XF Assisting Ambulatory Health Care Centers	0	0.0000	0	0	0	0	0
XG Primarily Performing Charitable Functions	1	0.4018	144,344	144,344	0	144,344	0
XH Developing Model Colonia Subdivisions	0	0.0000	0	0	0	0	0
XI Youth Spiritual, Mental and Physical Development	0	0.0000	0	0	0	0	0
XJ Private Schools	6	40.1191	5,922,334	5,922,334	0	5,922,334	0
XL Economic Development Services to Local Community	0	0.0000	0	0	0	0	0
XM Marine Cargo Containers	0	0.0000	0	0	0	0	0
XN Motor Vehicles Leased for Personal Use	0	0.0000	0	0	0	0	0
XO Motor Vehicles for Income Production and Personal Use	0	0.0000	0	0	0	0	0
XP Offshore Drilling Equipment Not In Use	0	0.0000	0	0	0	0	0
XQ Intracoastal Waterway Dredge Disposal Site	0	0.0000	0	0	0	0	0
XR Nonprofit Water or Wastewater Corporations	0	0.0000	0	0	0	0	0
XS Raw Cocoa and Green Coffee held in Harris County	0	0.0000	0	0	0	0	0
XT Limitation on Taxes in Certain Municipalities	0	0.0000	0	0	0	0	0
XU Miscellaneous Exemptions	0	0.0000	0	0	0	0	0
XV Other Exempt (Incl Public, Religious, Charitable)	684	1,215.4528	206,704,929	206,704,929	0	206,704,929	0
JURISDICTION TOTALS:	6,938	6,971.8077	$1,791,334,615	$1,748,622,998	$3,232,118	$273,716,137	$1,478,138,979

2013

M+CC
gs
BW
for
4/24/14

Harris County Appraisal District

13013 Northwest Freeway
Houston TX 77040
Telephone: (713) 812-5800

P.O. Box 920975
Houston TX 77292-0975
Information Center: (713) 957-7800

Office of Chief Appraiser

Board of Directors
Ed Heathcott, *Chairman*
Ray Holtzapple, *Secretary*
Mike Sullivan, *Assistant Secretary*
Glenn E. Peters
Toni Trumbull
Michael Lunceford

Chief Appraiser
Sands L. Stiefer
Deputy Chief Appraiser
Roland Altinger
Taxpayer Liaison Officer
Teresa S. Terry

April 17, 2014

City of Tomball

Re: Increase in Appraisal Values,

Dear Mayor and Council,

In HCAD's March Board Meeting, a presentation was made on the changing values on property within Harris County. This presentation was broken down to the three major property groups, Residential, Commercial and Industrial and the overall percentage of appraised value is increasing significantly. Of the 1.7 million parcels of property in Harris County, there are approximately 950,000 total single family homes with increasing appraisals of 16.6%. Homes with values of $250,000 and up are experiencing a 20% increase. Commercial values are increasing approximately 20% with significant fluctuation in office buildings, apartments and warehouses. The increase in Industrial properties is more modest and there is much diversification across Harris County. I am including three maps (residential, commercial & residential & commercial combined) specifically for your city which should provide your City Council a good visual of the changing property values that are now being delivered to your property owners. An interesting observation is the total tax base for single family properties in Harris County at the end of 2012 finally regained the losses experienced beginning in 2009 with the economic downturn.

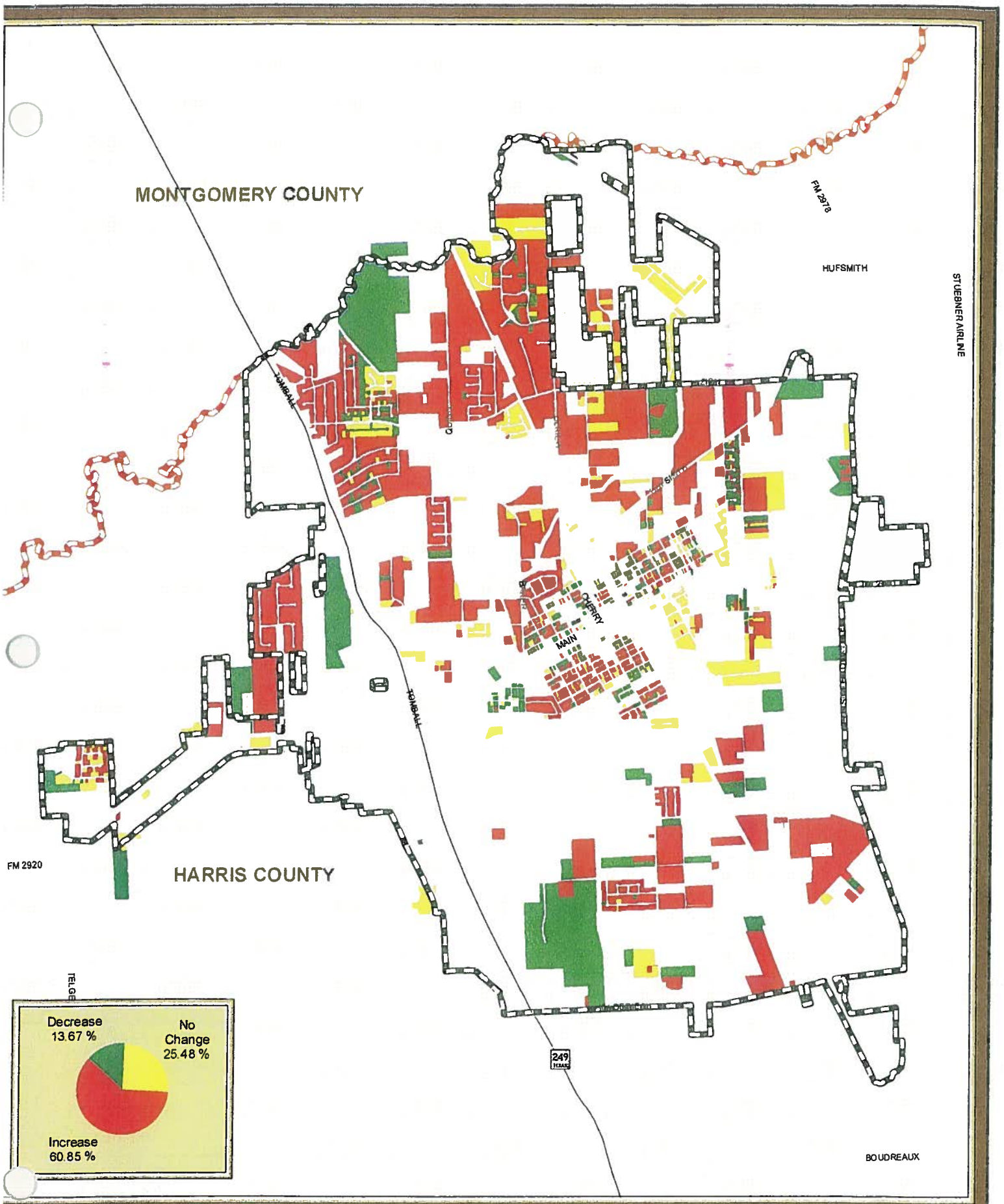
HCAD, like all appraisal districts in Texas, are commissioned by the State of Texas to appraise all properties at fair market value. Harris County is one of the hottest economic centers in the United States which is great news. However, the HCAD news will not be received as good news as you already know by your constituents. HCAD has been preparing for many months for what we anticipate will be a record year of protest and litigation. The increase in HCAD's budget for legal services to defend the appraised value may have budget impact for all taxing authorities next year. Mostly likely the voice of concern by property owners will come your way in the coming months.

I hope you will find the enclosed map interesting and helpful as your City Council look to the future and next years' budget preparation. As your representative on the Board, I appreciate your support and together we can face the challenges this year will bring. My cell is 281-435-2446.

Sincerely,

Ed Heathcott

Ed Heathcott
Chairman



Market Value Changes -

- Decrease
- No Change
- Increase
- Highway
- City
- County

* 2014 Noticed value (subject to change)
Data as of March 25, 2014

N W E S

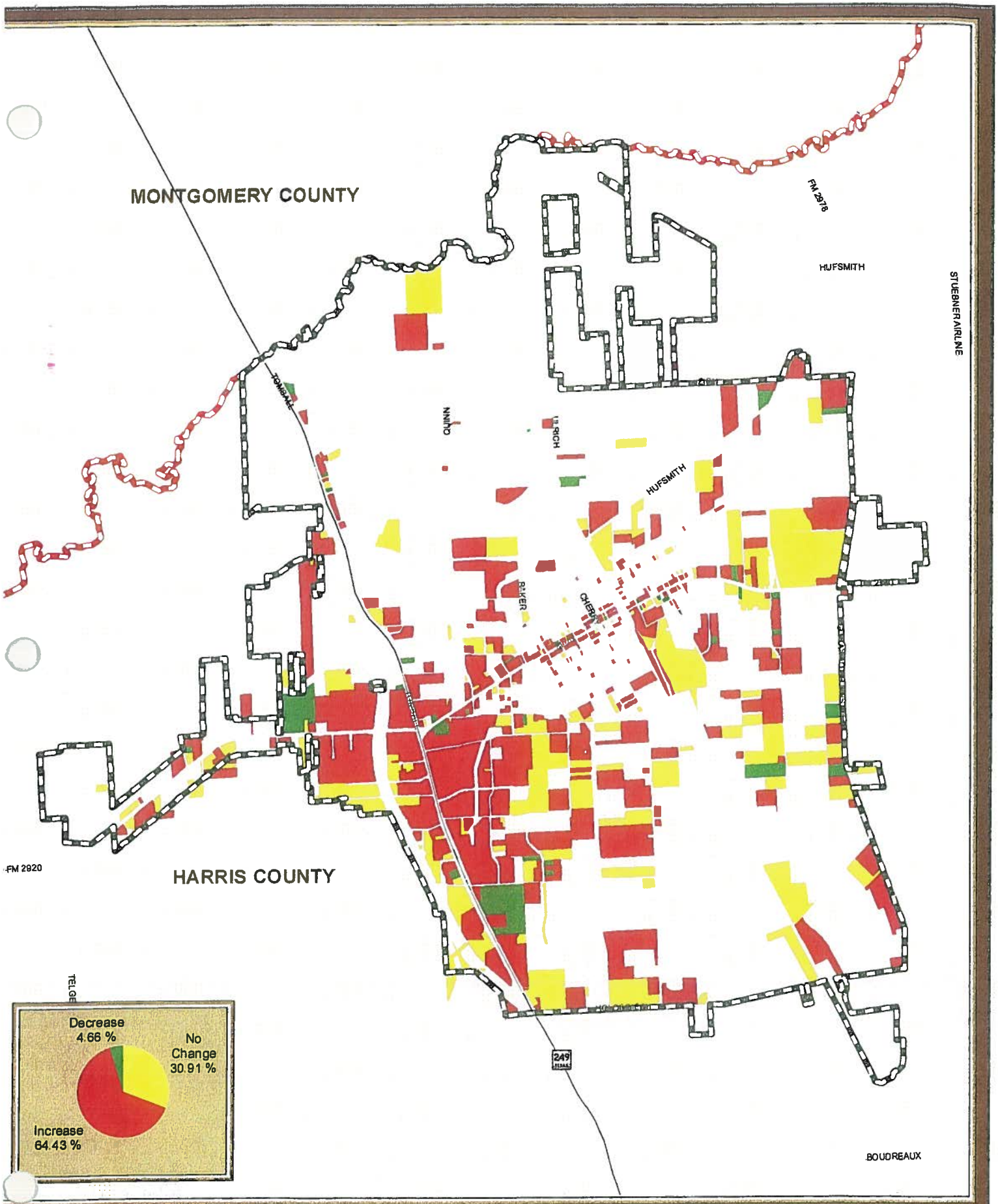
Scale: NTS

Tomball

Market Value Changes from 2013 - 2014
Residential Values



Geospatial or map data maintained by the Harris County Appraisal District is for informational purposes and maynot have been prepared for or be suitable for legal,engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries.



Market Value Changes -

- Decrease
- No Change
- Increase
- Highway
- City
- County

* 2014 Noticed value (subject to change)
Data as of March 25, 2014

N W E S

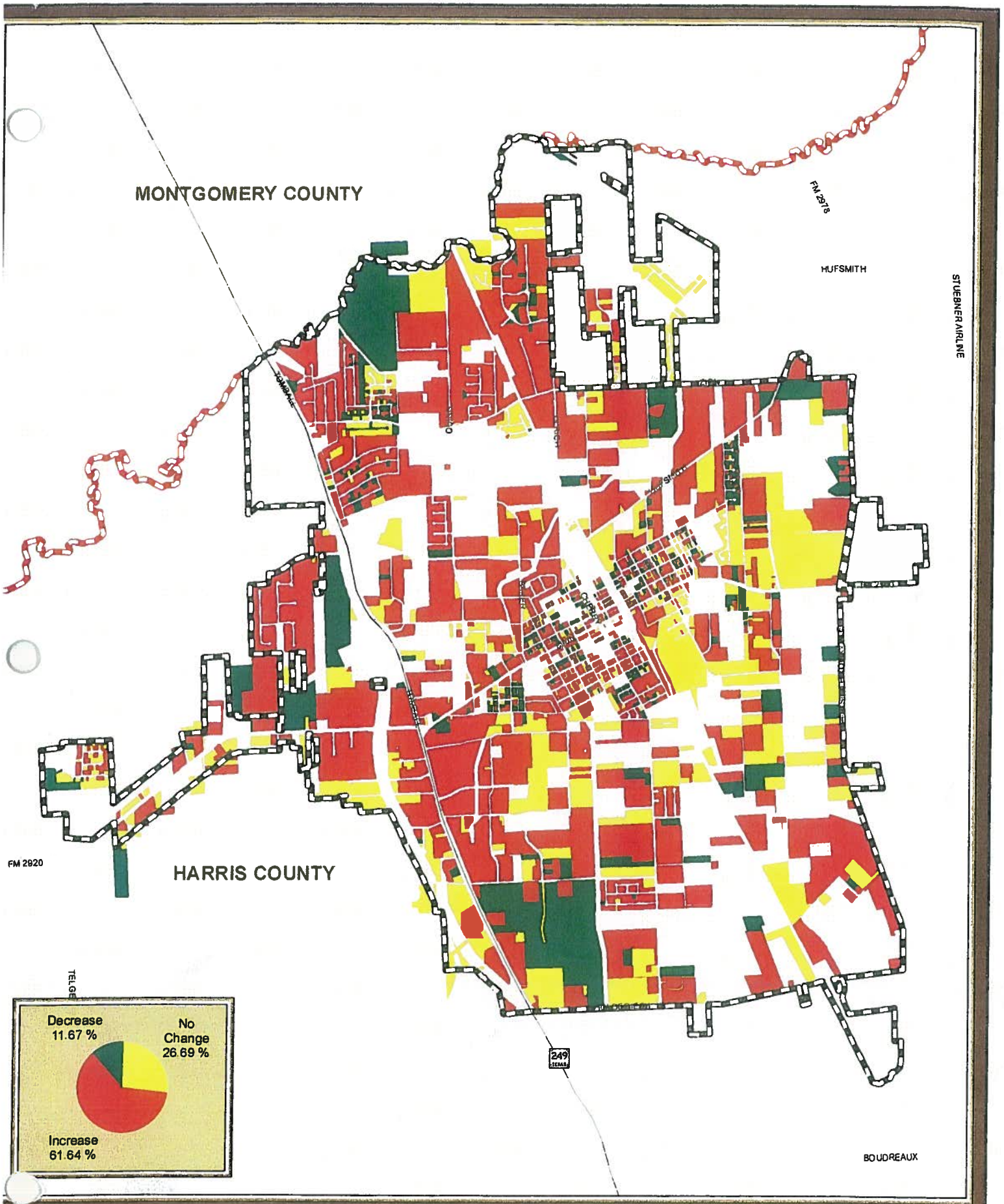
Scale: NTS

Tomball

Market Value Changes from 2013 - 2014
Commercial Values



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Market Value Changes -

- Decrease
- No Change
- Increase
- Highway
- City
- County

* 2014 Noticed value (subject to change)
Data as of March 25, 2014

N W E S
Scale: NTS

Tomball

Market Value Changes from 2013 - 2014
Residential & Commercial Value



Geospatial or map data maintained by the Harris County Appraisal District is for informational purposes and maynot have been prepared for or be suitable for legal,engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries.

2013 Effective Tax Rate Worksheet
City of Tomball

Date: 09/06/2013

See Chapter 2 of the Texas Comptroller's 2013 Manual for Taxing Units Other than Schools for an explanation of the effective tax rate.

1. 2012 total taxable value. Enter the amount of 2012 taxable value on the 2012 tax roll today. Include any adjustments since last year's certification; exclude Section 25.25(d) one-third over-appraisal corrections from these adjustments. This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 14).	$1,374,390,620
2. 2012 tax ceilings. Counties, cities and junior college districts. Enter 2012 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other units enter 0. If your taxing units adopted the tax ceiling provision in 2012 or a prior year for homeowners age 65 or older or disabled, use this step.	$0
3. Preliminary 2012 adjusted taxable value. Subtract Line 2 from Line 1.	$1,374,390,620
4. 2012 total adopted tax rate.	$0.341455/$100
5. 2012 taxable value lost because court appeals of ARB decisions reduced 2012 appraised value.	
A. **Original 2012 ARB Values.**	$33,329,940
B. **2012 values resulting from final court decisions.**	$30,410,642
C. **2012 value loss.** Subtract B from A.	$2,919,298
6. 2012 taxable value, adjusted for court-ordered reductions. Add Line 3 and Line 5C.	$1,377,309,918
7. 2012 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2012. Enter the 2012 value of property in deannexed territory.	$0
8. 2012 taxable value lost because property first qualified for an exemption in 2013. Note that lowering the amount or percentage of an existing exemption does not create a new exemption or reduce taxable value. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost to freeport or goods-in-transit exemptions.	
A. **Absolute exemptions.** Use 2012 market value:	$1,275,420
B. **Partial exemptions.** 2013 exemption amount or 2013 percentage exemption times 2012 value:	$3,166,850
C. **Value loss.** Add A and B.	$4,442,270
9. 2012 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2013. Use only properties that qualified in 2013 for the first time; do not use properties that qualified in 2012.	
A. **2012 market value:**	$1,293,979
B. **2013 productivity or special appraised value:**	$3,911
C. **Value loss.** Subtract B from A.	$1,290,068

10. Total adjustments for lost value. Add lines 7, 8C and 9C.	$5,732,338
11. 2012 adjusted taxable value. Subtract Line 10 from Line 6.	$1,371,577,580
12. Adjusted 2012 taxes. Multiply Line 4 by line 11 and divide by $100.	$4,683,320
13. Taxes refunded for years preceding tax year 2012. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2012. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2012. This line applies only to tax years preceding tax year 2012.	$22,259
14. Taxes in tax increment financing (TIF) for tax year 2012. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the unit has no 2013 captured appraised value in Line 16D, enter 0.	$0
15. Adjusted 2012 taxes with refunds and TIF adjustment. Add Lines 12 and 13, subtract Line 14.	$4,705,579
16. Total 2013 taxable value on the 2013 certified appraisal roll today. This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 18). These homesteads include homeowners age 65 or older or disabled. A. **Certified values:** B. **Counties:** Include railroad rolling stock values certified by the Comptroller's office: C. **Pollution control exemption:** Deduct the value of property exempted for the current tax year for the first time as pollution control property (use this line based on legal counsel's advice): **D. Tax increment financing:** Deduct the 2013 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2013 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 21 below. E. **Total 2013 value.** Add A and B, then subtract C and D.	$1,269,452,231 $0 $0 $0 $1,269,452,231
17. Total value of properties under protest or not included on certified appraisal roll. A. **2013 taxable value of properties under protest.** The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value. B. **2013 value of properties not under protest or included on certified appraisal roll.** The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value. C. **Total value under protest or not certified:** Add A and B.	$98,522,184 $37,334,573 $135,856,757
18. 2013 tax ceilings. Enter 2013 total taxable value of homesteads with tax ceilings. These	$0

include the homesteads of homeowners age 65 or older or disabled. Other units enter 0. If your taxing units adopted the tax ceiling provision in 2012 or a prior year for homeowners age 65 or older or disabled, use this step.	
19. 2013 total taxable value. Add Lines 16E and 17C. Subtract Line 18.	$1,405,308,988
20. Total 2013 taxable value of properties in territory annexed after Jan. 1, 2012. Include both real and personal property. Enter the 2013 value of property in territory annexed.	$5,017,737
21. Total 2013 taxable value of new improvements and new personal property located in new improvements. "New" means the item was not on the appraisal roll in 2012. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2012, and be located in a new improvement. New improvements **do** include property on which a tax abatement agreement has expired for 2013.	$22,747,382
22. Total adjustments to the 2013 taxable value. Add Lines 20 and 21.	$27,765,119
23. 2013 adjusted taxable value. Subtract Line 22 from Line 19.	$1,377,543,869
24. 2013 effective tax rate. Divide Line 15 by Line 23 and multiply by $100.	$0.341591/$100
25. COUNTIES ONLY. Add together the effective tax rates for each type of tax the county levies. The total is the 2013 county effective tax rate.	

A county, city or hospital district that adopted the additional sales tax in November 2012 or in May 2013 must adjust its effective tax rate. The Additional Sales Tax Rate Worksheet (Appendix 4) on page 35 of the Texas Comptroller's 2013 Truth-in-Taxation Manual sets out this adjustment. Do not forget to complete the Additional Sales Tax Rate Worksheet if the taxing unit adopted the additional sales tax on these dates.

2013 Rollback Tax Rate Worksheet
City of Tomball

Date: 09/06/2013

See Chapter 3 of the Texas Comptroller's 2013 Manual for Taxing Units Other than School Districts for an explanation of the rollback tax rate.

26. 2012 maintenance and operations (M&O) tax rate.	$0.111455/$100
27. 2012 adjusted taxable value. Enter the amount from Line 11.	$1,371,577,580
28. 2012 M&O taxes.	
A. Multiply Line 26 by Line 27 and divide by $100.	$1,528,691
B. **Cities, counties and hospital districts with additional sales tax:** Amount of additional sales tax collected and spent on M&O expenses in 2012. Enter amount from full year's sales tax revenue spent for M&O in 2012 fiscal year, if any. Other units enter 0. Counties exclude any amount that was spent for economic development grants from the amount of sales tax spent.	$3,057,016
C. **Counties:** Enter the amount for the state criminal justice mandate. If second or later year, the amount is for increased cost above last year's amount. Other taxing units enter 0.	$0
D. **Transferring function:** If discontinuing all of a department, function or activity and transferring it to another unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the unit operated the function. The taxing unit discontinuing the function will subtract this amount in H below. The taxing unit receiving the function will add this amount in H below. Other units enter 0.	$0
E. **Taxes refunded for years preceding tax year 2012:** Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2012. This line applies only to tax years preceding tax year 2012.	$7,266
F. **Enhanced indigent health care expenditures:** Enter the increased amount for the current year's enhanced indigent health care expenditures above the preceding tax year's enhanced indigent health care expenditures, less any state assistance.	$0
G. **Taxes in TIF:** Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2013 captured appraised value in Line 16D, enter 0.	$0
H. Adjusted M&O Taxes. Add A, B, C, E and F. For unit with D, subtract if discontinuing function and add if receiving function. Subtract G.	$4,592,973
29. 2013 adjusted taxable value. Enter Line 23 from the Effective Tax Rate Worksheet.	$1,377,543,869
30. 2013 effective maintenance and operations rate. Divide Line 28H by Line 29 and multiply by $100.	$0.333418/$100
31. 2013 rollback maintenance and operation rate. Multiply Line 30 by 1.08.	$0.360091/$100

32. Total 2013 debt to be paid with property taxes and additional sales tax revenue. "Debt" means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year and (4) are not classified in the taxing unit's budget as M&O expenses	
A. **Debt** also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue (or additional sales tax revenue). Do not include appraisal district budget payments. List the debt in Schedule B: Debt Service.	$3,166,148
B. Subtract **unencumbered fund amount** used to reduce total debt.	$0
C. Subtract **amount paid** from other resources.	
D. **Adjusted debt.** Subtract B and C from A.	$0
	$3,166,148
33. Certified 2012 excess debt collections. Enter the amount certified by the collector.	$426,602
34. Adjusted 2013 debt. Subtract Line 33 from Line 32D.	$2,739,546
35. Certified 2013 anticipated collection rate. Enter the rate certified by the collector. If the rate is 100 percent or greater, enter 100 percent.	100.00%
36. 2013 debt adjusted for collections. Divide Line 34 by Line 35	$2,739,546
37. 2013 total taxable value. Enter the amount on Line 19.	$1,405,308,988
38. 2013 debt tax rate. Divide Line 36 by Line 37 and multiply by $100.	$0.194942/$100
39. 2013 rollback tax rate. Add Lines 31 and 38.	$0.555033/$100
40. COUNTIES ONLY. Add together the rollback tax rates for each type of tax the county levies. The total is the 2013 county rollback tax rate.	

A taxing unit that adopted the additional sales tax must complete the lines for the Additional Sales Tax Rate. A taxing unit seeking additional rollback protection for pollution control expenses completes the Additional Rollback Protection for Pollution Control.

2013 Additional Sales Tax Rate Worksheet
City of Tomball

Date: 09/06/2013

41. Taxable Sales. For taxing units that adopted the sales tax in November 2012 or May 2013, enter the Comptroller's estimate of taxable sales for the previous four quarters. Taxing units that adopted the sales tax before November 2012, skip this line.	$0
42. Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. **Taxing units that adopted the sales tax in November 2012 or in May 2013.** Multiply the amount on Line 41 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. **- or -** **Taxing units that adopted the sales tax before November 2012.** Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	$3,057,016
43. 2013 total taxable value. Enter the amount from Line 37 of the Rollback Tax Rate Worksheet.	$1,405,308,988
44. Sales tax adjustment rate. Divide Line 42 by Line 43 and multiply by $100.	$0.217534/$100
45. 2013 effective tax rate, unadjusted for sales tax. Enter the rate from Line 24 or 25, as applicable, on the Effective Tax Rate Worksheet.	$0.341591/$100
46. 2013 effective tax rate, adjusted for sales tax. **Taxing units that adopted the sales tax in November 2012 or in May 2013.** Subtract Line 44 from Line 45. Skip to Line 47 if you adopted the additional sales tax before November 2012.	$0.341591/$100
47. 2013 rollback tax rate, unadjusted for sales tax. Enter the rate from Line 39 or 40, as applicable, of the Rollback Tax Rate Worksheet.	$0.555033/$100
48. 2013 rollback tax rate, adjusted for sales tax. Subtract Line 44 from Line 47.	$0.337499/$100

Window on State Government Susan Combs Texas Comptroller of Public Accounts

Local Sales and Use Tax

New Historical Summary Search

Allocation Historical Summary

City of Tomball
Authority Code: 2101106

	2014	2013	2012	2011
JAN	1,130,961.20	885,496.83	925,841.10	698,383.99
FEB	1,537,771.88	1,444,842.73	1,128,279.61	1,035,770.65
MAR	996,001.11	827,645.71	762,765.07	663,317.39
APR	1,095,289.01	839,520.22	902,208.82	612,068.21
MAY	1,266,817.30	1,134,270.39	1,006,065.93	888,748.37
JUN	1,183,166.20	1,000,769.54	798,793.25	711,768.58
JUL	.	1,022,413.25	839,981.26	730,724.42
AUG	.	1,376,063.58	1,014,654.91	901,499.23
SEP	.	984,233.32	825,773.92	689,531.82
OCT	.	1,077,591.92	916,942.52	782,963.98
NOV	.	942,736.36	974,793.60	866,801.31
DEC	.	1,010,317.60	979,531.25	751,513.03
TOTAL	7,210,006.70	12,545,901.45	11,075,631.24	9,333,090.98

	2010	2009	2008	2007
JAN	655,022.53	744,060.35	763,082.77	818,979.13
FEB	924,576.96	1,078,619.34	1,056,252.71	1,033,479.02
MAR	605,121.82	669,554.76	554,706.78	650,344.30
APR	574,361.08	675,772.65	649,539.08	642,147.02
MAY	843,221.51	860,341.46	892,770.36	916,010.04
JUN	694,784.24	706,286.34	759,771.28	742,948.18
JUL	697,784.11	751,256.16	799,240.22	770,384.36
AUG	922,973.49	881,103.78	772,891.29	888,777.12
SEP	693,631.34	717,022.14	814,584.27	793,747.81
OCT	714,234.24	652,672.42	707,156.52	810,041.97
NOV	782,970.99	750,867.70	848,024.73	887,033.46

DEC	662,666.62	643,626.71	825,493.50	791,798.80
TOTAL	8,771,348.93	9,131,183.81	9,443,513.51	9,745,691.21
	2006	**2005**	**2004**	**2003**
JAN	805,148.39	590,248.15	550,176.60	510,977.06
FEB	992,834.69	890,442.38	773,977.11	750,731.97
MAR	718,493.56	576,567.53	543,570.70	511,215.95
APR	702,037.67	569,048.41	480,378.59	428,765.05
MAY	1,003,757.53	844,863.04	614,573.58	609,283.91
JUN	776,554.45	645,366.30	670,059.95	539,056.33
JUL	811,099.24	664,684.29	564,268.29	597,251.02
AUG	884,754.28	903,184.64	708,410.27	622,254.80
SEP	778,305.06	680,411.45	597,810.93	534,919.64
OCT	837,778.21	716,269.52	613,299.99	606,450.44
NOV	924,442.33	907,773.86	686,593.21	623,219.75
DEC	731,007.98	711,321.01	611,352.48	566,878.80
TOTAL	9,966,213.39	8,700,180.58	7,414,471.70	6,901,004.72
	2002	**2001**	**2000**	**1999**
JAN	451,291.75	388,605.00	365,307.58	293,134.54
FEB	685,517.68	669,059.58	573,406.75	582,045.41
MAR	435,576.62	377,056.87	371,670.92	321,661.07
APR	398,031.14	399,293.45	346,237.25	300,174.79
MAY	611,940.93	581,126.81	541,223.14	539,889.03
JUN	529,283.08	424,909.36	365,078.12	346,524.44
JUL	516,419.49	532,520.22	384,909.17	227,632.64
AUG	645,466.94	593,081.43	504,423.62	565,592.43
SEP	504,392.29	419,976.56	436,498.41	332,648.63
OCT	511,669.67	472,012.44	413,872.56	332,111.68
NOV	572,395.40	583,003.51	532,908.00	491,416.48
DEC	477,524.87	436,195.92	431,610.63	366,406.34
TOTAL	6,339,509.86	5,876,841.15	5,267,146.15	4,699,237.48
	1998	**1997**	**1996**	**1995**
JAN	304,328.79	251,040.76	232,153.29	238,099.12
FEB	497,379.49	455,668.43	447,466.67	378,202.72
MAR	286,609.97	242,418.62	225,575.09	206,930.90
APR	253,506.76	214,878.38	248,319.21	189,621.26
MAY	406,571.43	368,824.96	343,817.47	313,200.67
JUN	325,351.03	287,384.29	256,793.91	232,316.81
JUL	335,382.94	271,900.36	255,533.17	234,096.79
AUG	460,927.96	406,616.52	343,976.21	343,906.31
SEP	311,740.05	284,847.89	268,643.35	219,791.88
OCT	311,297.47	290,918.96	252,578.80	233,654.40
NOV	436,774.64	402,564.94	336,702.49	342,544.86
DEC	300,972.36	297,346.03	271,921.42	231,877.09

TOTAL	4,230,842.89	3,774,410.14	3,483,481.08	3,164,242.81
	1994	**1993**	**1992**	**1991**
JAN	139,933.31	111,054.55	102,958.21	81,094.72
FEB	262,733.60	251,225.62	196,208.03	139,784.59
MAR	140,539.17	121,695.56	106,009.17	54,121.70
APR	130,276.50	115,699.46	107,670.45	61,919.96
MAY	209,493.37	197,770.44	171,237.91	109,860.55
JUN	139,083.83	123,241.17	147,855.83	77,041.97
JUL	165,064.30	140,941.80	113,187.36	73,492.76
AUG	239,654.39	221,119.11	203,836.27	119,569.25
SEP	198,911.91	141,652.79	153,448.96	73,859.68
OCT	193,996.52	142,020.36	123,046.84	81,214.57
NOV	313,431.80	228,492.09	254,613.82	129,854.76
DEC	209,608.26	146,854.56	124,383.37	95,857.35
TOTAL	2,342,726.96	1,941,767.51	1,804,456.22	1,097,671.86

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CITY OF TOMBALL, TEXAS
ANALYSIS OF TOTAL SALES TAXES
2014-2015 ANNUAL BUDGET

	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	Percent FY 2014 Up from 2013
Dec.	$ 611,352.48	$ 711,321.01	$ 731,007.98	$ 791,798.80	$ 825,493.50	$ 643,626.71	$ 662,666.62	$ 751,513.03	$ 979,531.25	$ 1,010,317.60	3.14%
Jan.	590,248.15	805,148.39	818,979.13	763,082.77	744,060.35	655,022.53	698,383.99	925,841.10	885,496.83	1,130,961.20	27.72%
Feb.	890,442.38	992,834.69	1,033,479.02	1,056,252.71	1,078,619.34	924,576.96	1,035,770.65	1,128,279.61	1,444,842.73	1,537,771.88	6.43%
Mar.	576,567.53	718,493.56	650,344.30	554,706.78	669,554.76	605,121.82	663,317.39	762,765.07	827,645.71	996,001.11	20.34%
Apr.	569,048.41	702,037.67	642,147.02	649,539.08	675,772.65	574,361.08	612,068.21	902,208.82	839,520.22	1,095,289.01	30.47%
May	844,863.04	1,003,757.53	916,010.04	892,770.36	860,341.46	843,221.51	888,748.37	1,006,065.93	1,134,270.39	1,266,817.30	11.69%
June	645,366.30	776,554.45	742,948.18	759,771.28	706,286.34	692,160.61	711,768.58	798,793.25	1,000,769.54	1,183,166.20	18.23%
July	664,684.29	811,099.24	770,384.36	799,240.22	751,256.16	736,231.04	730,724.42	839,981.26	1,022,413.25		-100.00%
Aug.	903,184.64	884,754.28	888,777.12	772,891.29	881,103.78	863,481.70	901,499.23	1,014,654.91	1,376,063.58		-100.00%
Sept.	680,411.45	778,305.06	793,747.81	814,584.27	717,022.14	702,681.70	689,531.82	825,773.92	984,233.32		-100.00%
Oct.	716,269.52	837,778.21	810,041.97	707,156.52	652,672.42	639,618.97	782,963.98	916,942.52	1,077,591.92		-100.00%
Nov.	907,773.86	924,442.33	887,033.46	848,024.73	750,867.70	735,850.35	866,801.31	974,793.60	942,736.36		-100.00%
Total	$ 8,600,212.05	$ 9,946,526.42	$ 9,684,900.39	$ 9,409,818.81	$ 9,313,050.60	$ 8,615,954.98	$ 9,244,244.57	$ 10,847,613.02	$ 12,515,115.10		
Less: TEDC	2,150,053.01	2,486,631.61	2,421,225.10	2,352,454.70	2,328,262.65	2,153,988.74	2,311,061.14	2,711,903.26	3,128,778.78		
City Portion	6,450,159.04	7,459,894.82	7,263,675.29	7,057,364.11	6,984,787.95	6,461,966.23	6,933,183.43	8,135,709.77	9,386,336.33		-3.29%
				-2.84%	-1.03%	-7.49%	7.29%	17.34%			

TNT		
	July-Sept 13	$ 3,382,710.15
	Oct-Dec 13	3,030,645.88
	Jan-Mar 14	3,664,734.19
	Apr-June 14	3,545,272.51
	Total	$ 13,623,362.73

Projection, net of TEDC:	Total Payment	Less: TEDC	City Portion
Dec. 12 thru June 13	$ 7,112,076.67	$ 1,778,019.17	5,334,057.50
Dec. 13 thru June 14	$ 8,220,324.30	$ 2,055,081.08	6,165,243.23
Per. YTD FY 14 over FY 13	15.58%	15.58%	15.58%

FY 2014 Projection:

k8-k13	$ 7,112,076.67
x.75	$ 5,334,057.50
divided by FY 13 actual	$ 9,345,931.89
=	$ 0.57
Dec -June FY14	$ 8,220,324.30
x.75	$ 6,165,243.23
FY14 projected	$ 10,802,272.61

General Fund

Statement of Revenues, Expenditures, and Changes in Fund Balance

2014-2015 Proposed Budget Worksheet

	FY 2013 Actuals	Current FY2014	FY2014 Projections	FY 2015 Base Budget	Recurring Supplemental	Non-Recur. Supplemental	FY 15 Total Proposed Budget
Revenues:							
Property taxes	1,543,913	1,550,000	$ 1,678,000	$ 1,678,000	$ -	$ -	$ 1,678,000.00
Sales taxes	9,442,376	8,750,000	10,300,000	10,400,000	-	-	$ 10,400,000.00
Franchise taxes	1,267,302	1,222,300	1,281,000	1,286,000	-	-	$ 1,286,000.00
Permits and licenses	469,859	332,500	430,813	414,800	-	-	$ 414,800.00
Fines and warrants	941,623	867,000	895,000	900,000	-	-	$ 900,000.00
Service fees	2,037,143	2,000,000	2,050,000	2,050,000	-	-	$ 2,050,000.00
Transfers In	2,246,221	1,806,049	1,806,049	2,031,276	-	-	$ 2,031,276.00
Contributions	234,883	261,868	295,424	276,910	-	-	$ 276,910.00
Interest	16,713	30,000	12,000	15,000	-	-	$ 15,000.00
Other	276,612	269,830	316,255	326,330	-	-	$ 326,330.00
Total Revenues	18,476,641	17,089,547	$ 19,064,541	$ 19,378,316	$ -	$ -	$ 19,378,316
Expenditures:							
City Manager's Office	333,556	$ 361,860	$ 273,590	$ 383,494	$ -	$ -	$ 383,494
Building Permits and Inspections	364,080	388,545	381,618	330,831	-	-	330,831
Mayor and Council	54,351	139,162	73,409	96,004	-	-	96,004
City Secretary	277,693	372,388	384,946	391,284	-	-	391,284
Human Resources	317,590	545,030	540,367	581,281	-	-	581,281
Finance	545,834	542,793	585,731	611,967	-	-	611,967
Information Systems	662,413	561,915	550,587	543,692	4,650	103,600	651,942
Legal	166,197	152,000	122,000	142,000	-	-	142,000
Non-Departmental	607,761	404,340	514,227	437,500	-	-	437,500
Police	4,711,656	5,017,152	4,967,061	5,279,428	-	4,000	5,283,428
Municipal Court	296,570	338,242	336,620	361,517	-	-	361,517
Community Center	130,249	143,847	138,723	137,989	-	-	137,989
Fire Marshal	175,997	238,282	190,935	246,697	-	-	246,697
Fire	1,357,569	1,592,535	1,554,307	2,333,768	-	-	2,333,768
Emergency Management	12,312	28,568	23,290	22,705	-	-	22,705
Public Works Administration	48,282	49,932	49,794	51,860	-	-	51,860
Garage	133,817	138,289	139,306	147,148	-	-	147,148
Parks	314,084	420,446	348,828	329,850	-	-	329,850
Streets	772,843	961,567	881,911	926,953	-	-	926,953
Sanitation	1,959,352	1,962,300	2,006,080	2,008,800	-	-	2,008,800
Engineering and Planning	488,921	653,476	687,412	721,743	50,000	-	771,743
Facilities Maintenance	720,597	608,460	689,535	558,906	-	196,069	754,975
Total Expenditures	14,451,724	$ 15,621,129	$ 15,440,277	$ 16,645,417	$ 54,650	$ 303,669	$ 17,003,736
Net Income from Operations	$ 4,024,917	$ 1,468,418	$ 3,624,264	$ 2,732,899	$ (54,650)	$ (303,669)	$ 2,374,580
Other Sources/(Uses):							
Transfer to Fleet Replacement Fund	$ (234,500)	$ (593,802)	$ (593,802)	$ (502,247)	$ -	$ -	$ (502,247)
Capital Projects/Outlay	(329,404)	(179,065)	(257,645)	(6,500)	(1,500)	(1,057,675)	$ (1,065,675)
Transfer to Capital Projects Fund	-	(500,000)	(575,000)	(400,000)	-	-	$ (400,000)
Transfer to Hotel Occupancy Fund	-	(10,000)	(10,000)	(20,000)	-	-	$ (20,000)
Transfer to SAFER Grant Fund	(10,000)	(37,373)	(75,375)	-	-	-	$ -
Transfer to Debt Service	-	-	-	(535,464)	-	-	$ (535,464)
Transfer to Emp. Benefits Trust Fund	(1,535,709)	(1,601,750)	(1,601,750)	(1,895,536)	-	-	$ (1,895,536)
Total Other Sources/(Uses)	(2,109,613)	(2,921,990)	(3,113,572)	(3,359,747)	$ (1,500)	$ (1,057,675)	$ (4,418,922)
Revenues Over/(Under) Expenditures	1,915,304	$ (1,453,572)	$ 510,692	$ (626,848)	$ (56,150)	$ (1,361,344)	$ (2,044,342)
Beginning Fund Balance	9,855,447	$ 11,770,751	$ 11,770,751	$ 12,281,443	$ -	$ -	$ 12,281,443
Ending Fund Balance	$ 11,770,751	$ 10,317,179	$ 12,281,443	$ 11,654,595	$ (56,150)	$ (1,361,344)	$ 10,237,101
25% of Operating Expenses - Target	81%	66%	80%	70%			60%

CITY OF TOMBALL
GENERAL FUND
2014-2015 Proposed Budget Revenues

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base Budget	Recurring	Non-Recur.	FY2015 Total Proposed Budget
5110	Current Taxes	$ 1,504,202	$ 1,500,000	$ 1,640,000	$ 1,640,000	$ -	$ -	1,640,000
5120	Delinquent Taxes	$ 28,142	$ 35,000	$ 28,000	$ 28,000	-	-	28,000
5130	Penalty, Interest, Attorney Fees	$ 11,569	$ 15,000	$ 10,000	$ 10,000	-	-	10,000
	TOTAL PROPERTY TAXES	$ 1,543,913	$ 1,550,000	$ 1,678,000	$ 1,678,000	$ -	$ -	1,678,000
5140	Sales Tax	$ 9,442,376	$ 8,750,000	$ 10,300,000	$ 10,400,000	$ -	$ -	10,400,000
	TOTAL SALES TAXES	$ 9,442,376	$ 8,750,000	$ 10,300,000	$ 10,400,000	$ -	$ -	10,400,000
5150	Electrical Franchise Tax	$ 682,189	$ 682,300	$ 690,000	$ 690,000	$ -	$ -	690,000
5160	T.V. Cable Franchise Tax	$ 110,338	$ 110,000	$ 135,000	$ 135,000	-	-	135,000
5161	1% In Kind PEG Fees	$ -	$ -	$ 16,000	$ 16,000			16,000
5170	Communications Franchise Tax	$ 288,822	$ 255,000	$ 256,000	$ 260,000	-	-	260,000
5175	Sanitation Franchise Tax	$ 185,953	$ 175,000	$ 184,000	$ 185,000	-	-	185,000
	TOTAL FRANCHISE TAXES	$ 1,267,302	$ 1,222,300	$ 1,281,000	$ 1,286,000	$ -	$ -	1,286,000
5200	Building Permits	$ 253,615	$ 150,000	$ 175,000	$ 175,000	$ -	$ -	175,000
5210	Construction Permits	$ 31,354	$ 35,000	$ 75,000	$ 60,000	-	-	60,000
5215	Plumbing Permits	$ 26,246	$ 18,000	$ 29,000	$ 30,000	-	-	30,000
5220	Mechanical Permits	$ 37,911	$ 26,000	$ 30,000	$ 30,000	-	-	30,000
5230	Electrical Permits	$ 36,852	$ 28,000	$ 40,000	$ 40,000	-	-	40,000
5235	Fire Permit Fees	$ 33,693	$ 30,000	$ 34,000	$ 34,000	-	-	34,000
5240	Other Permits	$ 3,568	$ 4,000	$ 6,500	$ 5,000	-	-	5,000
5245	Miscellaneous Permit Fees	$ 1,062	$ 2,500	$ 1,500	$ 1,500	-	-	1,500
5255	License Fees	$ 8,258	$ 1,000	$ 1,600	$ 1,500	-	-	1,500
5260	Ambulance Permits	$ 5,600	$ 6,000	$ 7,500	$ 8,000	-	-	8,000
5440	Plat Fees	$ 9,575	$ 11,000	$ 9,500	$ 9,500	-	-	9,500
5441	Rezoning Application Fee	$ 3,400	$ 4,000	$ 600	$ 600	-	-	600
5442	Conditional Use Permit	$ -	$ 2,000	$ 600	$ 600	-	-	600
5443	Planned Development			$ 1,000	$ -	-	-	-
5444	Site Plan Review	$ 13,896	$ 11,000	$ 15,000	$ 15,000	-	-	15,000
5445	Plan Review Fees-Other	$ 1,000	$ 2,000	$ 13	$ 100	-	-	100
5446	Zoning Fees	$ 3,829	$ 2,000	$ 4,000	$ 4,000	-	-	4,000
	TOTAL PERMITS AND LICENSES	$ 469,859	$ 332,500	$ 430,813	$ 414,800	$ -	$ -	414,800
5300	Municipal Court Fines	$ 499,297	$ 450,000	$ 500,000	$ 500,000	$ -	$ -	500,000
5310	Court Costs/Administrative Fees	$ 297,783	$ 280,000	$ 245,000	$ 250,000	-	-	250,000
5320	Court Warrant Fees	$ 131,571	$ 125,000	$ 135,000	$ 135,000	-	-	135,000
5340	Time Pymt.Fee-10% City Judicial	$ 2,596	$ 2,500	$ 3,000	$ 3,000	-	-	3,000
5341	Time Pymt.Fee-40% For City	$ 10,376	$ 9,500	$ 12,000	$ 12,000	-	-	12,000
	TOTAL FINES AND WARRANTS	$ 941,623	$ 867,000	$ 895,000	$ 900,000	$ -	$ -	900,000
5430	Sanitation Fees	$ 2,037,143	$ 2,000,000	$ 2,050,000	$ 2,050,000	$ -	$ -	2,050,000
	TOTAL SERVICE FEES	$ 2,037,143	$ 2,000,000	$ 2,050,000	$ 2,050,000	$ -	$ -	2,050,000
5961	Transfer from Enterprise	$ 2,246,221	$ 1,806,049	$ 1,806,049	$ 2,031,276	$ -	$ -	2,031,276
	TOTAL TRANSFERS	$ 2,246,221	$ 1,806,049	$ 1,806,049	$ 2,031,276	$ -	$ -	2,031,276
5730	School Resource Officers (SRO)	$ 223,883	$ 251,868	$ 259,424	$ 265,910	$ -	$ -	265,910
5740	Other Grants	$ 1,000	$ -	$ 1,000	$ 1,000	-	-	1,000
5770	TEDC Contributions	$ 10,000	$ 10,000	$ 35,000	$ 10,000	-	-	10,000
	TOTAL CONTRIBUTIONS	$ 234,883	$ 261,868	$ 295,424	$ 276,910	$ -	$ -	276,910

CITY OF TOMBALL
GENERAL FUND
2014-2015 Proposed Budget Revenues

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base Budget	Recurring	Non-Recur.	FY2015 Total Proposed Budget
5141	Alcoholic Beverage Tax	$ 44,644	$ 45,000	$ 62,000	$ 65,000	-	-	65,000
5190	Bingo Tax	$ 10	$ -	$ 50	$ 50	-	-	50
5250	Mixed Beverage License Fee	$ 6,945	$ 5,000	$ 11,000	$ 12,000	-	-	12,000
5450	Birth & Death Certificate Fees	$ 35,316	$ 35,000	$ 39,800	$ 40,000	-	-	40,000
5470	Emergency Service District Fees	$ 60,000	$ 60,000	$ 65,625	$ 67,500	-	-	67,500
5505	Rent Revenues	$ 12,088	$ 7,800	$ 13,000	$ 15,000	-	-	15,000
5510	Community Center Fees	$ 13,975	$ 8,200	$ 18,000	$ 20,000	-	-	20,000
5515	Congregate Meals	$ 2,421	$ 2,500	$ 1,200	$ 1,200	-	-	1,200
5550	Miscellaneous Revenues	$ 33,343	$ 30,000	$ 35,000	$ 35,000	-	-	35,000
5560	Returned Check Fines	$ 100	$ 300	$ 100	$ 100	-	-	100
5690	Sanitation Penalty	$ 23,623	$ 25,000	$ 22,000	$ 22,000	-	-	22,000
5365	Recycling Revenue	$ 17	$ -	$ 100	$ 100	-	-	100
5451	Notary Fees	$ 30	$ 30	$ 30	$ 30	-	-	30
5460	Alarm System Fees	$ 10,925	$ 9,000	$ 12,000	$ 12,000	-	-	12,000
5461	False Alarm Service Fee	$ 23,150	$ 12,000	$ 17,000	$ 17,000	-	-	17,000
5480	Life Safety Plan Review	$ 2,275	$ 1,000	$ 2,800	$ 2,800			2,800
5481	State Licensed Facilities	$ 400	$ -	$ 1,500	$ 1,500			1,500
5482	Annual Fire Inspections	$ 50	$ -	$ 50	$ 50			50
5500	Sale of City Property	$ -	$ 20,000	$ 5,000	$ 5,000			5,000
5520	Park Rental Fee	$ 7,300	$ 9,000	$ 10,000	$ 10,000	-	-	10,000
5902	Capital Lease Proceeds							-
	TOTAL OTHER REVENUES	$ 276,612	$ 269,830	$ 316,255	$ 326,330	$ -	$ -	326,330
5800	Interest Income	$ 20,510	$ 30,000	$ 12,000	$ 15,000	$ -	$ -	15,000
5801	Unrealized Gain on Investments	$ (3,797)	$ -	$ -	$ -	-	-	-
	TOTAL INTEREST REVENUE	$ 16,713	$ 30,000	$ 12,000	$ 15,000	$ -	$ -	15,000
	TOTAL REVENUE	$ 18,476,643	$ 17,089,547	$ 19,064,541	$ 19,378,316	$ -	$ -	19,378,316

CITY OF TOMBALL
111 - GENERAL - CITY MANAGER'S OFFICE
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	308,089	332,052	249,734	355,074	-	-	355,074
Supplies	735	500	430	500	-	-	500
Maintenance	-	-	-	-	-	-	-
Services and charges	24,732	29,308	23,426	27,920	-	-	27,920
Total Operating Expenditures	333,556	361,860	273,590	383,494	-	-	383,494
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	333,556	361,860	273,590	383,494	-	-	383,494

Staffing	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
City Manager	1.00	1.00	1.00	1.00	1.00
Assistant City Manager	1.00	1.00	1.00	1.00	1.00
Assistant to the City Manager	1.00	1.00	0.00	0.00	0.00
Total	3.00	3.00	2.00	2.00	2.00

CITY OF TOMBALL
111 - GENERAL - CITY MANAGER'S OFFICE
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY 2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	220,255	266,793	195,530	285,189	-	-	285,189
6009	Wages - Other	10,959	-	4,199	-	-	-	-
6011	Vacation Pay	16,425	3,078	4,199	-	-	-	-
6012	Sick Pay	5,113	2,399	2,399	4,388	-	-	4,388
6013	Emergency Pay	1,747	-	-	-			
6019	Miscellaneous Pay	350	470	210	665	-	-	665
6021	Social Security & Medicare Taxes	16,971	21,993	14,730	23,452	-	-	23,452
6022	TMRS Retirement - Employer	36,097	36,569	28,061	41,164	-	-	41,164
6025	Worker Compensation Insurance	154	210	199	216	-	-	216
6026	State Unemployment Taxes	18	540	207	-	-	-	-
	TOTAL PERSONNEL SERVICES	308,089	332,052	249,734	355,074	-	-	355,074
6101	Office Supplies	212	300	250	300	-	-	300
6105	Food Supplies	190	100	80	100	-	-	100
6106	Materials and Parts	30	-	-	-			
6109	Postage	303	100	100	100	-	-	100
	TOTAL SUPPLIES	735	500	430	500	-	-	500
6312	Telephone Services	1,455	1,536	1,344	1,920	-	-	1,920
6316	Printing and Binding	-	100	-		-	-	-
6329	Other Services	-	-	-				
6332	Travel and Meals	7,133	8,350	6,500	6,500	-	-	6,500
6333	Dues and Subscriptions	2,953	3,522	3,782	2,600	-	-	2,600
6334	Automobile Allowances	12,571	13,200	10,800	14,400	-	-	14,400
6337	Training	620	2,600	1,000	2,500	-	-	2,500
6348	Property Acquisition Costs	-	-	-	-			
6371	Election Services	-	-	-	-			
	TOTAL SERVICES AND CHARGES	24,732	29,308	23,426	27,920	-	-	27,920
					-			
111	**Total Department Expenditures**	333,556	361,860	273,590	383,494	-	-	383,494

CITY OF TOMBALL
112 - GENERAL FUND - PERMITS & INSPECTIONS
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	316,101	325,045	326,818	274,081	-	-	274,081
Supplies	9,456	10,000	10,000	7,500	-	-	7,500
Maintenance	2,606	4,000	4,000	4,000	-	-	4,000
Services and charges	35,917	49,500	40,800	45,250	-	-	45,250
Total Operating Expenditures	364,080	388,545	381,618	330,831	-	-	330,831
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	25,723	-	-	25,723
Total Expenditures	364,080	388,545	381,618	356,554	-	-	356,554

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Building Official	1.00	1.00	1.00	1.00	1.00
City Inspector	2.00	2.00	2.00	2.00	2.00
Code Enforcement Officer	1.00	1.00	1.00	1.00	0.00
Permit Clerk	1.00	1.00	1.00	1.00	1.00
Total	5.00	5.00	5.00	5.00	4.00

CITY OF TOMBALL
112 - GENERAL - PERMITS AND INSPECTIONS
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY 2013 Actual	FY 2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	66,948	77,255	72,906	79,477	-	-	79,477
6003	Wages - Full Time	151,429	180,112	161,280	140,046	-	-	140,046
6005	Wages - Overtime	3,596	2,318	2,318	2,000	-	-	2,000
6009	Wages - Other	12,212	-	5,770	-	-	-	-
6011	Vacation Pay	14,616	2,064	9,308	-	-	-	-
6012	Sick Pay	8,715	2,735	14,016	2,084	-	-	2,084
6013	Emergency Pay	-	-	598	-	-	-	-
6019	Miscellaneous Pay	3,475	3,380	3,380	1,940	-	-	1,940
6021	Social Security & Medicare Taxes	19,254	20,499	20,529	17,255	-	-	17,255
6022	TMRS Retirement - Employer	34,898	34,085	34,455	30,286	-	-	30,286
6025	Worker Compensation Insurance	914	1,247	1,214	993	-	-	993
6026	State Unemployment Taxes	45	1,350	1,044	-	-	-	-
	TOTAL PERSONNEL SERVICES	316,101	325,045	326,818	274,081	-	-	274,081
6101	Office Supplies	1,502	1,500	1,500	1,500	-	-	1,500
6102	Educational Supplies	1,595	1,300	1,000	800	-	-	800
6107	Clothing and Uniforms	771	700	1,000	700	-	-	700
6108	Fuel, Oil and Lubricants	5,328	6,000	6,000	4,000	-	-	4,000
6109	Postage	-	-	-	-	-	-	-
6119	Other Supplies	261	500	500	500	-	-	500
	TOTAL SUPPLIES	9,456	10,000	10,000	7,500	-	-	7,500
6205	Vehicle Maintenance	2,606	4,000	4,000	4,000	-	-	4,000
	TOTAL MAINTENANCE	2,606	4,000	4,000	4,000	-	-	4,000
6302	Professional Services-Engineering	-	-	-	-	-	-	-
6304	Professional Services-Other	22,905	26,000	20,000	22,000	-	-	22,000
6312	Telephone Services	2,703	4,000	4,000	4,000	-	-	4,000
6329	Other Services	-	-	-	-	-	-	-
6332	Travel and Meals	6,364	10,000	9,000	10,000	-	-	10,000
6333	Dues and Subscriptions	811	1,500	1,300	1,500	-	-	1,500
6337	Training	3,135	8,000	6,000	7,000	-	-	7,000
6362	Permits and Licenses	-	-	500	750	-	-	750
	TOTAL SERVICES AND CHARGES	35,917	49,500	40,800	45,250	-	-	45,250
6998	Transfer to Fleet Replacement	-	-	-	25,723	-	-	25,723
	TOTAL TRANSFERS	-	-	-	25,723	-	-	25,723
112	**Total Department Expenditures**	364,080	388,545	381,618	356,554	-	-	356,554

CITY OF TOMBALL
113 - GENERAL - MAYOR & COUNCIL
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	26,038	33,812	30,234	33,004	-	-	33,004
Supplies	13,782	17,250	15,225	10,900	-	-	10,900
Services and charges	14,531	88,100	27,950	52,100	-	-	52,100
Total Operating Expenditures	54,351	139,162	73,409	96,004	-	-	96,004
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	54,351	139,162	73,409	96,004	-	-	96,004

Staffing	Name	Elected	Term
Mayor	Gretchen Fagan	May 2007	Serving Third Term
Councilman, Position 1	F.S. "Field" Hudgens	May 2011	Serving Second Term
Councilman, Position 2	Mark Stoll	June 2009	Serving Second Term
Councilman, Position 3	Chad Degges	January 2014	Serving First Term
Mayor Pro Tem, Council Position 4	Derek Townsend Sr	May 2009	Serving Second Term
Council Position 5	Lori Klein Quinn	May 2014	Serving First Term

CITY OF TOMBALL
113 - GENERAL - MAYOR & COUNCIL
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY 2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6004	Wages - Part Time	24,040	30,600	27,560	30,600	-	-	30,600
6021	Social Security & Medicare Taxes	1,839	2,341	2,109	2,341	-	-	2,341
6025	Worker Compensation Insurance	46	61	49	63	-	-	63
6026	State Unemployment Taxes	113	810	516	-	-	-	-
	TOTAL PERSONNEL SERVICES	26,038	33,812	30,234	33,004	-	-	33,004
6101	Office Supplies	-	150	75	150	-	-	150
6103	Computer Equipment <$20,000	6,500	6,500	6,500	-	-	-	-
6105	Food Supplies	1,089	1,750	1,525	1,750	-	-	1,750
6119	Other Supplies	6,193	8,850	7,125	9,000	-	-	9,000
	TOTAL SUPPLIES	13,782	17,250	15,225	10,900	-	-	10,900
6304	Professional Services-Other	3,613	62,000	10,000	25,000	-	-	25,000
6329	Other Services	-	100	-	100	-	-	100
6332	Travel and Meals	1,289	9,000	4,300	7,000	-	-	7,000
6333	Dues and Subscriptions	2,620	5,000	4,100	5,000	-	-	5,000
6337	Training	100	3,000	2,550	3,000	-	-	3,000
6398	Banquets,Dedications & Receptions	6,909	9,000	7,000	12,000	-	-	12,000
	TOTAL SERVICES AND CHARGES	14,531	88,100	27,950	52,100	-	-	52,100
113	**Total Department Expenditures**	54,351	139,162	73,409	96,004	-	-	96,004

CITY OF TOMBALL
114 - GENERAL - CITY SECRETARY
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	239,673	262,290	251,125	270,206	-	-	270,206
Supplies	13,336	12,300	15,140	17,100	-	-	17,100
Maintenance	237	400	390	600	-	-	600
Services and charges	24,447	97,398	118,291	103,378	-	-	103,378
Total Operating Expenditures	277,693	372,388	384,946	391,284	-	-	391,284
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	277,693	372,388	384,946	391,284	-	-	391,284

Staffing	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
City Secretary	1.00	1.00	1.00	1.00	1.00
Assistant City Secretary	1.00	1.00	1.00	1.00	1.00
Adminstrative Assistant	1.00	1.00	1.00	1.00	1.00
Receptionist	1.00	1.00	1.00	1.00	1.00
VOE Student	0.50	0.50	0.50	0.50	0.50
Total	4.50	4.50	4.50	4.50	4.50

CITY OF TOMBALL
114 - GENERAL - CITY SECRETARY
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY 2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	72,628	88,670	82,880	91,333	-	-	91,333
6003	Wages - Full Time	92,135	117,138	105,432	123,781	-	-	123,781
6004	Wages - Part Time	0	-	-	-	-	-	-
6005	Wages - Overtime	1,350	3,605	3,605	3,500	-	-	3,500
6009	Wages - Other	8,880	-	4,646	-	-	-	-
6011	Vacation Pay	15,052	1,857	4,996	-	-	-	-
6012	Sick Pay	5,585	1,885	3,627	1,914	-	-	1,914
6013	Emergency Pay	0	-	425	-	-	-	-
6019	Miscellaneous Pay	2,470	2,710	1,855	2,105	-	-	2,105
6021	Social Security & Medicare Taxes	14,342	16,852	15,769	17,090	-	-	17,090
6022	TMRS Retirement - Employer	26,605	28,020	26,610	29,997	-	-	29,997
6025	Worker Compensation Insurance	346	473	447	486	-	-	486
6026	State Unemployment Taxes	36	1,080	833	-	-	-	-
6030	Employee Tuition Reimbursment	243	-	-	-	-	-	-
	TOTAL PERSONNEL SERVICES	239,673	262,290	251,125	270,206	-	-	270,206
6101	Office Supplies	8,673	9,000	12,000	13,000	-	-	13,000
6102	Educational Supplies	39	700	700	1,200	-	-	1,200
6103	Computer Equipment <$20,000	3,450	-	-	-	-	-	-
6104	Janitorial & Cleaning Supplies	122	300	285	400	-	-	400
6105	Food Supplies	497	600	565	700	-	-	700
6109	Postage	385	1,200	1,125	1,200	-	-	1,200
6119	Other Supplies	170	500	465	600	-	-	600
	TOTAL SUPPLIES	13,336	12,300	15,140	17,100	-	-	17,100
6201	Office Equipment Maintenance	237	400	390	600			600
	TOTAL MAINTENANCE	237	400	390	600	-	-	600
6304	Professional Services-Other	-	16,000	16,000	9,500	-	-	9,500
6312	Communications Services	768	768	768	768	-	-	768
6316	Printing and Binding	15	100	75	100	-	-	100
6320	Computer Software Service	1,035	-	-	-	-	-	-
6329	Other Services	1,316	1,000	685	1,200	-	-	1,200
6332	Travel and Meals	5,988	6,150	5,962	10,060	-	-	10,060
6333	Dues and Subscriptions	923	2,480	2,976	2,800	-	-	2,800
6335	Advertising Cost	9,981	17,000	16,536	18,000	-	-	18,000
6337	Training	1,877	3,900	3,899	5,300	-	-	5,300
6348	Property Acquisition Costs	8	5,000	4,753	5,000	-	-	5,000
6371	Election Services	2,536	45,000	66,637	50,650	-	-	50,650
	TOTAL SERVICES AND CHARGES	24,447	97,398	118,291	103,378	-	-	103,378
114	**Total Department Expenditures**	277,693	372,388	384,946	391,284	-	-	391,284

CITY OF TOMBALL
115 - GENERAL - HUMAN RESOURCES DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	244,757	394,748	392,535	452,999	-	-	452,999
Supplies	15,797	17,550	20,550	18,550	-	-	18,550
Maintenance	-	-	-	2,000	-	-	2,000
Services and charges	57,036	132,732	127,282	107,732	-	-	107,732
Total Operating Expenditures	317,590	545,030	540,367	581,281	-	-	581,281
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	317,590	545,030	540,367	581,281	-	-	581,281

Staffing	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
HR Director	1.00	1.00	1.00	1.00	1.00
HR Generalist	1.00	1.50	2.00	2.00	2.00
Total	2.00	2.50	3.00	3.00	3.00

CITY OF TOMBALL
115 - GENERAL - HUMAN RESOURCES
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY 2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	91,293	104,656	98,965	107,786	-	-	107,786
6003	Wages - Full Time	84,516	98,079	94,239	105,248	-	-	105,248
6004	Wages - Part Time	0	-	27,000	-	-	-	-
6005	Wages - Overtime	1,163	5,150	5,150	5,000	-	-	5,000
6009	Wages - Other	9,420	-	4,427	-	-	-	-
6011	Vacation Pay	11,650	1,811	5,646	-	-	-	-
6012	Sick Pay	2,958	2,414	2,482	3,277	-	-	3,277
6013	Emergency Pay	440	-	-	-	-	-	-
6014	Retirement Payouts	0	106,528	106,528	142,715	-	-	142,715
6019	Miscellaneous Pay	1,145	31,340	1,340	31,520	-	-	31,520
6021	Social Security & Medicare Taxes	14,724	16,391	18,035	17,105	-	-	17,105
6022	TMRS Retirement - Employer	27,191	27,254	27,183	30,024	-	-	30,024
6025	Worker Compensation Insurance	231	315	298	324	-	-	324
6026	State Unemployment Taxes	27	810	1,242	10,000	-	-	10,000
	TOTAL PERSONNEL SERVICES	244,757	394,748	392,535	452,999	-	-	452,999
6101	Office Supplies	6,210	6,000	6,000	6,000	-	-	6,000
6102	Educational Supplies	169	1,500	1,500	1,500	-	-	1,500
6105	Food Supplies	2,636	2,500	2,500	2,500	-	-	2,500
6107	Clothing and Uniforms	291	300	300	300	-	-	300
6108	Fuel, Oil and Lubricants		-		1,000	-	-	1,000
6109	Postage	23	250	250	250	-	-	250
6119	Other Supplies	6,468	7,000	7,000	7,000	-	-	7,000
6130	Furniture <$20,000			3,000	-			
	TOTAL SUPPLIES	15,797	17,550	20,550	18,550	-	-	18,550
6205	Vehicle Maintenance				2,000			2,000
	TOTAL MAINTENANCE		-	-	2,000	-	-	2,000
6304	Professional Services-Other	0	30,000	30,000	5,000	-	-	5,000
6312	Communications Services	768	768	768	768	-	-	768
6329	Other Services	32,584	58,000	58,000	58,000	-	-	58,000
6332	Travel and Meals	108	5,800	4,300	5,800	-		5,800
6333	Dues and Subscriptions	1,338	1,714	1,714	1,714	-	-	1,714
6335	Advertising Cost	1,833	3,000	3,000	3,000	-	-	3,000
6337	Training	11,535	23,950	20,000	23,950	-	-	23,950
6398	Banquets,Dedications & Receptions	8,870	9,500	9,500	9,500	-	-	9,500
	TOTAL SERVICES AND CHARGES	57,036	132,732	127,282	107,732	-	-	107,732
115	**Total Department Expenditures**	317,590	545,030	540,367	581,281	-	-	581,281

CITY OF TOMBALL
116 - GENERAL - FINANCE DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	342,116	363,084	342,068	363,884	-	-	363,884
Supplies	2,616	4,550	4,230	4,250	-	-	4,250
Maintenance	350	350	350	350	-	-	350
Services and charges	200,752	174,809	239,083	243,483	-	-	243,483
Total Operating Expenditures	545,834	542,793	585,731	611,967	-	-	611,967
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	545,834	542,793	585,731	611,967	-	-	611,967

Staffing	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Finance Director	1.00	1.00	1.00	1.00	1.00
Senior Accountant	1.00	1.00	1.00	1.00	1.00
Accountant	1.00	1.00	1.00	1.00	1.00
Purchasing Agent	1.00	1.00	1.00	1.00	0.00
Accounts Payable Clerk	1.00	1.00	1.00	1.00	0.00
Accounting Assistant	0.00	0.00	0.00	0.00	2.00
Total	5.00	5.00	5.00	5.00	5.00

CITY OF TOMBALL
116 - GENERAL - FINANCE
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY 2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	176,323	207,896	200,758	218,837	-	-	218,837
6003	Wages - Full Time	61,849	83,254	62,516	76,877	-	-	76,877
6005	Wages - Overtime	1,995	1,545	1,545	1,500	-	-	1,500
6009	Wages - Other	12,250	-	5,399	-	-	-	-
6011	Vacation Pay	14,709	2,475	4,357	-	-	-	-
6012	Sick Pay	13,070	2,540	7,416	1,694	-	-	1,694
6013	Emergency Pay	-	-	-	-	-	-	-
6019	Miscellaneous Pay	2,040	1,945	720	1,050	-	-	1,050
6021	Social Security & Medicare Taxes	21,549	23,117	21,673	23,006	-	-	23,006
6022	TMRS Retirement - Employer	37,901	38,437	36,128	40,380	-	-	40,380
6025	Worker Compensation Insurance	385	525	497	540	-	-	540
6026	State Unemployment Taxes	45	1,350	1,059	-	-	-	-
6030	Employee Tuition Reimbursment	-	-	-	-			-
	TOTAL PERSONNEL SERVICES	342,116	363,084	342,068	363,884	-	-	363,884
6101	Office Supplies	1,885	3,500	3,500	3,500	-	-	3,500
6102	Educational Supplies	477	750	500	500	-	-	500
6105	Food Supplies	170	150	150	150	-	-	150
6109	Postage	84	150	80	100	-	-	100
6119	Other Supplies	-	-	-	-			-
	TOTAL SUPPLIES	2,616	4,550	4,230	4,250	-	-	4,250
6204	Other Equipment Maintenance	350	350	350	350	-	-	350
	TOTAL MAINTENANCE	350	350	350	350	-	-	350
6301	Professional Services-Audit & Acct.	72,818	52,000	75,000	67,765	-	-	67,765
6304	Professional Services-Other	8,487	8,650	9,100	10,000	-	-	10,000
6312	Communications Services	768	769	768	768	-	-	768
6316	Printing and Binding	2,975	2,975	2,975	1,500	-	-	1,500
6317	Appraisal Services - Harris County	36,869	39,000	50,000	55,000	-	-	55,000
6329	Other Services	2,006	1,990	1,990	2,000	-	-	2,000
6332	Travel and Meals	2,763	3,000	3,000	3,700	-	-	3,700
6333	Dues and Subscriptions	1,946	1,500	2,000	2,000	-	-	2,000
6335	Advertising Cost	797	925	750	750	-	-	750
6337	Training	575	5,000	2,500	5,000	-	-	5,000
6397	Credit Card Processing Fee	51,665	42,000	75,000	75,000	-	-	75,000
6399	Services Charges	19,083	17,000	16,000	20,000	-	-	20,000
	TOTAL SERVICES AND CHARGES	200,752	174,809	239,083	243,483	-	-	243,483
116	**Total Department Expenditures**	545,834	542,793	585,731	611,967	-	-	611,967

CITY OF TOMBALL
117 - GENERAL - INFORMATION SYSTEMS
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	224,957	238,715	236,972	247,935	-	-	247,935
Supplies	103,956	55,321	52,735	32,000	-	-	32,000
Maintenance	4,778	8,700	7,200	8,700	-	-	8,700
Services and charges	328,722	259,179	253,680	255,057	4,650	103,600	363,307
Total Operating Expenditures	662,413	561,915	550,587	543,692	4,650	103,600	651,942
Capital Outlay	-	95,000	95,000	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	662,413	656,915	645,587	543,692	4,650	103,600	651,942

Staffing	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
IT Manager	0.00	1.00	1.00	1.00	1.00
IT Support Tech, Senior	0.00	0.00	0.00	0.00	1.00
IT Specialist	0.00	0.00	1.00	1.00	1.00
GIS Technician	0.00	0.00	1.00	1.00	0.00
Total	0.00	1.00	3.00	3.00	3.00

CITY OF TOMBALL
117 - GENERAL - INFORMATION SYSTEMS
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY 2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	128,264	189,557	179,421	197,662	-	-	197,662
6003	Wages - Full Time	36,910	-	636	-	-	-	-
6005	Wages - Overtime	2,489	-	126	-	-	-	-
6009	Wages - Other	8,297	-	4,093	-	-	-	-
6011	Vacation Pay	5,896	2,203	5,986	-	-	-	-
6012	Sick Pay	1,314	2,201	2,201	3,041	-	-	3,041
6013	Emergency Pay	628	-	-	-	-	-	-
6019	Miscellaneous Pay	715	895	895	1,075	-	-	1,075
6021	Social Security & Medicare Taxes	14,519	16,049	15,718	16,391	-	-	16,391
6022	TMRS Retirement - Employer	25,667	26,685	26,239	28,770	-	-	28,770
6025	Worker Compensation Insurance	231	315	1,036	996	-	-	996
6026	State Unemployment Taxes	27	810	621	-	-	-	-
	TOTAL PERSONNEL SERVICES	224,957	238,715	236,972	247,935	-	-	247,935
6101	Office Supplies	31,386	27,000	27,000	32,000	-	-	32,000
6103	Computer Equipment <$20,000	68,642	25,771	23,000	-	-	-	-
6106	Materials and Parts	2,589	-	-	-	-	-	-
6109	Postage	-	50	50	-	-	-	-
6119	Other Supplies	289	-	-	-	-	-	-
6130	Furniture <$20,000	1,050	2,500	2,685	-	-	-	-
	TOTAL SUPPLIES	103,956	55,321	52,735	32,000	-	-	32,000
6201	Office Equipment Maintenance	4,778	7,500	6,000	7,500	-	-	7,500
6202	Computer Equipment Maintenance	-	1,200	1,200	1,200			1,200
	TOTAL MAINTENANCE	4,778	8,700	7,200	8,700	-	-	8,700
6304	Professional Services-Other	174,050	83,500	81,000	77,700	-	-	77,700
6312	Communication Services	76,836	52,080	52,080	54,000	-	-	54,000
6320	Computer Software Service	67,875	105,599	105,000	105,357	4,650	103,600	213,607
6332	Travel and Meals	3,208	1,000	1,000	1,000	-	-	1,000
6333	Dues and Subscriptions	1,827	1,400	1,000	1,400	-	-	1,400
6334	Automobile Allowances	4,800	9,600	9,600	9,600	-	-	9,600
6337	Training	126	6,000	4,000	6,000	-	-	6,000
	TOTAL SERVICES AND CHARGES	328,722	259,179	253,680	255,057	4,650	103,600	363,307
6402	Computer Equipment		95,000	95,000		-	-	-
	TOTAL CAPITAL OUTLAY		95,000	95,000	-	-	-	-
117	**Total Department Expenditures**	662,413	656,915	645,587	543,692	4,650	103,600	651,942

CITY OF TOMBALL
118 - GENERAL - LEGAL
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	-	-	-	-	-	-	-
Supplies	-	2,000	2,000	2,000	-	-	2,000
Maintenance	-	-	-	-	-	-	-
Services and charges	166,197	150,000	120,000	140,000	-	-	140,000
Total Operating Expenditures	166,197	152,000	122,000	142,000	-	-	142,000
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	166,197	152,000	122,000	142,000	-	-	142,000

No staff has been assigned to this department as all services are contracted to a third party.

CITY OF TOMBALL
118 - GENERAL - LEGAL
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY 2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6102	Educational Supplies	-	2,000	2,000	2,000	-	-	2,000
	TOTAL SUPPLIES		2,000	2,000	2,000	-	-	2,000
6303	Professional Services-Legal	165,447	150,000	120,000	140,000	-	-	140,000
6304	Professional Services-Other	750	-	-	-			
	TOTAL SERVICES AND CHARGES	166,197	150,000	120,000	140,000	-	-	140,000
118	**Total Department Expenditures**	166,197	152,000	122,000	142,000	-	-	142,000

CITY OF TOMBALL
119 - GENERAL - NONDEPARTMENTAL
2014-2015 ADOPTED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Adopted Budget
Supplies	18,820	16,000	21,000	19,000	-	-	19,000
Maintenance	-	-	-	-	-	-	-
Services and charges	588,941	388,340	493,227	418,500	-	-	418,500
Total Operating Expenditures	607,760	404,340	514,227	437,500	-	-	437,500
Capital Outlay	147,227	-	2,000	-	-	-	-
Transfers	1,535,709	1,611,750	1,611,750	1,915,536	-	-	1,915,536
Debt/Fleet Services	-	200,000	200,000	-	-	-	-
Total Expenditures	2,290,696	2,216,090	2,327,977	2,353,036	-	-	2,353,036

This department consists of expenses incurred by multiple departments including copy charges and insurance

CITY OF TOMBALL
119 - GENERAL - NONDEPARTMENTAL
2014-2015 ADOPTED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Adopted Budget
6101	Office Supplies	7,881	6,500	9,000	6,500	-	-	6,500
6105	Food Supplies	42	-	-		-	-	-
6109	Postage	10,897	9,500	12,000	12,500	-	-	12,500
	TOTAL SUPPLIES	18,820	16,000	21,000	19,000	-	-	19,000
6201	Office Equipment Maintenance	-	-	-	-	-	-	-
	TOTAL MAINTENANCE	-	-	-	-	-	-	-
6304	Professional Services- Other	80	600	-	-	-	-	-
6327	Garbage Services	135	-	-	-	-	-	-
6329	Other Services	52,533	50,000	50,000	41,000	-	-	41,000
6330	Property and Liability Insurance	234,515	225,000	216,000	235,000	-	-	235,000
6336	Equipment Rentals	34,313	31,500	40,000	42,500	-	-	42,500
6346	Economic Dev. Agreement	267,365	81,000	187,227	100,000	-	-	100,000
6399	Services Charges	-	240	-	-	-	-	-
	TOTAL SERVICES AND CHARGES	588,941	388,340	493,227	418,500	-	-	418,500
6406	Land and Buildings	147,227	-	2,000				-
	TOTAL CAPITAL OUTLAY	147,227	-	2,000	-	-	-	-
6691	Transfer Out	-	10,000	10,000	20,000	-	-	20,000
6692	Transfer to Emp. Benefits Trust Fund	1,535,709	1,601,750	1,601,750	1,895,536	-	-	1,895,536
	TOTAL TRANSFERS	1,535,709	1,611,750	1,611,750	1,915,536	-	-	1,915,536
6998	Transfer to Fleet Replacement	-	200,000	200,000	-			-
	TOTAL TRANSFERS	-	200,000	200,000	-	-	-	3,831,072
119	**Total Department Expenditures**	2,290,697	2,216,090	2,327,977	2,353,036	-	-	4,268,572

CITY OF TOMBALL
121 - GENERAL FUND - POLICE DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	4,113,471	4,419,133	4,286,031	4,657,928	-	-	4,657,928
Supplies	293,850	295,500	288,530	297,500	-	2,000	299,500
Maintenance	92,323	89,500	195,500	86,500	-	-	86,500
Services and charges	212,012	213,019	197,000	237,500	-	2,000	239,500
Total Operating Expenditures	4,711,656	5,017,152	4,967,061	5,279,428	-	4,000	5,283,428
Capital Outlay	-	-	-	-	-	-	-
Transfers	90,000	268,700	268,700	248,718	-	-	248,718
Total Expenditures	4,801,656	5,285,852	5,235,761	5,528,146	-	4,000	5,532,146

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Police Chief	1.00	1.00	1.00	1.00	1.00
Captain	3.00	3.00	3.00	3.00	3.00
Detective	1.00	1.00	1.00	1.00	1.00
Sergeant	6.00	7.00	7.00	7.00	7.00
Corporal	1.00	4.00	4.00	4.00	4.00
Police Officer	28.00	24.00	24.00	24.00	27.00
Public Service Officer	2.00	3.00	3.00	3.00	3.00
IT Support Specialist	1.00	1.00	0.00	0.00	0.00
Records Clerk	3.00	3.00	3.00	3.00	2.00
Dispatcher	9.00	10.00	10.00	10.50	9.50
SR. Administrative Asst.	1.00	1.00	1.00	1.00	1.00
Police Bailiff/Warrant Officer	0.00	2.00	2.00	2.00	0.00
Subtotal	56.00	60.00	59.00	59.50	58.50
Police Reserves	25.00	25.00	25.00	25.00	26.00
Total	81.00	85.00	84.00	84.50	84.50

CITY OF TOMBALL
121 - GENERAL - POLICE DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	346,291	387,989	355,486	394,826	-	-	394,826
6003	Wages - Full Time	2,256,413	2,779,378	2,546,244	2,952,102	-	-	2,952,102
6004	Wages - Part Time	57,637	63,790	63,790	68,630	-	-	68,630
6005	Wages - Overtime	330,396	305,732	305,821	324,731	-	-	324,731
6009	Wages - Other	135,758	-	77,983	-	-	-	-
6011	Vacation Pay	155,106	24,100	80,096	-	-	-	-
6012	Sick Pay	64,186	30,525	43,545	30,170	-	-	30,170
6013	Emergency Pay	1,316	-	1,989	-	-	-	-
6019	Miscellaneous Pay	26,540	28,565	28,550	30,225	-	-	30,225
6021	Social Security & Medicare Taxes	249,655	278,068	265,799	291,895	-	-	291,895
6022	TMRS Retirement - Employer	443,791	449,457	440,823	503,253	-	-	503,253
6025	Worker Compensation Insurance	36,983	50,519	59,253	56,561	-	-	56,561
6026	State Unemployment Taxes	1,406	17,010	12,652	-	-	-	-
6030	Employee Tuition Reimbursement	7,993	4,000	4,000	5,535	-	-	5,535
	TOTAL PERSONNEL SERVICES	4,113,471	4,419,133	4,286,031	4,657,928	-	-	4,657,928
6101	Office Supplies	17,574	20,000	20,000	21,000	-	-	21,000
6102	Educational Supplies	351	2,000	2,000	2,000	-	-	2,000
6103	Computer Equipment < $ 20,000	-	-	-	-			
6104	Janitorial & Cleaning Supplies	591	500	500	500	-	-	500
6105	Food Supplies	4,616	5,000	5,000	5,000	-	-	5,000
6106	Materials and Parts	72,781	70,000	60,000	63,000	-	-	63,000
6107	Clothing and Uniforms	42,442	40,000	40,000	45,000	-	2,000	47,000
6108	Fuel, Oil and Lubricants	149,595	152,000	152,000	156,000	-	-	156,000
6109	Postage	714	3,000	1,500	2,000	-	-	2,000
6119	Other Supplies	5,186	3,000	7,530	3,000	-	-	3,000
	TOTAL SUPPLIES	293,850	295,500	288,530	297,500	-	2,000	299,500
6201	Office Equipment Maintenance	223	1,500	1,500	1,500	-	-	1,500
6203	Radio Equipment Maintenance	28,561	25,000	150,000	30,000	-	-	30,000
6204	Other Equipment Maintenance	20,621	28,000	14,000	20,000	-		20,000
6205	Vehicle Maintenance	41,983	35,000	30,000	35,000	-	-	35,000
6206	Building Maintenance	935	-	-	-	-	-	-
	TOTAL MAINTENANCE	92,323	89,500	195,500	86,500	-	-	86,500
6303	Professional Services-Legal	-	-	-	-	-	-	-
6304	Professional Services-Other	10,072	10,000	5,000	5,000	-	-	5,000
6312	Telephone Services	35,192	25,000	30,000	35,000	-	-	35,000
6316	Printing and Binding	819	4,000	3,000	3,000	-	-	3,000
6318	Harris County Animal Control Serv.	24,000	27,000	24,000	30,000	-	-	30,000
6320	Computer Software Service	71,585	61,019	60,000	75,000	-	-	75,000
6324	Jail Service Expenditures	6,134	8,000	8,000	10,000	-	-	10,000
6325	Buy Money	4,000	4,000	4,000	4,000	-	-	4,000
6328	Bike Patrol Expenditures	472	1,000	1,000	3,000	-	-	3,000
6329	Other Services	390	2,000	2,000	2,000	-	-	2,000
6332	Travel and Meals	19,111	22,000	18,000	22,000	-	-	22,000
6333	Dues and Subscriptions	5,295	7,000	5,000	6,500	-	-	6,500
6335	Advertising Cost	-	1,000	1,000	1,000	-	-	1,000
6336	Equipment Rentals	420	1,000	1,000	1,000	-	-	1,000
6337	Training	34,522	40,000	35,000	40,000	-	2,000	42,000
	TOTAL SERVICES AND CHARGES	212,012	213,019	197,000	237,500	-	2,000	239,500
6405	Vehicle Equipment	-	-	-	-	-	-	-
	TOTAL CAPITAL OUTLAY	-	-	-	-	-	-	-
6998	Transfer to Fleet Replacement	90,000	268,700	268,700	248,718	-	-	248,718
	TOTAL TRANSFERS	90,000	268,700	268,700	248,718	-	-	248,718
121	**Total Department Expenditures**	4,801,656	5,285,852	5,235,761	5,528,146	-	4,000	5,532,146

CITY OF TOMBALL
122 - GENERAL FUND - MUNICIPAL COURT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	224,419	239,532	239,690	259,742	-	-	259,742
Supplies	9,280	6,400	6,300	6,600	-	-	6,600
Services and charges	62,871	92,310	90,630	95,175	-	-	95,175
Total Operating Expenditures	296,570	338,242	336,620	361,517	-	-	361,517
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	296,570	338,242	336,620	361,517	-	-	361,517

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Court Administrator	0.00	0.00	0.00	0.00	1.00
Senior Court Clerk	1.00	1.00	1.00	1.00	0.00
Municipal Court Clerk	1.00	1.00	1.00	1.00	1.00
Assistant Court Clerk	1.00	2.00	2.00	2.00	2.00
Police Bailiff/Warrant Officer	1.00	0.00	0.00	0.00	0.00
Municipal Judge	1.00	0.50	0.50	0.50	0.50
Total	5.00	4.50	4.50	4.50	4.50

CITY OF TOMBALL
122 - GENERAL - MUNICIPAL COURT
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2014 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	47,543	53,768	50,454	60,424	-	-	60,424
6003	Wages - Full Time	84,444	103,178	100,182	114,483		-	114,483
6004	Wages - Part Time	33,104	33,325	33,444	34,330	-	-	34,330
6005	Wages - Overtime	3,105	6,180	6,180	6,000	-	-	6,000
6009	Wages - Other	7,048	-	3,529	-	-	-	-
6011	Vacation Pay	7,501	1,107	3,291	-	-	-	-
6012	Sick Pay	5,029	1,476	2,774	930	-	-	930
6013	Emergency Pay	90	-	-	-			
6019	Miscellaneous Pay	1,315	1,645	1,645	1,720	-	-	1,720
6021	Social Security & Medicare Taxes	14,001	15,479	15,229	16,668	-	-	16,668
6022	TMRS Retirement - Employer	20,809	21,499	21,369	24,647	-	-	24,647
6025	Worker Compensation Insurance	385	525	558	540	-	-	540
6026	State Unemployment Taxes	45	1,350	1,035	-	-	-	-
	TOTAL PERSONNEL SERVICES	224,419	239,532	239,690	259,742	-	-	259,742
6101	Office Supplies	9,068	6,000	6,000	6,000	-	-	6,000
6102	Educational Supplies	212	400	300	600	-	-	600
6109	Postage	-	-	-	-			
	TOTAL SUPPLIES	9,280	6,400	6,300	6,600	-	-	6,600
6303	Professional Services-Legal	56,699	80,000	80,000	76,700	-	-	76,700
6304	Professional Services-Other	-	-	-	3,000			3,000
6312	Communication Services	-	-	-	-	-	-	-
6316	Printing and Binding	933	1,500	1,500	2,000	-	-	2,000
6329	Other Services	880	2,500	1,500	2,100	-	-	2,100
6332	Travel and Meals	1,235	4,680	4,000	4,820	-	-	4,820
6333	Dues and Subscriptions	1,210	1,310	1,310	2,055	-	-	2,055
6337	Training	1,915	2,320	2,320	4,500	-	-	4,500
	TOTAL SERVICES AND CHARGES	62,871	92,310	90,630	95,175	-	-	95,175
122	**Total Department Expenditures**	296,569	338,242	336,620	361,517	-	-	361,517

CITY OF TOMBALL
131 - GENERAL FUND - COMMUNITY CENTER
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	121,142	135,047	133,833	128,031	-	-	128,031
Supplies	7,622	6,515	3,850	6,273	-	-	6,273
Maintenance	411	1,000	600	900	-	-	900
Services and charges	1,074	1,285	440	2,785	-	-	2,785
Total Operating Expenditures	130,249	143,847	138,723	137,989	-	-	137,989
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	25,300	25,300	-	-	-	-
Total Expenditures	130,249	169,147	164,023	137,989	-	-	137,989

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Manager	1.00	1.00	1.00	1.00	1.00
Assistant	1.00	1.00	1.00	1.00	1.00
Attendants-Part Time	1.00	1.00	1.00	1.00	1.00
Total	3.00	3.00	3.00	3.00	3.00

CITY OF TOMBALL

131 - GENERAL - COMMUNITY CENTER

2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	43,910	53,817	50,168	46,696	-	-	46,696
6003	Wages - Full Time	29,043	34,000	31,922	35,256	-	-	35,256
6004	Wages - Part Time	11,597	21,425	21,425	22,714	-	-	22,714
6005	Wages - Overtime	2,665	1,030	1,030	1,000	-	-	1,000
6009	Wages - Other	4,090	-	2,434	-	-	-	-
6011	Vacation Pay	6,255	1,013	2,180	-	-	-	-
6012	Sick Pay	2,619	523	1,956	718	-	-	718
6013	Emergency Pay	-	-	-	-	-	-	-
6019	Miscellaneous Pay	1,370	1,490	1,490	1,610	-	-	1,610
6021	Social Security & Medicare Taxes	7,350	8,671	8,455	8,262	-	-	8,262
6022	TMRS Retirement - Employer	11,986	11,692	11,633	11,451	-	-	11,451
6025	Worker Compensation Insurance	224	306	298	324	-	-	324
6026	State Unemployment Taxes	34	1,080	842	-	-	-	-
	TOTAL PERSONNEL SERVICES	121,142	135,047	133,833	128,031	-	-	128,031
6101	Office Supplies	565	629	500	663	-	-	663
6104	Janitorial & Cleaning Supplies	38	105	50	100	-	-	100
6105	Food Supplies	3,037	3,912	2,000	3,700	-	-	3,700
6106	Materials and Parts	-	16	-	10	-	-	10
6108	Fuel, Oil and Lubricants	903	700	500	700	-	-	700
6109	Postage	18	-	-	-	-	-	-
6119	Other Supplies	1,394	1,153	800	1,100	-	-	1,100
6130	Furniture < $20,000	1,667	-	-	-	-	-	-
	TOTAL SUPPLIES	7,622	6,515	3,850	6,273	-	-	6,273
6204	Other Equipment Maintenance	160	200	100	200	-	-	200
6205	Vehicle Maintenance	125	800	500	700	-	-	700
6206	Building Maintenance	126	-	-	-			
	TOTAL MAINTENANCE	411	1,000	600	900	-	-	900
6329	Other Services	690	910	-	-	-	-	-
6332	Travel and Meals	346	150	60	150	-	-	150
6335	Advertising Cost	-	200	200	2,500	-	-	2,500
6362	Permits and Licenses	38	25	180	135	-	-	135
6398	Banquets,Dedications & Receptions	-	-	-	-	-	-	-
	TOTAL SERVICES AND CHARGES	1,074	1,285	440	2,785	-	-	2,785
6998	Transfer to Fleet Replacement		25,300	25,300	-	-	-	-
	TOTAL TRANSFERS	-	25,300	25,300	-	-	-	-
131	**Total Department Expenditures**	130,249	169,147	164,023	137,989	-	-	137,989

CITY OF TOMBALL
141 - GENERAL FUND - FIRE MARSHAL
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	141,652	174,067	139,169	166,287	-	-	166,287
Supplies	19,889	32,465	27,306	46,980	-	-	46,980
Maintenance	1,953	9,820	10,400	10,620	-	-	10,620
Services and charges	12,503	21,930	14,060	22,810	-	-	22,810
Total Operating Expenditures	175,997	238,282	190,935	246,697	-	-	246,697
Capital Outlay	-	40,000	41,000	6,500	-	-	6,500
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	29,522	-	-	29,522
Total Expenditures	175,997	278,282	231,935	282,719	-	-	282,719

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Fire Marshal	1.00	1.00	1.00	1.00	1.00
Assistant Fire Marshal	0.00	0.00	0.00	0.00	1.00
Fire Inspector	1.00	1.00	1.00	1.00	0.00
Part-Time Deputy Fire Marshal	0.00	0.00	0.00	0.50	0.50
Total	2.00	2.00	2.00	2.50	2.50

CITY OF TOMBALL
141 - GENERAL - FIRE MARSHAL
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	-	0	0	66,934			66,934
6003	Wages - Full Time	91,016	114,276	88,453	50,003	-	-	50,003
6004	Wages - Part Time	-	14,997	10,920	14,560	-	-	14,560
6005	Wages - Overtime	8,265	10,815	10,815	5,500	-	-	5,500
6009	Wages - Other	5,127	-	1,899	-	-	-	-
6011	Vacation Pay	7,996	1,319	1,522	-	-	-	-
6012	Sick Pay	2,838	808	801	-	-	-	-
6013	Emergency Pay	692	-	-	-	-	-	-
6019	Miscellaneous Pay	600	720	435	495	-	-	495
6021	Social Security & Medicare Taxes	8,798	10,936	8,746	10,577	-	-	10,577
6022	TMRS Retirement - Employer	15,597	18,184	13,258	16,543	-	-	16,543
6025	Worker Compensation Insurance	705	1,202	1,699	1,675	-	-	1,675
6026	State Unemployment Taxes	18	810	621	-	-	-	-
	TOTAL PERSONNEL SERVICES	141,652	174,067	139,169	166,287	-	-	166,287
6101	Office Supplies	2,348	1,965	1,800	2,000	-	-	2,000
6102	Educational Supplies	1,581	5,300	6,100	11,680	-	-	11,680
6103	Computer Supplies	-	1,800	-	-	-	-	-
6105	Food Supplies	198	400	150	400	-	-	400
6107	Clothing and Uniforms	2,806	4,330	4,256	6,630	-	-	6,630
6108	Fuel, Oil and Lubricants	5,075	8,000	5,200	8,000	-	-	8,000
6109	Postage	-	100	-	100	-	-	100
6119	Other Supplies	7,881	10,570	9,800	13,170	-	-	13,170
6130	Furniture < $20,000				5,000			5,000
	TOTAL SUPPLIES	19,889	32,465	27,306	46,980	-	-	46,980
6203	Radio Equipment Maintenance	-	-	-	-	-	-	-
6204	Other Equipment Maintenance	-	300	300	300	-	-	300
6205	Vehicle Maintenance	1,953	2,020	1,800	3,820	-	-	3,820
6219	Other	-	7,500	8,300	6,500			6,500
	TOTAL MAINTENANCE	1,953	9,820	10,400	10,620	-	-	10,620
6304	Professional Services-Other	-	720	500	300	-	-	300
6312	Telephone Services	912	1,600	1,600	1,600	-	-	1,600
6320	Computer Software Service	1,613	2,000	2,000	1,000	-	-	1,000
6329	Other Services	26	-	-	-	-	-	-
6332	Travel and Meals	4,224	6,000	3,360	7,850	-	-	7,850
6333	Dues and Subscriptions	2,873	4,060	4,100	4,060	-	-	4,060
6337	Training	2,856	7,550	2,500	8,000	-	-	8,000
	TOTAL SERVICES AND CHARGES	12,503	21,930	14,060	22,810	-	-	22,810
6403	Machinery and Equipment	-	40,000	41,000	-	-	-	-
6406	Land and Buildings	-	-	-	6,500			6,500
	TOTAL CAPITAL OUTLAY	-	40,000	41,000	6,500	-	-	6,500
6998	Transfers to Fleet Replacement	-	-	-	29,522	-	-	29,522
	TOTAL TRANSFERS	-	-	-	29,522	-	-	29,522
141	**Total Department Expenditures**	175,997	278,282	231,935	282,719	-	-	282,719

CITY OF TOMBALL
142 - GENERAL FUND - FIRE DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	862,273	952,998	912,176	1,561,061	-	-	1,561,061
Supplies	245,087	291,044	289,201	383,490	-	-	383,490
Maintenance	148,294	214,092	243,611	226,153	-	-	226,153
Services and charges	101,915	134,401	109,319	163,064	-	-	163,064
Total Operating Expenditures	1,357,569	1,592,535	1,554,307	2,333,768	-	-	2,333,768
Capital Outlay	18,689	-	3,800	-	1,500	77,675	79,175
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	10,000	37,373	75,375	535,464	-	-	535,464
Total Expenditures	1,386,259	1,629,908	1,633,482	2,869,232	1,500	77,675	2,948,407

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015*
Fire Chief	1.00	1.00	1.00	1.00	1.00
Assistant Fire Chief	1.00	1.00	1.00	1.00	1.00
Lieutenant	0.00	5.00	5.00	5.00	6.00
Driver/Operator	0.00	1.00	1.00	1.00	6.00
Fire Fighter	6.00	0.00	0.00	0.00	3.00
Part Time Fire Fighter**	7.00	7.00	7.00	7.00	7.00
Administrative Assistant	1.00	1.00	1.00	1.00	1.00
PAID STAFF	16.00	16.00	16.00	16.00	25.00
Community Volunteers	30.00	30.00	30.00	30.00	30.00
Total	46.00	46.00	46.00	46.00	55.00

* Fire department consists of 16 full time equivalents which is made up of 9 full time employees, 35 part time duty crew employees and SAFER Staff

** Part Time Fire Fighter equivalent to .2 FTE

CITY OF TOMBALL
142 - GENERAL - FIRE DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	154,320	175,627	166,263	181,445	-	-	181,445
6003	Wages - Full Time	281,845	330,688	300,328	732,071	-	-	732,071
6004	Wages - Part Time	155,599	155,376	156,522	149,450	-	-	149,450
6005	Wages - Overtime	58,775	61,805	66,629	121,173	-	-	121,173
6009	Wages - Other	21,930	-	12,138	-	-	-	-
6010	Fire Run Payments	8,782	50,000	23,000	75,000	-	-	75,000
6011	Vacation Pay	19,950	4,605	13,503	-	-	-	-
6012	Sick Pay	11,704	5,610	9,382	8,169	-	-	8,169
6013	Emergency Pay	-	-	-	-	-	-	-
6019	Miscellaneous Pay	1,945	2,485	2,485	3,950	-	-	3,950
6020	Volunteers' State Retirement	12,500	15,000	15,000	15,000	-	-	15,000
6021	Social Security & Medicare Taxes	53,524	56,666	55,948	97,842	-	-	97,842
6022	TMRS Retirement - Employer	72,825	71,591	70,950	148,881	-	-	148,881
6025	Worker Compensation Insurance	5,828	7,935	10,814	16,080	-	-	16,080
6026	State Unemployment Taxes	572	11,610	5,214	-	-	-	-
6030	Employee Tuition Reimbursement	2,175	4,000	4,000	12,000	-	-	12,000
	TOTAL PERSONNEL SERVICES	862,273	952,998	912,176	1,561,061	-	-	1,561,061
6101	Office Supplies	6,121	4,770	5,636	5,000	-	-	5,000
6102	Educational Supplies	3,002	10,790	23,172	10,895	-	-	10,895
6104	Janitorial & Cleaning Supplies	3,308	4,308	1,641	4,500	-	-	4,500
6105	Food Supplies	6,422	11,920	9,739	12,000	-	-	12,000
6106	Materials and Parts	19,990	31,804	32,000	102,000	-	-	102,000
6107	Clothing and Uniforms	95,068	83,685	79,103	103,522	-	-	103,522
6108	Fuel, Oil and Lubricants	40,352	41,920	41,059	41,920	-	-	41,920
6109	Postage	127	150	256	150	-	-	150
6110	Chemical Supplies	6,408	15,075	6,650	16,115	-	-	16,115
6119	Other Supplies	55,804	86,622	89,395	87,388	-	-	87,388
6130	Furniture < $20,000	8,484	-	550	-			-
	TOTAL SUPPLIES	245,087	291,044	289,201	383,490	-	-	383,490
6201	Office Equipment Maintenance	1,455	1,500	-	600	-	-	600
6203	Radio Equipment Maintenance	5,182	18,800	13,799	18,000	-	-	18,000
6204	Other Equipment Maintenance	43,513	88,392	107,392	92,133	-	-	92,133
6205	Vehicle Maintenance	89,743	102,000	118,654	110,000	-	-	110,000
6206	Building Maintenance	5,895	1,400	1,766	5,420	-	-	5,420
6219	Other Maintenance	2,506	2,000	2,000	-	-	-	-
	TOTAL MAINTENANCE	148,294	214,092	243,611	226,153	-	-	226,153
6304	Professional Services-Other	19,359	26,125	24,406	26,125	-	-	26,125
6312	Telephone Services	11,468	18,000	17,824	20,500	-	-	20,500
6316	Printing and Binding	-	251	251	-	-	-	-
6320	Computer Software Service	6,892	14,100	15,401	21,685	-	-	21,685
6329	Other Services	2,005	3,000	2,966	3,200	-	-	3,200
6332	Travel and Training	17,895	15,900	11,389	23,725	-	-	23,725
6333	Dues and Subscriptions	3,860	9,565	9,531	10,715	-	-	10,715
6335	Advertising Cost	4,361	1,895	3,709	1,104	-	-	1,104
6336	Equipment Rentals	2,135	2,520	1,800	2,500	-	-	2,500
6337	Training	33,852	38,265	17,655	48,610	-	-	48,610
6350	Child Safety Education	-	2,000	1,889	2,000	-	-	2,000
6362	Permits and Licenses	44	-	-	-	-	-	-
6398	Banquets,Dedications & Receptions	44	2,780	2,498	2,900	-	-	2,900
	TOTAL SERVICES AND CHARGES	101,915	134,401	109,319	163,064	-	-	163,064
6403	Machinery and Equipment	18,689	-	3,800	-	1,500	11,675	13,175
6405	Vehicle Equipment	-	-	-	-	-	66,000	66,000
	TOTAL CAPITAL OUTLAY	18,689	-	3,800	-	1,500	77,675	79,175
6691	Transfer Out	10,000	37,373	75,375	-	-	-	-
6997	Transfer to Debt Service	-	-	-	535,464	-	-	535,464
	TOTAL TRANSFERS	10,000	37,373	75,375	535,464	-	-	535,464
142	**Total Department Expenditures**	1,386,259	1,629,908	1,633,482	2,869,232	1,500	77,675	2,948,407

CITY OF TOMBALL
143 - GENERAL FUND - EMERGENCY MANAGEMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Supplies	2,609	3,950	3,750	3,950	-	-	3,950
Maintenance	350	7,500	2,500	2,500	-	-	2,500
Services and charges	9,353	17,118	17,040	16,255	-	-	16,255
Total Operating Expenditures	12,312	28,568	23,290	22,705	-	-	22,705
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	12,312	28,568	23,290	22,705	-	-	22,705

No staff has been assigned to this department.

CITY OF TOMBALL
143 - GENERAL - EMERGENCY MANAGEMENT
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6101	Office Supplies	159	100	50	100	-	-	100
6102	Educational Supplies	-	1,000	1,000	1,000	-	-	1,000
6106	Materials and Parts	2,450	2,500	2,500	2,500	-	-	2,500
6107	Clothing and Uniforms	-	350	200	350	-	-	350
	TOTAL SUPPLIES	2,609	3,950	3,750	3,950	-	-	3,950
6203	Radio Equipment Maintenance	-	7,500	2,500	2,500	-	-	2,500
6206	Building Maintenance	350	-	-	-	-	-	-
	TOTAL MAINTENANCE	350	7,500	2,500	2,500	-	-	2,500
6304	Professional Services-Other	54	-	200	-			-
6312	Communication Services	7,657	9,000	9,000	8,500	-	-	8,500
6320	Computer Software Service	-	2,500	2,500	2,500	-	-	2,500
6332	Travel and Meals	885	2,940	2,940	3,260	-	-	3,260
6333	Dues and Subscriptions	607	778	500	795	-	-	795
6337	Training	150	900	900	1,200	-	-	1,200
6350	Child Safety Education	-	1,000	1,000	-	-	-	-
	TOTAL SERVICES AND CHARGES	9,353	17,118	17,040	16,255	-	-	16,255
143	**Total Department Expenditures**	12,312	28,568	23,290	22,705	-	-	22,705

CITY OF TOMBALL
151 - GENERAL FUND - PUBLIC WORKS ADMINISTRATION
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	45,193	47,442	47,442	48,845	-	-	48,845
Supplies	2,076	1,090	1,141	1,380	-	-	1,380
Services and charges	1,013	1,400	1,211	1,635	-	-	1,635
Total Operating Expenditures	48,282	49,932	49,794	51,860	-	-	51,860
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	48,282	49,932	49,794	51,860	-	-	51,860

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Administrative Assistant	1.00	1.00	1.00	1.00	1.00
Total	1.00	1.00	1.00	1.00	1.00

CITY OF TOMBALL
151 - GENERAL - PUBLIC WORKS ADMINISTRATION
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6003	Wages - Full Time	29,531	37,042	34,321	38,168	-	-	38,168
6005	Wages - Overtime	332	1,030	988	1,000	-	-	1,000
6009	Wages - Other	1,833	-	1,109	-	-	-	-
6011	Vacation Pay	2,779	-	921	-	-	-	-
6012	Sick Pay	1,971	-	824	-	-	-	-
6019	Miscellaneous Pay	965	1,025	1,025	1,085	-	-	1,085
6021	Social Security & Medicare Taxes	2,701	2,993	2,943	3,079	-	-	3,079
6022	TMRS Retirement - Employer	4,995	4,977	5,004	5,405	-	-	5,405
6025	Worker Compensation Insurance	77	105	100	108	-	-	108
6026	State Unemployment Taxes	9	270	207	-	-	-	-
	TOTAL PERSONNEL SERVICES	45,193	47,442	47,442	48,845	-	-	48,845
6101	Office Supplies	1,203	490	782	780	-	-	780
6105	Food Supplies	(89)	150	-	150	-	-	150
6106	Materials and Parts	-	100	100	100	-	-	100
6107	Clothing and Uniforms	581	150	150	150	-	-	150
6119	Other Supplies	380	200	109	200	-	-	200
	TOTAL SUPPLIES	2,076	1,090	1,141	1,380	-	-	1,380
6304	Professional Services-Other	650	650	780	1,200	-	-	1,200
6312	Telephone Services	314	250	323	325	-	-	325
6329	Other Services	-	150	-	-	-	-	-
6332	Travel and Meals	32	100	58	60	-	-	60
6333	Dues and Subscriptions	17	-	-	-			
6337	Training	-	250	-	-	-	-	-
6362	Permits and Licenses		-	50	50	-	-	50
	TOTAL SERVICES AND CHARGES	1,013	1,400	1,211	1,635	-	-	1,635
151	**Total Department Expenditures**	48,282	49,932	49,794	51,860	-	-	51,860

CITY OF TOMBALL
152 - GENERAL FUND - GARAGE DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	116,330	122,398	122,376	128,732	-	-	128,732
Supplies	9,016	7,875	8,272	8,275	-	-	8,275
Maintenance	4,656	3,100	3,351	3,700	-	-	3,700
Services and charges	3,815	4,916	5,307	6,441	-	-	6,441
Total Operating Expenditures	133,817	138,289	139,306	147,148	-	-	147,148
Capital Outlay	15	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	133,832	138,289	139,306	147,148	-	-	147,148

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Lead Mechanic	0.00	0.00	0.00	0.00	1.00
Heavy Equip/Fleet Mechanic	1.00	2.00	2.00	2.00	1.00
Total	1.00	2.00	2.00	2.00	2.00

CITY OF TOMBALL
152 - GENERAL - GARAGE DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6003	Wages - Full Time	78,168	94,673	89,354	97,427	-	-	97,427
6005	Wages - Overtime	5,762	4,120	4,980	6,000	-	-	6,000
6009	Wages - Other	4,377	-	2,220	-	-	-	-
6011	Vacation Pay	3,978	600	1,828	-	-	-	-
6012	Sick Pay	2,628	-	848	675	-	-	675
6013	Emergency Pay	-	-	-	-	-	-	-
6019	Miscellaneous Pay	485	605	605	725	-	-	725
6021	Social Security & Medicare Taxes	7,105	7,651	7,589	8,019	-	-	8,019
6022	TMRS Retirement - Employer	12,719	12,722	12,706	14,076	-	-	14,076
6025	Worker Compensation Insurance	1,090	1,487	1,832	1,810	-	-	1,810
6026	State Unemployment Taxes	18	540	414	-	-	-	-
	TOTAL PERSONNEL SERVICES	116,330	122,398	122,376	128,732	-	-	128,732
6101	Office Supplies	-	50	122	25	-	-	25
6104	Janitorial & Cleaning Supplies	140	-	-	-	-	-	-
6106	Materials and Parts	6,073	5,000	5,000	5,000	-	-	5,000
6107	Clothing and Uniforms	734	850	850	850	-	-	850
6108	Fuel, Oil and Lubricants	1,188	825	1,400	1,400	-	-	1,400
6119	Other Supplies	880	1,150	900	1,000	-	-	1,000
	TOTAL SUPPLIES	9,016	7,875	8,272	8,275	-	-	8,275
6204	Other Equipment Maintenance	40	-	569	600	-	-	600
6205	Vehicle Maintenance	298	100	100	100	-	-	100
6206	Building Maintenance	47	-	-	-	-	-	-
6207	System Maintenance	4,271	3,000	2,682	3,000	-	-	3,000
	TOTAL MAINTENANCE	4,656	3,100	3,351	3,700	-	-	3,700
6312	Telephone Services	584	350	625	625	-	-	625
6320	Computer Software Service	-	1,000	1,250	2,250	-	-	2,250
6329	Other Services	-	-	-	-	-	-	-
6333	Dues and Subscriptions	1,608	1,700	1,700	1,700	-	-	1,700
6336	Equipment Rentals	1,087	436	432	436	-	-	436
6337	Training	536	1,300	1,300	1,300	-	-	1,300
6362	Permits and Licenses	-	130	-	130	-	-	130
	TOTAL SERVICES AND CHARGES	3,815	4,916	5,307	6,441	-	-	6,441
6405	Vehicle Equipment	15						-
	TOTAL CAPITAL OUTLAY	15	-	-	-	-	-	-
152	**Total Department Expenditures**	133,832	138,289	139,306	147,148	-	-	147,148

CITY OF TOMBALL
153 - GENERAL FUND - PARKS DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	196,579	210,450	206,932	219,404	-	-	219,404
Supplies	47,317	44,406	44,875	46,006	-	-	46,006
Maintenance	46,245	58,000	58,481	30,200	-	-	30,200
Services and charges	23,943	107,590	38,540	34,240	-	-	34,240
Total Operating Expenditures	314,084	420,446	348,828	329,850	-	-	329,850
Capital Outlay	163,473	44,065	115,845	-	-	580,000	580,000
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	28,000	16,596	91,596	-	-	-	-
Total Expenditures	505,557	481,107	556,269	329,850	-	580,000	909,850

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Parks Serviceperson	0.00	0.00	0.00	0.00	1.00
Parks Crew Leader	0.00	0.00	0.00	0.00	2.00
Park Foreman	1.00	1.00	1.00	1.00	0.00
Serviceman	4.00	4.00	4.00	4.00	2.00
Crew Worker**	0.20	0.20	0.20	0.20	0.20
Total	5.20	5.20	5.20	5.20	5.20

** Equivalent of 1 Full Time person using Part Time summer labor distributed equally to Streets, Parks, Water, Sewer, and Gas Departments.

CITY OF TOMBALL
153 - GENERAL - PARKS DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6003	Wages - Full Time	126,684	157,531	144,584	166,088	-	-	166,088
6004	Wages - Part Time	4,127	4,635	4,635	4,500	-	-	4,500
6005	Wages - Overtime	7,161	6,180	7,235	6,000	-	-	6,000
6009	Wages - Other	7,355	-	4,054	-	-	-	-
6011	Vacation Pay	7,688	803	4,360	-	-	-	-
6012	Sick Pay	6,733	579	2,157	601	-	-	601
6013	Emergency Pay	52	-	-	-	-	-	-
6019	Miscellaneous Pay	1,265	1,190	1,190	1,370	-	-	1,370
6021	Social Security & Medicare Taxes	11,669	13,078	12,756	13,660	-	-	13,660
6022	TMRS Retirement - Employer	20,912	21,156	21,115	23,372	-	-	23,372
6025	Worker Compensation Insurance	2,795	3,813	3,690	3,813	-	-	3,813
6026	State Unemployment Taxes	138	1,485	1,156	-	-	-	-
	TOTAL PERSONNEL SERVICES	196,579	210,450	206,932	219,404	-	-	219,404
6101	Office Supplies	16	-	-	-	-	-	-
6104	Janitorial & Cleaning Supplies	50	-	-	-			
6106	Materials and Parts	18,723	19,000	19,000	19,000	-	-	19,000
6107	Clothing and Uniforms	2,499	2,506	2,363	2,506	-	-	2,506
6108	Fuel, Oil and Lubricants	11,303	11,500	10,700	11,500	-	-	11,500
6110	Chemical Supplies	3,914	3,000	3,000	3,000	-	-	3,000
6119	Other Supplies	10,812	8,400	9,812	10,000	-	-	10,000
	TOTAL SUPPLIES	47,317	44,406	44,875	46,006	-	-	46,006
6204	Other Equipment Maintenance	3,017	3,500	3,263	3,500	-	-	3,500
6205	Vehicle Maintenance	897	1,000	1,718	1,700	-	-	1,700
6206	Building Maintenance	17,463	-	-	-	-	-	-
6207	System Maintenance	24,868	53,500	53,500	25,000	-	-	25,000
	TOTAL MAINTENANCE	46,245	58,000	58,481	30,200	-	-	30,200
6304	Professional Services-Other	690	75,790	790	790	-	-	790
6312	Telephone Services	1,123	1,350	1,000	1,100	-	-	1,100
6321	System Contract Service	18,300	29,100	36,400	31,000	-	-	31,000
6329	Other Services	3,090	-	-	-	-	-	-
6333	Dues and Subscriptions	-	-	-	-	-	-	-
6336	Equipment Rentals	-	350	350	350	-	-	350
6337	Training	740	1,000	-	1,000	-	-	1,000
6362	Permits and Licenses	-	-	-	-	-	-	-
	TOTAL SERVICES AND CHARGES	23,943	107,590	38,540	34,240	-	-	34,240
6403	Machinery and Equipment		4,500	12,000	-	-	-	-
6406	Land and Buildings	20,371	-	-	-	-	-	-
6409	System Expansion	143,102	39,565	103,845	-	-	580,000	580,000
	TOTAL CAPITAL OUTLAY	163,473	44,065	115,845	-	-	580,000	580,000
6998	Transfer to Fleet Replacement	28,000	16,596	16,596	-	-	-	-
6999	Transfer to Capital Proj. Fund			75,000	-	-	-	-
	TOTAL TRANSFERS	28,000	16,596	91,596	-	-	-	-
153	**Total Department Expenditures**	505,557	481,107	556,269	329,850	-	580,000	909,850

CITY OF TOMBALL
154 - GENERAL FUND - STREET DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	335,845	363,644	350,721	387,086	-	-	387,086
Supplies	63,158	75,000	69,463	67,244	-	-	67,244
Maintenance	234,916	375,398	325,094	323,598	-	-	323,598
Services and charges	138,924	147,525	136,633	149,025	-	-	149,025
Total Operating Expenditures	772,843	961,567	881,911	926,953	-	-	926,953
Capital Outlay	-	-	-	-	-	400,000	800,000
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	116,500	583,206	583,206	538,284	-	-	538,284
Total Expenditures	889,343	1,544,773	1,465,117	1,465,238	-	400,000	2,265,237

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Superintendent, St & Drain	1.00	1.00	1.00	1.00	1.00
HEO/Crew Leader	2.00	2.00	2.00	2.00	2.00
Street & Drainage Foreman	0.00	0.00	0.00	0.00	1.00
Serviceman	5.00	5.00	5.00	4.00	3.00
Crew Worker**	0.20	0.20	0.20	0.20	0.20
Total	8.20	8.20	8.20	7.20	7.20

** Equivalent of 1 Full Time person using Part Time summer labor distributed equally to Streets, Parks, Water, Sewer, and Gas Departments.

CITY OF TOMBALL
154 - GENERAL - STREETS DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	55,280	66,136	60,296	67,267	-	-	67,267
6003	Wages - Full Time	165,179	203,464	182,362	219,648	-	-	219,648
6004	Wages - Part Time	4,248	4,635	4,635	4,500	-	-	4,500
6005	Wages - Overtime	13,219	12,360	12,360	13,000	-	-	13,000
6009	Wages - Other	12,078	-	5,786	-	-	-	-
6011	Vacation Pay	12,991	1,309	9,540	-	-	-	-
6012	Sick Pay	6,982	1,868	3,419	2,882	-	-	2,882
6019	Miscellaneous Pay	1,530	2,060	2,260	3,140	-	-	3,140
6021	Social Security & Medicare Taxes	20,528	22,330	21,492	23,778	-	-	23,778
6022	TMRS Retirement - Employer	35,674	36,539	35,153	41,132	-	-	41,132
6025	Worker Compensation Insurance	8,000	10,918	11,859	11,739	-	-	11,739
6026	State Unemployment Taxes	135	2,025	1,559	-	-	-	-
	TOTAL PERSONNEL SERVICES	335,845	363,644	350,721	387,086	-	-	387,086
6101	Office Supplies	-	-	-	-	-	-	-
6104	Janitorial & Cleaning Supplies	50	-	-	-			-
6106	Materials and Parts	25,182	39,000	34,617	35,000	-	-	35,000
6107	Clothing and Uniforms	2,171	3,600	2,613	3,244	-	-	3,244
6108	Fuel, Oil and Lubricants	28,371	26,000	26,000	26,000	-	-	26,000
6119	Other Supplies	7,384	6,400	6,233	3,000	-	-	3,000
	TOTAL SUPPLIES	63,158	75,000	69,463	67,244	-	-	67,244
6204	Other Equipment Maintenance	22,399	7,000	9,500	7,200	-	-	7,200
6205	Vehicle Maintenance	8,694	7,000	4,300	5,000	-	-	5,000
6207	System Maintenance	203,823	361,398	311,294	311,398	-	-	311,398
	TOTAL MAINTENANCE	234,916	375,398	325,094	323,598	-	-	323,598
6304	Professional Services-Other	4,081	6,500	6,500	6,500	-	-	6,500
6312	Telephone Services	2,134	2,000	1,873	2,200	-	-	2,200
6319	Mosquito Control	7,657	7,200	8,435	8,500	-	-	8,500
6329	Other Services	12,400	10,000	7,000	10,000	-	-	10,000
6332	Travel and Training	-	-	-	-	-	-	-
6336	Equipment Rentals	-	1,000	500	1,000	-	-	1,000
6337	Training	-	500	-	500	-	-	500
6338	Street Light Service	112,440	120,000	112,000	120,000	-	-	120,000
6362	Permits and Licenses	211	325	325	325	-	-	325
	TOTAL SERVICES AND CHARGES	138,924	147,525	136,633	149,025	-	-	149,025
6409	System Expansion	-	-	-	-	-	400,000	400,000
	TOTAL CAPITAL OUTLAY	-	-	-	-	-	400,000	400,000
6998	Transfer to Fleet Replacement	116,500	83,206	83,206	198,284	-	-	198,284
6999	Transfer to Capital Project Funds	-	500,000	500,000	340,000	-	-	340,000
	TOTAL TRANSFERS	116,500	583,206	583,206	538,284	-	-	538,284
154	**Total Department Expenditures**	889,343	1,544,773	1,465,117	1,465,238	-	400,000	1,865,238

CITY OF TOMBALL
155 - GENERAL FUND - SANITATION DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Supplies	1,123	42,000	40,880	43,500	-	-	43,500
Services and charges	1,958,229	1,920,300	1,965,200	1,965,300	-	-	1,965,300
Total Operating Expenditures	1,959,352	1,962,300	2,006,080	2,008,800	-	-	2,008,800
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	1,959,353	1,962,300	2,006,080	2,008,800	-	-	2,008,800

No staff has been assigned to this department as all services are contracted to a third party.

CITY OF TOMBALL
155 - GENERAL - SANITATION DEPARTMENT
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6119	Other Supplies	1,123	42,000	40,880	43,500	-	-	43,500
	TOTAL SUPPLIES	1,123	42,000	40,880	43,500	-	-	43,500
6304	Professional Services-Other	95,507	120,000	120,000	120,000	-	-	120,000
6327	Garbage Services	1,862,522	1,800,000	1,845,000	1,845,000	-	-	1,845,000
6362	Permits and Licenses	200	300	200	300	-	-	300
	TOTAL SERVICES AND CHARGES	1,958,229	1,920,300	1,965,200	1,965,300	-	-	1,965,300
155	**Total Department Expenditures**	1,959,353	1,962,300	2,006,080	2,008,800	-	-	2,008,800

CITY OF TOMBALL
156 - GENERAL FUND - ENGINEERING AND PLANNING
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	451,697	510,001	520,012	568,143	-	-	568,143
Supplies	11,126	13,975	13,200	15,600	-	-	15,600
Maintenance	295	1,000	1,000	2,000	-	-	2,000
Services and charges	25,803	128,500	153,200	136,000	50,000	-	186,000
Total Operating Expenditures	488,921	653,476	687,412	721,743	50,000	-	771,743
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	60,000	-	-	60,000
Total Expenditures	488,921	653,476	687,412	781,743	50,000	-	831,743

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Director of Community Development	1.00	1.00	1.00	1.00	1.00
City Planner	1.00	1.00	1.00	1.00	1.00
GIS Technician	1.00	1.00	0.00	0.00	0.00
Assistant City Planner	1.00	1.00	1.00	1.00	1.00
City Engineer	1.00	1.00	1.00	1.00	1.00
Code Enforcement Officer	0.00	0.00	0.00	0.00	1.00
Construction Manager/Inspector	1.00	1.00	1.00	1.00	1.00
Senior Administrative Assistant	1.00	1.00	1.00	1.00	1.00
Total	7.00	7.00	6.00	6.00	7.00

CITY OF TOMBALL
156 - GENERAL - ENGINEERING AND PLANNING
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	294,970	371,878	355,682	378,394	-	-	378,394
6003	Wages - Full Time	25,914	38,413	36,814	79,352	-	-	79,352
6004	Wages - Part Time		-	11,883	-	-	-	-
6005	Wages - Overtime	1,006	2,060	2,060	3,000	-	-	3,000
6009	Wages - Other	16,131	-	9,073	-	-	-	-
6011	Vacation Pay	23,169	2,376	8,728	-	-	-	-
6012	Sick Pay	7,489	2,092	2,194	2,603	-	-	2,603
6013	Emergency Pay	484	-	-	-	-	-	-
6019	Miscellaneous Pay	2,475	2,810	2,810	2,640	-	-	2,640
6021	Social Security & Medicare Taxes	28,368	32,593	33,236	36,192	-	-	36,192
6022	TMRS Retirement - Employer	50,195	54,194	54,031	63,525	-	-	63,525
6025	Worker Compensation Insurance	1,440	1,965	2,052	2,437	-	-	2,437
6026	State Unemployment Taxes	54	1,620	1,449	-	-	-	-
	TOTAL PERSONNEL SERVICES	451,697	510,001	520,012	568,143	-	-	568,143
6101	Office Supplies	3,598	5,000	4,000	4,500	-	-	4,500
6102	Educational Supplies	767	1,775	1,000	1,000	-	-	1,000
6105	Food Supplies	35	1,250	500	500	-	-	500
6107	Clothing and Uniforms	76	450	450	700	-	-	700
6108	Fuel, Oil and Lubricants	1,667	1,500	1,750	3,400	-	-	3,400
6109	Postage	4,983	4,000	5,500	5,500	-	-	5,500
6119	Other Supplies	-	-	-	-	-	-	-
	TOTAL SUPPLIES	11,126	13,975	13,200	15,600	-	-	15,600
6205	Vehicle Maintenance	295	1,000	1,000	2,000			2,000
	TOTAL MAINTENANCE	295	1,000	1,000	2,000	-	-	2,000
6302	Professional Services-Engineering	-	37,000	70,000	37,000	50,000	-	87,000
6304	Professional Services-Other	5,872	55,000	45,000	55,000	-	-	55,000
6312	Telephone Services	2,294	3,000	3,000	2,500	-	-	2,500
6316	Printing and Binding	420	2,000	1,500	1,500	-	-	1,500
6323	Surveys, Plats and Blueprints	-	6,000	6,000	8,000	-	-	8,000
6332	Travel and Meals	6,781	4,000	8,500	10,650	-	-	10,650
6333	Dues and Subscriptions	1,070	2,800	1,500	2,750	-	-	2,750
6334	Automobile Allowances	3,057	4,800	4,800	4,800	-	-	4,800
6335	Advertising Cost	839	4,000	3,500	4,000	-	-	4,000
6337	Training	5,090	6,950	6,500	7,500	-	-	7,500
6348	Property Acquisition Costs		-	900	-	-	-	-
6362	Permits and Licenses	380	2,950	2,000	2,300	-	-	2,300
	TOTAL SERVICES AND CHARGES	25,803	128,500	153,200	136,000	50,000	-	186,000
6999	Transfer to Capital Projects Fund		-	-	60,000	-	-	60,000
	TOTAL TRANSFERS	-	-	-	60,000	-	-	60,000
156	**Total Department Expenditures**	488,921	653,476	687,412	781,743	50,000	-	831,743

CITY OF TOMBALL
157 - GENERAL FUND - FACILITIES MAINTENANCE
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	97,299	99,766	99,742	106,495	-	-	106,495
Supplies	16,439	17,250	16,000	16,450	-	-	16,450
Maintenance	264,251	146,683	237,394	104,200	-	196,069	300,269
Services and charges	342,608	344,761	336,399	331,761	-	-	331,761
Total Operating Expenditures	720,597	608,460	689,535	558,906	-	196,069	754,975
Capital Outlay	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenditures	720,597	608,460	689,535	558,906	-	196,069	754,975

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Facilities Maintenance Specialist	1.00	1.00	2.00	2.00	2.00
Total	1.00	1.00	2.00	2.00	2.00

CITY OF TOMBALL
157 - GENERAL - FACILITIES MAINTENANCE
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6003	Wages - Full Time	61,965	75,734	66,755	79,893	-	-	79,893
6005	Wages - Overtime	5,051	2,060	2,860	4,000	-	-	4,000
6009	Wages - Other	3,743	-	2,357	-	-	-	-
6011	Vacation Pay	3,614	874	4,562	-	-	-	-
6012	Sick Pay	3,347	1,165	2,616	588	-	-	588
6013	Emergency Pay	504	-	-	-	-	-	-
6019	Miscellaneous Pay	1,690	1,810	1,810	1,930	-	-	1,930
6021	Social Security & Medicare Taxes	6,020	6,250	6,161	6,611	-	-	6,611
6022	TMRS Retirement - Employer	10,658	10,392	10,312	11,603	-	-	11,603
6025	Worker Compensation Insurance	689	941	1,895	1,870	-	-	1,870
6026	State Unemployment Taxes	18	540	414	-	-	-	-
	TOTAL PERSONNEL SERVICES	97,299	99,766	99,742	106,495	-	-	106,495
6104	Janitorial & Cleaning Supplies	5,795	6,000	6,000	6,000	-	-	6,000
6105	Food Supplies	5,304	7,200	5,800	6,000	-	-	6,000
6106	Materials and Parts	748	500	500	500	-	-	500
6107	Clothing and Uniforms	694	950	800	950	-	-	950
6108	Fuel, Oil and Lubricants	2,941	2,200	2,100	2,200	-	-	2,200
6109	Postage	-	-	-		-	-	-
6119	Other Supplies	957	400	800	800	-	-	800
	TOTAL SUPPLIES	16,439	17,250	16,000	16,450	-	-	16,450
6201	Office Equipment Maintenance	450	3,200	2,875	2,000	-	-	2,000
6205	Vehicle Maintenance	40	200	175	200	-	-	200
6206	Building Maintenance	263,761	143,283	234,344	102,000	-	196,069	298,069
	TOTAL MAINTENANCE	264,251	146,683	237,394	104,200	-	196,069	300,269
6311	Janitorial Services	46,907	53,000	47,220	53,000	-	-	53,000
6312	Telephone Services	90,203	90,000	96,736	97,000	-	-	97,000
6313	Utilities - Electrical	203,262	200,000	190,743	180,000	-	-	180,000
6336	Equipment Rentals	2,236	1,700	1,700	1,700	-	-	1,700
6362	Permits and Licenses	-	61	-	61			61
	TOTAL SERVICES AND CHARGES	342,608	344,761	336,399	331,761	-	-	331,761
157	**Total Department Expenditures**	720,597	608,460	689,535	558,906	-	196,069	754,975

City of Tomball
2014-2015 Supplemental Requests - Summary
General Fund- Proposed

Department	Program & Description	Rank	Dept	Recurring Revenue/ Savings	Non-Recur. Revenue/ Savings	Recurring Cost	Non-Recur. Cost	Net Recurring Cost	Net Non-Recur. Cost	Total Cost	GF Acct
117 - Information Systems											
	GIS User License	1				500.00	3,500.00	500.00	3,500.00	4,000.00	100.117.6320
	VMWare Virtual Desktop - Version 5.5 - ___ users	2				550.00	9,300.00	550.00	9,300.00	9,850.00	100.117.6320
	Fire Department Domain Controller Server	3					6,200.00	-	6,200.00	6,200.00	100.117.6320
	Community Development Software	1	Community Development			5,000.00	25,000.00	5,000.00	25,000.00	30,000.00	100.117.6320
	Laptop/Tablet with Wi-Fi Card	2	Community Development			1,000.00	1,500.00	1,000.00	1,500.00	2,500.00	100.117.6320
	Computer & Printer/Scanner	3	Community Development				2,000.00	-	2,000.00	2,000.00	100.117.6320
	Audio Visual Proposal		Community Ctr				12,600.00	-	12,600.00	12,600.00	100.117.6320
	Budget Management Software		Finance				10,000.00	-	10,000.00	10,000.00	100.117.6320
	Mobile Data Terminals (MDTs)	1	Fire Dept				16,500.00	-	16,500.00	16,500.00	100.117.6320
								-	-		
	Heavy Duty Modems for Fire Trucks	2	Fire Dept				9,500.00	-	9,500.00	9,500.00	100.117.6320
	Mapping & Response Software	3	Fire Dept	(4,650.00)		2,250.00	7,500.00	(2,400.00)	7,500.00	5,100.00	100.117.6320
	Total for Information Systems			(4,650.00)	-	9,300.00	103,600.00	4,650.00	103,600.00		
121 - Police Department											
	Police Record Specialist	1									
	Personnel Requirements					62,524.00		62,524.00	-		
	Op. Cost - Uniform/Equipment						2,000.00	-	2,000.00		100.121.6107
	Op. Cost - Training						2,000.00	-	2,000.00	66,524.00	100.121.6337
								-	-		
	Total for Police Department			-	-	62,524.00	4,000.00	62,524.00	4,000.00		
142 - Fire Department											
	Replace the Skid Unit on Booster 1	1					66,000.00	-	66,000.00	66,000.00	100.142.6405
	Inventory Control System	2				1,500.00	11,675.00	1,500.00	11,675.00	13,175.00	100.143.6403
	Total for Fire Department			-	-	1,500.00	77,675.00	1,500.00	77,675.00		
153 - Parks Department											
	Four Corners Development	1					50,000.00	-	50,000.00	50,000.00	100.153.6409
	Lighting at the Depot	2					110,000.00	-	110,000.00	110,000.00	100.153.6409
	Park Development	3					200,000.00	-	200,000.00	200,000.00	100.153.6409
	Sidewalks	4					220,000.00	-	220,000.00	220,000.00	100.153.6409
	Total for Parks Department			-	-	-	580,000.00	-	580,000.00		

City of Tomball
2014-2015 Supplemental Requests - Summary
General Fund- Proposed

Department	Program & Description	Rank	Dept	Recurring Revenue/ Savings	Non-Recur. Revenue/ Savings	Recurring Cost	Non-Recur. Cost	Net Recurring Cost	Net Non-Recur. Cost	Total Cost	GF Acct
154 - Streets											
	Downtown Development	1					400,000.00	-	400,000.00	400,000.00	100.154.6409
	Total for Streets			-	-	-	400,000.00	-	400,000.00		
156 - Engineering and Development											
	TPDES SWMP Permit Requirements	1				50,000.00		50,000.00	-	50,000.00	100.156.6302
	Total for Engineering and Development			-	-	50,000.00	-	50,000.00	-		
157 - Facility Maintenance											
	Replace floursecent lighting in St. 1 Apparatus Bays - Fire Dept	1	Fire Dept				6,969.00	-	6,969.00	6,969.00	100.157.6206
	Replace 4 bay doors at Station 1 - Fire Dept	2	Fire Dept				60,000.00	-	60,000.00	60,000.00	100.157.6206
	Infrared Heating to Station 1 Apparatus Bays - Fire Dept	3	Fire Dept				20,000.00	-	20,000.00	20,000.00	100.157.6206
	Replacement Automated Gate for PW Yard	1	Public Works				10,000.00	-	10,000.00	10,000.00	100.157.6206
	CyberLock Door Locks for PW Service Center	2	Public Works				6,500.00	-	6,500.00	6,500.00	100.157.6206
	Painting/Repairs - Community Center	1	Community Ctr				20,000.00	-	20,000.00	20,000.00	100.157.6206
	Carpet - City Hall	1	City Hall				40,000.00	-	40,000.00	40,000.00	100.157.6206
	Upgrade City Hall Lunchroom - Municipal Court	2	City Hall - Court				9,600.00	-	9,600.00	9,600.00	100.157.6206
	Remodeling of Council Chambers	3	City Hall - Mayor & Council				20,000.00	-	20,000.00	20,000.00	100.157.6206
	Unisex Restroom - City Hall	4	City Hall				3,000.00	-	3,000.00	3,000.00	100.157.6206
	Total for Facility Maintenance			-	-	-	196,069.00	-	196,069.00		
Total General Fund				-	-	123,324.00	1,361,344.00	118,674.00	1,361,344.00		
							Total Cost		**1,480,018.00**		

Enterprise Fund

Statement of Revenues, Expenditures, and Changes in Fund Balance

2014-2015 Budget Worksheet

	FY2013 Actuals	FY2014 Current Budget	FY2014 Projections	FY2015 Base Budget	Recurring Supplemental	Non-Recur. Supplemental	FY2015 Total Budget
Operating Revenues:							
Water sales	$ 4,669,354	$ 4,500,000	$ 4,500,000	$ 4,500,000	$ -	$ -	$ 4,500,000
Sewer sales	2,365,611	2,300,000	2,370,000	2,370,000	-	-	2,370,000
Gas sales	3,061,634	3,200,000	3,250,000	3,250,000	-	-	3,250,000
Tap fees	190,670	110,000	225,000	225,000	-	-	225,000
Reconnect fees	31,029	30,000	30,000	30,000	-	-	30,000
Interest	9,980	18,500	5,500	6,000	-	-	6,000
Other	845,021	819,000	819,000	819,000	-	-	819,000
Transfers	-	-	-	-	-	-	-
Total Operating Revenues	$ 11,173,299	$ 10,977,500	$ 11,199,500	$ 11,200,000	$ -	$ -	$ 11,200,000
Expenses:							
Enterprise Administration	$ 295,919	$ 312,071	$ 280,735	$ 317,913		$ -	$ 317,913
Utility Billing	254,656	262,706	253,930	272,624	-	-	272,624
Water	2,579,835	2,867,614	2,629,388	2,631,260	-	-	2,631,260
Wastewater	1,054,903	1,226,646	1,649,396	1,234,261	-	-	1,234,261
Gas	1,573,962	2,435,031	2,208,344	2,454,115	-	-	2,454,115
AdministrativeTransfer to General Fund	2,246,221	1,806,049	1,806,049	2,031,276	-	-	2,031,276
Total Operating Expenses	$ 8,005,496	$ 8,910,117	$ 8,827,842	$ 8,941,449	$ -	$ -	$ 8,941,449
Net Revenue Available for Debt	$ 3,167,803	$ 2,067,383	$ 2,371,658	$ 2,258,551	$ -	$ -	$ 2,258,551
Debt Service							
Revenue Bonds	$ 126,473	$ 542,705	$ 542,705	$ 545,568	$ -	$ -	$ 545,568
Certificates of Obligation	187,679	783,090	783,090	765,215	-	-	765,215
Fiscal Fees	7,290	3,735	3,935	3,205	-	-	3,205
Total Debt Service	$ 321,442	$ 1,329,530	$ 1,329,730	$ 1,313,988	$ -	$ -	$ 1,313,988
Non-Operating Revenues (expenses)							
Proceeds from debt	-	-	-	-	-	-	-
Vehicle replacement	(82,200)	(102,500)	(102,500)	(245,063)	-	-	(245,063)
Capital outlay	(1,428,357)	(239,000)	(73,715)	-	-	(323,000)	(323,000)
Short Term Financing	-	-	-	-	-	-	-
Transfer to Capital Project fund	(202,621)	(310,110)	(310,110)	(100,000)	-	-	(100,000)
Transfer to Emp. Benefits Trust Fund	(448,919)	(446,548)	(446,548)	(462,892)		-	(462,892)
Total Non-Operating Revenue	$ (2,162,097)	$ (1,098,158)	$ (932,873)	$ (807,955)	$ -	$ (323,000)	$ (1,130,955)
Net Income (Excluding Depr.)	$ 684,265	$ (360,305)	$ 109,055	$ 136,608			$ (186,392)
Beginning Fund Balance	$ 19,106,754	$ 19,791,019	$ 19,791,019	$ 19,900,074			$ 19,900,074
Ending Fund Balance	$ 19,791,019	$ 19,430,714	$ 19,900,074	$ 20,036,682			$ 19,713,682
Fund Balance as % of Operating Costs	247.2%	218.1%	225.4%	224.1%			220.5%
Debt Coverage on Total Debt	1008.37%	155.94%	178.89%	172.31%			172.3%

CITY OF TOMBALL
ENTERPRISE FUND
2014-2015 Proposed Budget Revenues

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base Budget	Recurring	Non-Recur.	FY2015 Proposed Budget
5600	Water Sales	4,669,354	4,500,000	4,500,000	4,500,000	-	-	4,500,000
	TOTAL WATER SALES	$ 4,669,354	$ 4,500,000	$ 4,500,000	$ 4,500,000	$ -	$ -	$ 4,500,000
5640	Sewer Sales	2,365,611	2,300,000	2,370,000	2,370,000	-	-	2,370,000
	TOTAL SEWER SALES	$ 2,365,611	$ 2,300,000	$ 2,370,000	$ 2,370,000	$ -	$ -	$ 2,370,000
5670	Gas Sales	3,061,634	3,200,000	3,250,000	3,250,000	-	-	3,250,000
	TOTAL GAS SALES	$ 3,061,634	$ 3,200,000	$ 3,250,000	$ 3,250,000	$ -	$ -	$ 3,250,000
5610	Water taps	70,385	45,000	75,000	75,000	-	-	75,000
5650	Sewer taps	43,635	30,000	65,000	65,000	-	-	65,000
5680	Gas taps	76,650	35,000	85,000	85,000	-	-	85,000
	TOTAL TAP FEES	$ 190,670	$ 110,000	$ 225,000	$ 225,000	$ -	$ -	$ 225,000
5620	Reconnect fees	31,029	30,000	30,000	30,000	-	-	30,000
	TOTAL RECONNECT FEES	$ 31,029	$ 30,000	$ 30,000	$ 30,000	$ -	$ -	$ 30,000
5630	AMP Plan Balance	(1,149)	1,000	500	1,000			1,000
5800	Interest income	11,759	17,500	5,000	5,000	-	-	5,000
5801	Unrealized Gain on Investments	(630)	-	-	-			
	TOTAL INTEREST INCOME	$ 9,980	$ 18,500	$ 5,500	$ 6,000	$ -	$ -	$ 6,000
5690	Penalties	124,454	100,000	100,000	100,000	-	-	100,000
5695	Administrative charges	43,412	45,000	45,000	45,000	-	-	45,000
5560	Returned checks	913	1,000	1,000	1,000	-	-	1,000
5550	Miscellaneous	6,242	3,000	3,000	3,000	-	-	3,000
5740	Other Grants	-	-	-	-	-	-	-
5770	TEDC contributions	670,000	670,000	670,000	670,000	-	-	670,000
5780	Other reimbursements		-	-	-	-	-	-
	TOTAL OTHER REVENUES	$ 845,021	$ 819,000	$ 819,000	$ 819,000	$ -	$ -	$ 819,000
5900	Debt Proceeds	-				-	-	-
	TOTAL DEBT PROCEEDS	-	-	-	-	-	-	-
	Transfer from Rev Bond Sinking					-	-	-
	TOTAL TRANSFER REVENUES	-	-	-	-	-	-	-
	TOTAL ENTERPRISE REVENUE	$ 11,173,299	$ 10,977,500	$ 11,199,500	$ 11,200,000	$ -	$ -	$ 11,200,000

CITY OF TOMBALL
611 - ENTERPRISE - ADMINISTRATIVE DEPARTMENT
2014-2015 BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	264,130	278,238	245,574	282,987	-	-	282,987
Supplies	4,451	3,930	4,161	4,325	-	-	4,325
Maintenance	296	199	600	150	-	-	150
Services and charges	27,042	29,704	30,400	30,451	-	-	30,451
Total Operating	295,919	312,071	280,735	317,913	-	-	317,913
Capital Outlay	1,392,523	-	-	-	-	-	-
Transfers	2,695,140	2,302,597	2,302,597	2,494,168	-	-	2,494,168
Total Expenses	4,383,582	2,614,668	2,583,332	2,812,081	-	-	2,812,081

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Public Works Director of Operations	1.00	1.00	1.00	1.00	1.00
Utility Superintendent	1.00	1.00	1.00	1.00	1.00
Inventory Control	1.00	1.00	1.00	0.00	0.00
Administrative Assistant	0.00	0.00	0.00	1.00	1.00
Total	3.00	3.00	3.00	3.00	3.00

CITY OF TOMBALL
611 - ENTERPRISE - ADMINISTRATIVE DEPARTMENT
2014-2015 BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
6001	Salaries - Administrative	137,197	164,237	146,762	172,037	-	-	172,037
6003	Wages - Full Time	43,188	55,124	32,317	53,518	-	-	53,518
6005	Wages - Overtime	1,509	773	773	750	-	-	750
6009	Wages - Other	9,100	-	3,971	-	-	-	-
6011	Vacation Pay	11,439	1,451	8,581	-	-	-	-
6012	Sick Pay	(3,871)	1,934	5,047	1,163	-	-	1,163
6013	Emergency Pay	890	-	-	-	-	-	-
6019	Miscellaneous Pay	2,220	2,400	1,715	1,835	-	-	1,835
6021	Social Security & Medicare Taxes	15,435	17,714	15,570	17,909	-	-	17,909
6022	TMRS Retirement - Employer	27,564	29,454	26,034	31,434	-	-	31,434
6025	Worker Compensation Insurance	3,181	4,341	4,183	4,341	-	-	4,341
6026	State Unemployment Taxes	27	810	621	-	-	-	-
6040	Other Post Employement Benefits	16,251	-	-	-			
	TOTAL PERSONNEL SERVICES	264,130	278,238	245,574	282,987	-	-	282,987
6101	Office Supplies	706	975	975	975	-	-	975
6102	Educational Supplies	44	-	86	-	-	-	-
6105	Food Supplies	1,044	800	500	500	-	-	500
6106	Materials and Parts	87	-	-	-	-	-	-
6107	Clothing and Uniforms	476	325	150	150	-	-	150
6108	Fuel, Oil and Lubricants	1,605	1,230	2,250	2,250	-	-	2,250
6109	Postage	-	100	100	100	-	-	100
6119	Other Supplies	489	500	100	350	-	-	350
	TOTAL SUPPLIES	4,451	3,930	4,161	4,325	-	-	4,325
6205	Vehicle Maintenance	296	199	600	150	-	-	150
	TOTAL MAINTENANCE	296	199	600	150	-	-	150
6311	Janitorial Services		-	-	-	-	-	-
6312	Communication Services	19,577	20,000	22,800	22,800			22,800
6332	Travel and Meals	872	2,000	1,000	1,000	-	-	1,000
6333	Dues and Subscriptions	1,294	1,654	1,000	1,051	-	-	1,051
6334	Automobile Allowance	4,800	4,800	4,800	4,800	-	-	4,800
6337	Training	449	1,200	550	550	-	-	550
6362	Permits and Licenses	50	50	250	250	-	-	250
	TOTAL SERVICES AND CHARGES	27,042	29,704	30,400	30,451	-	-	30,451
6410	Depreciation Expense	1,392,523						-
6411	Little League Expansion							-
6412	Juergens Park Project							-
	TOTAL CAPITAL OUTLAY	1,392,523	-	-	-	-	-	-
6501	Bad Debt Expense							-
	TOTAL OTHER EXPENDITURES		-	-	-	-	-	-
	TOTAL LONG TERM DEBT		-	-	-	-	-	-
6691	Transfer to General Fund	2,246,221	1,806,049	1,806,049	2,031,276	-	-	2,031,276
6692	Transfer to Emp. Benefits Trust Fund	448,919	446,548	446,548	462,892	-	-	462,892
6998	Transfer to Fleet Replacement	-	50,000	50,000	-	-	-	-
	TOTAL TRANSFERS	2,695,140	2,302,597	2,302,597	2,494,168	-	-	2,494,168
611	**Total Department Expenditures**	4,383,582	2,614,668	2,583,332	2,812,081	-	-	2,812,081

CITY OF TOMBALL
612 - ENTERPRISE - UTILITY BILLING DEPARTMENT
2014-2015 BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	200,136	207,591	205,195	199,539	-	-	199,539
Supplies	29,143	30,770	28,475	51,665	-	-	51,665
Maintenance	262	5,875	5,450	6,825	-	-	6,825
Services and charges	25,116	18,470	14,810	14,595	-	-	14,595
Total Operating	254,656	262,706	253,930	272,624	-	-	272,624
Capital Outlay	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-
Total Expenses	254,656	262,706	253,930	272,624	-	-	272,624

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Billing Supervisor	1.00	1.00	1.00	1.00	1.00
Customer Service Specalists	3.00	3.00	3.00	2.00	2.00
Utilities Serviceperson	2.00	2.00	2.00	1.00	1.00
Total	6.00	6.00	6.00	4.00	4.00

* One of the utilities serviceperson positions was moved to the Sewer Department in fiscal year 2010.

CITY OF TOMBALL
612 - ENTERPRISE - UTILITY BILLING DEPARTMENT
2014-2015 BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Total Budget
6001	Salaries - Administrative	43,986	52,874	48,023	43,389	-	-	43,389
6003	Wages - Full Time	93,083	109,669	103,555	115,107	-	-	115,107
6005	Wages - Overtime	1,028	1,803	1,803	1,750	-	-	1,750
6009	Wages - Other	7,944	-	4,290	-	-	-	-
6011	Vacation Pay	10,457	1,713	5,520	-	-	-	-
6012	Sick Pay	5,911	1,154	2,718	1,204	-	-	1,204
6013	Emergency Pay	-	-	-	-	-	-	-
6019	Miscellaneous Pay	2,560	3,095	2,800	2,120	-	-	2,120
6021	Social Security & Medicare Taxes	12,155	13,036	12,762	12,513	-	-	12,513
6022	TMRS Retirement - Employer	21,882	21,675	21,512	21,964	-	-	21,964
6025	Worker Compensation Insurance	1,093	1,492	1,384	1,492	-	-	1,492
6026	State Unemployment Taxes	36	1,080	828	-	-	-	-
	TOTAL PERSONNEL SERVICES	200,136	207,591	205,195	199,539	-	-	199,539
6101	Office Supplies	3,740	9,000	7,000	27,480	-	-	27,480
6106	Materials and Parts	-	200	150	800	-	-	800
6107	Clothing and Uniforms	397	745	500	1,750	-	-	1,750
6108	Fuel, Oil and Lubricants	2,310	2,800	2,800	3,500	-	-	3,500
6109	Postage	16,407	18,000	18,000	18,000	-	-	18,000
6119	Other Supplies	6,289	25	25	135	-	-	135
	TOTAL SUPPLIES	29,143	30,770	28,475	51,665	-	-	51,665
6201	Office Equipment Maintenance	-	5,375	5,000	1,000			1,000
6204	Other Equipment Maintenance	-	-	-	5,225	-	-	5,225
6205	Vehicle Maintenance	262	-	-	-	-	-	-
6219	Other Maintenance	-	500	450	600			600
	TOTAL MAINTENANCE	262	5,875	5,450	6,825	-	-	6,825
6312	Communication Services	864	900	700	600	-	-	600
6320	Software Services	-	5,000	5,000	-	-	-	-
6329	Other Services	23,762	12,000	9,000	4,000	-	-	4,000
6332	Travel and Meals	-	150	40	1,400	-	-	1,400
6333	Dues and Subscriptions	70	70	70	70	-	-	70
6337	Training	420	200	-	1,750	-	-	1,750
6362	Permits and Licenses	-	150	-	6,775	-	-	6,775
	TOTAL SERVICES AND CHARGES	25,116	18,470	14,810	14,595	-	-	14,595
6401	Office Equipment				-			-
	TOTAL CAPITAL OUTLAY		-	-	-	-	-	-
612	**Total Department Expenditures**	254,656	262,706	253,930	272,624	-	-	272,624

CITY OF TOMBALL
613 - ENTERPRISE FUND - WATER DEPARTMENT
2014-2015 BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	379,189	418,895	393,354	429,205	-	-	429,205
Supplies	223,071	201,340	223,662	217,300	-	-	217,300
Maintenance	249,798	421,127	175,262	171,200	-	-	171,200
Services and charges	1,727,777	1,826,252	1,837,110	1,813,555	-	-	1,813,555
Total Operating	2,579,835	2,867,614	2,629,388	2,631,260	-	-	2,631,260
Capital Outlay	850	9,000	20,715	-	-	-	-
Bad Debt Expense		-	-	-	-	-	-
Long Term Debt		-	-	-	-	-	-
Transfers	36,052	179,360	179,360	167,190	-	-	167,190
Total Expenses	2,616,737	3,055,974	2,829,463	2,798,450	-	-	2,798,450

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Foreman	1.00	1.00	1.00	1.00	1.00
Crew Chief	1.00	1.00	1.00	1.00	1.00
Heavy Equipment Operator	1.00	1.00	1.00	1.00	1.00
Serviceman	3.00	3.00	3.00	4.00	4.00
Locator	1.00	1.00	1.00	1.00	1.00
Utilities Laborer*	0.20	0.20	0.20	0.20	0.20
Total	7.20	7.20	7.20	8.20	8.20

* Equivalent of 1 Full Time person using Part Time Summer labor distributed equally to Streets, Parks, Water, Sewer and Gas Departments.

CITY OF TOMBALL
613 - ENTERPRISE - WATER DEPARTMENT
2014-2015 BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
6003	Wages - Full Time	234,962	299,508	264,177	311,605	-	-	311,605
6004	Wages - Part Time	4,574	4,635	4,635	4,500	-	-	4,500
6005	Wages - Overtime	8,078	9,785	9,785	9,500	-	-	9,500
6006	Wages - Call Duty	18,373	15,450	15,450	15,000	-	-	15,000
6009	Wages - Other	11,789	-	8,103	-	-	-	-
6011	Vacation Pay	16,486	2,523	8,430	-	-	-	-
6012	Sick Pay	10,911	2,999	4,378	2,713	-	-	2,713
6013	Emergency Pay	467	-	-	-	-	-	-
6019	Miscellaneous Pay	3,230	3,655	3,655	3,700	-	-	3,700
6021	Social Security & Medicare Taxes	22,761	25,908	24,064	26,547	-	-	26,547
6022	TMRS Retirement - Employer	40,380	42,489	40,003	45,992	-	-	45,992
6025	Worker Compensation Insurance	7,070	9,648	8,903	9,648	-	-	9,648
6026	State Unemployment Taxes	107	2,295	1,771	-	-	-	-
	TOTAL PERSONNEL SERVICES	379,189	418,895	393,354	429,205	-	-	429,205
6101	Office Supplies	24	-	6,362	-	-	-	-
6104	Janitorial & Cleaning Supplies	50	-	-	-	-	-	-
6106	Materials and Parts	74,296	65,000	80,000	80,000	-	-	80,000
6107	Clothing and Uniforms	2,037	3,300	3,300	3,300	-	-	3,300
6108	Fuel, Oil and Lubricants	25,234	19,000	22,000	22,000	-	-	22,000
6109	Postage	-	-	-	-	-	-	-
6110	Chemical Supplies	108,098	102,000	102,000	102,000	-	-	102,000
6119	Other Supplies	13,331	12,040	10,000	10,000	-	-	10,000
	TOTAL SUPPLIES	223,071	201,340	223,662	217,300	-	-	217,300
6204	Other Equipment Maintenance	1,020	2,827	4,562	2,900	-	-	2,900
6205	Vehicle Maintenance	1,578	1,800	2,800	1,800	-	-	1,800
6207	System Maintenance	247,200	416,500	167,900	166,500	-	-	166,500
	TOTAL MAINTENANCE	249,798	421,127	175,262	171,200	-	-	171,200
6304	Professional Services-Other	23,365	19,000	19,000	19,000	-	-	19,000
6305	Harris Cty. Reg. Water Authority	1,450,607	1,525,000	1,550,000	1,550,000	-	-	1,550,000
6312	Communication Services	2,147	2,100	2,100	2,100	-	-	2,100
6313	Utilities - Electrical	225,936	250,000	235,000	211,500	-	-	211,500
6316	Printing and Binding	931	1,825	1,825	1,825	-	-	1,825
6329	Other Services	1,500	-	55	-	-	-	-
6332	Travel and Meals	-	100	100	100	-	-	100
6333	Dues and Subscriptions	140	741	750	750	-	-	750
6335	Advertising Cost	352	386	850	850	-	-	850
6336	Equipment Rentals			130	130	-	-	130
6337	Training	2,610	3,500	3,500	3,500	-	-	3,500
6361	Studies and Analysis	5,791	8,600	8,600	8,600	-	-	8,600
6362	Permits and Licenses	14,400	15,000	15,200	15,200	-	-	15,200
	TOTAL SERVICES AND CHARGES	1,727,777	1,826,252	1,837,110	1,813,555	-	-	1,813,555
6403	Machinery and Equipment	-	9,000	8,715	-	-	-	-
6409	System Expansion	850	-	12,000	-	-	-	-
	TOTAL CAPITAL OUTLAY	850	9,000	20,715	-	-	-	-
6998	Transfer to Fleet Replacement	59,200	26,250	26,250	67,190	-	-	67,190
6999	Transfer to Capital Project Fund	(23,148)	153,110	153,110	100,000	-	-	100,000
	TOTAL TRANSFERS	36,052	179,360	179,360	167,190	-	-	167,190
613	**Total Department Expenditures**	2,616,737	3,055,974	2,829,463	2,798,450	-	-	2,798,450

CITY OF TOMBALL
614 - ENTERPRISE FUND - WASTEWATER DEPARTMENT
2014-2015 BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	492,903	534,733	511,133	545,704	-	-	545,704
Supplies	78,652	105,900	125,913	125,900	-	-	125,900
Maintenance	95,453	225,227	656,125	228,477	-	-	228,477
Services and charges	387,895	360,786	356,225	334,180	-	-	334,180
Total Operating	1,054,903	1,226,646	1,649,396	1,234,261	-	-	1,234,261
Capital Outlay	34,984	230,000	50,000	-	-	323,000	323,000
Bad Debt Expense	-	-	-	-	-	-	-
Long Term Debt	-	-	-	-	-	-	-
Transfers	251,559	157,000	157,000	146,000	-	-	146,000
Total Expenses	1,341,447	1,613,646	1,856,396	1,380,261	-	323,000	1,703,261

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Crew Chief	2.00	2.00	2.00	2.00	2.00
Plant Supervisor	1.00	1.00	1.00	1.00	1.00
Plant Operator	2.00	2.00	2.00	2.00	2.00
Technician	1.00	1.00	1.00	1.00	1.00
Serviceman	4.00	4.00	4.00	4.00	4.00
Part Time Laborer*	0.20	0.20	0.20	0.20	0.20
Total	10.20	10.20	10.20	10.20	10.20

* Equivalent of 1 Full Time person using Part Time Summer labor distributed equally to Streets, Parks, Water, Sewer, and Gas Departments.

** One of the utilities serviceperson positions was moved to the Sewer Department beginning in fiscal year 2010.

CITY OF TOMBALL
614 - ENTERPRISE - WASTEWATER DEPARTMENT
2014-2015 BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
6003	Wages - Full Time	317,151	386,446	351,576	398,840	-	-	398,840
6004	Wages - Part Time	3,821	4,635	4,635	4,500	-	-	4,500
6005	Wages - Overtime	17,254	21,012	21,012	20,400	-	-	20,400
6006	Wages - Call Duty	13,765	15,450	15,450	15,000	-	-	15,000
6009	Wages - Other	18,339	-	8,729	-	-	-	-
6011	Vacation Pay	17,592	2,808	9,313	-	-	-	-
6012	Sick Pay	11,013	2,523	3,957	2,429	-	-	2,429
6013	Emergency Pay	1,724	-	413	-	-	-	-
6019	Miscellaneous Pay	2,860	3,110	3,110	3,475	-	-	3,475
6021	Social Security & Medicare Taxes	30,055	33,360	31,713	34,015	-	-	34,015
6022	TMRS Retirement - Employer	53,142	54,880	52,642	59,101	-	-	59,101
6024	Health Insurance	-	-	-	-	-	-	-
6025	Worker Compensation Insurance	5,821	7,944	6,595	7,944	-	-	7,944
6026	State Unemployment Taxes	366	2,565	1,988	-	-	-	-
	TOTAL PERSONNEL SERVICES	492,903	534,733	511,133	545,704	-	-	545,704
6101	Office Supplies	-	100	100	100	-	-	100
6104	Janitorial & Cleaning Supplies	50	-	-	-	-	-	-
6105	Food Supplies	26	-	-	-	-	-	-
6106	Materials and Parts	9,753	9,800	9,800	9,800	-	-	9,800
6107	Clothing and Uniforms	3,399	4,600	4,600	4,600	-	-	4,600
6108	Fuel, Oil and Lubricants	22,608	25,000	25,000	25,000	-	-	25,000
6109	Postage	31	-	13	-	-	-	-
6110	Chemical Supplies	32,656	58,000	78,000	78,000	-	-	78,000
6119	Other Supplies	10,129	8,400	8,400	8,400	-	-	8,400
	TOTAL SUPPLIES	78,652	105,900	125,913	125,900	-	-	125,900
6204	Other Equipment Maintenance	6,415	8,750	12,000	12,000	-	-	12,000
6205	Vehicle Maintenance	5,131	2,500	2,970	2,500	-	-	2,500
6206	Building Maintenance	-	-	-	-	-	-	-
6207	System Maintenance	83,907	213,977	641,155	213,977	-		213,977
	TOTAL MAINTENANCE	95,453	225,227	656,125	228,477	-	-	228,477
6304	Professional Services-Other	12,446	10,000	22,045	10,000	-	-	10,000
6312	Telephone Services	2,434	2,800	2,800	2,800	-	-	2,800
6313	Utilities - Electrical	194,778	210,000	190,000	180,000	-	-	180,000
6329	Other Services	87,242	55,000	55,000	55,000	-	-	55,000
6332	Travel and Meals	-	-	-	-	-	-	-
6333	Dues and Subscriptions	280	880	880	880	-	-	880
6336	Equipment Rentals	97	500	500	500	-	-	500
6337	Training	3,101	3,500	3,000	3,000	-	-	3,000
6361	Studies and Analysis	49,969	43,000	42,000	42,000	-	-	42,000
6362	Permits and Licenses	34,578	35,106	40,000	40,000	-	-	40,000
6389	Contingencies	2,970	-	-	-			-
	TOTAL SERVICES AND CHARGES	387,895	360,786	356,225	334,180	-	-	334,180
6403	Machinery and Equipment	16,645	-	-	-	-	323,000	323,000
6409	System Expansion	18,339	230,000	50,000	-	-	-	-
	TOTAL CAPITAL OUTLAY	34,984	230,000	50,000	-	-	323,000	323,000
6998	Transfer to Fleet Replacement	-			146,000	-	-	146,000
6999	Transfer to Capital Project Fund	251,559	157,000	157,000		-	-	-
	TOTAL TRANSFERS	251,559	157,000	157,000	146,000	-	-	146,000
614	**Total Department Expenditures**	1,341,446	1,613,646	1,856,396	1,380,261	-	323,000	1,703,261

CITY OF TOMBALL
615 - ENTERPRISE FUND - GAS DEPARTMENT
2014-2015 BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	282,634	336,295	299,957	346,000	-	-	346,000
Supplies	1,236,895	2,046,475	1,856,510	2,056,438	-	-	2,056,438
Maintenance	2,388	6,775	5,525	5,525	-	-	5,525
Services and charges	52,045	45,486	46,352	46,152	-	-	46,152
Total Operating	1,573,962	2,435,031	2,208,344	2,454,115	-	-	2,454,115
Capital Outlay	-	-	3,000	-	-	-	-
Transfers	(2,790)	26,250	26,250	31,873	-	-	31,873
Total Expenses	1,571,172	2,461,281	2,237,594	2,485,988	-	-	2,485,988

Staffing	FY2011	FY2012	FY2013	FY2014	FY2015
Foreman	1.00	1.00	1.00	1.00	1.00
Crew Chief	1.00	1.00	1.00	1.00	1.00
Technician	1.00	1.00	1.00	1.00	1.00
Serviceman	3.00	3.00	3.00	3.00	3.00
Part Time Laborer*	0.20	0.20	0.20	0.20	0.20
Total	6.20	6.20	6.20	6.20	6.20

CITY OF TOMBALL
615 - ENTERPRISE - GAS DEPARTMENT
2014-2015 BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
6003	Wages - Full Time	165,068	243,205	203,596	253,552	-	-	253,552
6004	Wages - Part Time	2,174	4,635	4,635	4,500	-	-	4,500
6005	Wages - Overtime	10,285	8,240	8,240	8,000	-	-	8,000
6006	Wages - Call Duty	19,783	15,450	15,450	15,000	-	-	15,000
6009	Wages - Other	10,420	-	4,663	-	-	-	-
6011	Vacation Pay	11,757	1,752	4,879	-	-	-	-
6012	Sick Pay	9,482	730	1,922	498	-	-	498
6013	Emergency Pay	225	-	821	-	-	-	-
6019	Miscellaneous Pay	3,375	2,060	2,060	2,335	-	-	2,335
6020	Volunteers' State Retirement	-	-	-	-	-	-	-
6021	Social Security & Medicare Taxes	17,235	21,124	18,670	21,717	-	-	21,717
6022	TMRS Retirement - Employer	30,561	34,535	30,739	37,515	-	-	37,515
6025	Worker Compensation Insurance	2,058	2,809	2,924	2,883	-	-	2,883
6026	State Unemployment Taxes	211	1,755	1,358	-	-	-	-
	TOTAL PERSONNEL SERVICES	282,634	336,295	299,957	346,000	-	-	346,000
6101	Office Supplies	50	-	160	138	-	-	138
6104	Janitorial & Cleaning Supplies	50	-	-	-	-	-	-
6105	Food Supplies	63	-	50	-	-	-	-
6106	Materials and Parts	74,484	50,000	60,000	60,000	-	-	60,000
6107	Clothing and Uniforms	2,574	3,000	3,000	3,000	-	-	3,000
6108	Fuel, Oil and Lubricants	16,510	15,475	15,000	15,000	-	-	15,000
6109	Postage	-	-	-	-	-	-	-
6110	Chemical Supplies	2,741	2,500	2,800	2,800	-	-	2,800
6119	Other Supplies	8,562	25,500	25,500	25,500	-	-	25,500
6129	Gas Purchases	1,131,861	1,950,000	1,750,000	1,950,000	-	-	1,950,000
	TOTAL SUPPLIES	1,236,895	2,046,475	1,856,510	2,056,438	-	-	2,056,438
6204	Other Equipment Maintenance	443	1,200	1,200	1,200	-	-	1,200
6205	Vehicle Maintenance	1,208	875	875	875	-	-	875
6207	System Maintenance	290	4,000	3,000	3,000	-	-	3,000
6219	Other Maintenance	447	700	450	450	-	-	450
	TOTAL MAINTENANCE	2,388	6,775	5,525	5,525	-	-	5,525
6303	Professional Services-Legal	-	-	-	-	-	-	-
6304	Professional Services-Other	17,612	12,500	12,500	12,500	-	-	12,500
6312	Telephone Services	2,477	2,800	2,800	2,800	-	-	2,800
6313	Utilities - Electrical	2,616	2,000	2,000	1,800	-	-	1,800
6320	Computer Software Service	-	-	-	-	-	-	-
6322	Inspections Services	1,675	4,000	4,000	4,000	-	-	4,000
6329	Other Services	3,116	2,225	3,000	3,000	-	-	3,000
6332	Travel and Training	268	-	-	-	-	-	-
6333	Dues and Subscriptions	2,919	1,250	1,250	1,250	-	-	1,250
6335	Advertising Cost	222	225	225	225	-	-	225
6336	Equipment Rentals	1,125	250	250	250	-	-	250
6337	Training	18,650	18,600	18,000	18,000	-	-	18,000
6362	Permits and Licenses	1,365	1,636	2,327	2,327	-	-	2,327
	TOTAL SERVICES AND CHARGES	52,045	45,486	46,352	46,152	-	-	46,152
6405	Vehicle Equipment	-	-	-	-	-	-	-
6409	System Expansion	-	-	3,000	-	-	-	-
	TOTAL CAPITAL OUTLAY	-	-	3,000	-	-	-	-
6998	Transfer to Fleet Replacement	23,000	26,250	26,250	31,873	-	-	31,873
6999	Transfer to Capital Project Fund	(25,790)	-	-		-	-	-
	TOTAL TRANSFERS	(2,790)	26,250	26,250	31,873	-	-	31,873
615	**Total Department Expenditures**	1,571,172	2,461,281	2,237,594	2,485,988	-	-	2,485,988

CITY OF TOMBALL
616 - ENTERPRISE FUND - PRINCIPAL AND INTEREST
2014-2015 BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Revenue Bonds							
Principal	-	435,000	435,000	455,000	-	-	455,000
Interest	126,473	107,705	107,705	90,568	-	-	90,568
New Debt		-		-	-	-	-
Total Revenue Debt	126,473	542,705	542,705	545,568	-	-	545,568
Certificates							
Principal	-	635,250	635,250	627,000	-	-	627,000
Interest	187,679	147,840	147,840	138,215	-	-	138,215
New Debt		-		-	-	-	-
Total CO Debt	187,679	783,090	783,090	765,215	-	-	765,215
Fiscal fees	7,290	3,735	3,935	3,205	-	-	3,205
Total Expenses	321,442	1,329,530	1,329,730	1,313,988	-	-	1,313,988

City of Tomball
Enterprise Fund
Consolidated Debt Payment Schedule
2014-2015 Annual Budget

Fiscal Year	Principal	Interest	Total
2015	1,082,000	228,783	1,310,783
2016	1,083,250	196,574	1,279,824
2017	1,086,750	162,127	1,248,877
2018	1,100,750	125,401	1,226,151
2019	1,109,750	86,468	1,196,218
2020	563,750	55,605	619,355
2021	558,250	33,165	591,415
2022	550,000	11,000	561,000
Total	$ 7,134,500	$ 899,124	$ 8,033,624

City of Tomball
Water and Sewer System Revenue Bonds, Series 1999
Purpose- Southside Sewer Plant
Issue Date : February 15, 1999

Fiscal Year	Principal	Coupon	Interest	Total P & I
2015	455,000	3.900%	90,568	545,568
2016	470,000	4.000%	72,295	542,295
2017	490,000	4.050%	52,973	542,973
2018	515,000	4.100%	32,492	547,492
2019	535,000	4.100%	10,967	545,967
Total	$ 2,465,000		$ 259,295	$ 2,724,295

City of Tomball
Series 2011 General Obligation Refunding Bonds- Enterprise Portion
$8,650,000 - Tax Supported 45%, Utility System 55%
Issue Date : July 1, 2011

Fiscal Year	Principal	Coupon	Interest	Total P & I
2015	627,000	2.000%	138,215	765,215
2016	613,250	2.500%	124,279	737,529
2017	596,750	2.500%	109,154	705,904
2018	585,750	3.000%	92,909	678,659
2019	574,750	3.000%	75,501	650,251
2020	563,750	4.000%	55,605	619,355
2021	558,250	4.000%	33,165	591,415
2022	550,000	4.000%	11,000	561,000
Total	$ 4,669,500		$ 639,829	$ 5,309,329

City of Tomball
2014-2015 Supplemental Requests - Summary
Enterprise Fund- Proposed

Department	Program & Description	Rank	Recurring Revenue/ Savings	Non-Recur. Revenue/ Savings	Recurring Cost	Non-Recur. Cost	Net Recurring Cost	Net Non-Recur. Cost	Total Cost	EF Acct
614 - Wastewater Department							-	-		
	Back-Up Generator for N. Wastewater Treatment Plant	1				323,000	-	323,000	323,000.00	600.614.6409
Total for Wastewater Department			-	-	-	323,000	-	323,000		
Total Enterprise Fund										
						Total Cost		**323,000.00**		

300 Debt Service Fund

Statement of Revenues, Expenditures, and Changes in Fund Balance

2014-2015 Proposed Budget Worksheet

	FY2013 Actual	FY2014 Current Budget	FY2014 Projections	FY2015 Proposed Budget
Revenues:				
Current taxes	$ 3,092,024	$ 3,030,420	$ 3,350,000	$ 3,350,000
Delinquent taxes	50,042	35,000	35,000	40,000
Penalty and interest	22,350	20,000	15,000	20,000
Interest	2,131	2,500	1,500	1,500
Bond Proceeds	5,770,500	-	-	-
Other	35,627	-	-	-
TEDC Contributions	-	534,816	534,816	524,913
Total Revenues	$ 8,972,674	$ 3,622,736	$ 3,936,316	$ 3,936,413
Expenditures:				
Principal	$ 7,421,497	$ 2,210,330	$ 2,144,750	$ 2,198,000
Interest	933,795	978,957	955,817	883,489
Payoff 2011 Fire Truck Lease	-	-	-	535,464
Lease Payment- Fire Truck	63,149	65,580	65,580	68,104
Fees	128,531	12,000	12,000	17,150
Total Expenditures	$ 8,546,972	$ 3,266,867	$ 3,178,147	$ 3,702,207
Other Sources/(Uses):				
Transfers from General Fund		-	-	535,464
Total Other Sources/(Uses)	-	-	-	535,464
Revenues Over/(Under) Expenditures	$ 425,702	$ 355,869	$ 758,169	$ 769,670
Beginning Fund Balance	$ 1,477,982	$ 1,903,684	$ 1,903,684	$ 2,661,853
Ending Fund Balance	$ 1,903,684	$ 2,259,553	$ 2,661,853	$ 3,431,523
Ending FB as % of Next Year's Debt Service Requirement		61%	72%	93%

City of Tomball
Debt Service Fund
Consolidated Debt Payment Schedule
2014-2015 Annual Budget

Fiscal Year	Principal	Interest	Total
2015	2,801,568	883,489	3,685,057
2016	2,287,574	810,550	3,098,124
2017	2,321,482	759,787	3,081,269
2018	2,349,972	706,266	3,056,238
2019	2,093,547	653,956	2,747,503
2020	2,122,209	601,902	2,724,111
2021	2,155,461	545,933	2,701,394
2022	2,191,557	488,362	2,679,919
2023	1,794,501	438,094	2,232,595
2024	1,253,093	399,303	1,652,396
2025	1,195,000	362,363	1,557,363
2026	1,230,000	326,113	1,556,113
2027	1,270,000	287,113	1,557,113
2028	1,310,000	244,663	1,554,663
2029	1,355,000	199,113	1,554,113
2030	1,395,000	150,844	1,545,844
2031	1,445,000	99,103	1,544,103
2032	1,500,000	44,184	1,544,184
2033	540,000	8,100	548,100
Total	$ 32,610,964	$ 8,009,236	$ 40,620,200

City of Tomball
Combination Tax and Revenue Certificates of Obligation, Series 2010, Refunding Bonds
Purpose- Street Improvements
$2,210,000 - Tax Supported
Issue Date: August 15, 2010

Fiscal Year	Principal	Coupon	Interest	Total P & I
2015	270,000	2.000%	19,970	289,970
2016	270,000	2.000%	14,570	284,570
2017	280,000	2.000%	9,070	289,070
2018	285,000	2.200%	3,135	288,135
Total	$ 1,105,000		$ 46,745	$ 1,151,745

Debt refunded August 31, 2010

City of Tomball
Series 2011 General Obligation Refunding Bonds
$8,650,000 - Tax Supported 45%, Utility System 55%
Issue Date : July 1, 2011

Fiscal Year	Principal	Coupon	Interest	Total P & I
2015	513,000	2.000%	113,085	626,085
2016	501,750	2.500%	101,683	603,433
2017	488,250	2.500%	89,308	577,558
2018	479,250	3.000%	76,016	555,266
2019	470,250	3.000%	61,774	532,024
2020	461,250	4.000%	45,495	506,745
2021	456,750	4.000%	27,135	483,885
2022	450,000	4.000%	9,000	459,000
Total	$ 3,820,500		$ 523,496	$ 4,343,996

City of Tomball
2011 Lease Purchase- Pierce Velocity PUC Fire Truck
Issue Date : July 1, 2011

Fiscal Year	Principal	Interest	Total P & I
2015	535,464	20,615	556,079
Total	$ 535,464	$ 20,615	$ 556,079

All payments due April 20th of each year. Original final lease payment due date FY 2021. Proposed budget includes early payoff of lease in FY 2015.

City of Tomball
2015 Lease Purchase- Pierce Velocity Fire Truck (Proposed)
Issue Date : TBD

Fiscal Year	Principal	Interest	Total P & I
2015	68,104	27,200	95,304
2016	70,824	24,884	95,708
2017	73,232	22,476	95,708
2018	75,722	19,987	95,709
2019	78,297	17,412	95,709
2020	80,959	14,750	95,709
2021	83,711	11,997	95,708
2022	86,557	9,151	95,708
2023	89,501	6,208	95,709
2024	93,093	3,165	96,258
Total	$ 800,000	$ 157,230	$ 957,230

City of Tomball
Tax Certificates of Obligation, Series 2012
$14,500,000 - Tax Supported 100%
Issue Date : January 1, 2012
Closing Date: January 5, 2012
Medical Complex Drive; M121 West Drainage Project

Fiscal Year	Principal	Coupon	Interest	Total P & I
2015	585,000	4.250%	459,819	1,044,819
2016	595,000	3.000%	438,463	1,033,463
2017	610,000	3.000%	420,388	1,030,388
2018	620,000	3.000%	401,938	1,021,938
2019	635,000	3.000%	383,113	1,018,113
2020	650,000	3.000%	363,838	1,013,838
2021	670,000	3.000%	344,038	1,014,038
2022	690,000	3.000%	323,638	1,013,638
2023	710,000	3.000%	302,638	1,012,638
2024	730,000	3.250%	280,125	1,010,125
2025	755,000	3.500%	255,050	1,010,050
2026	780,000	3.625%	227,700	1,007,700
2027	810,000	3.750%	198,375	1,008,375
2028	840,000	4.000%	166,388	1,006,388
2029	870,000	4.000%	132,188	1,002,188
2030	900,000	4.000%	96,788	996,788
2031	935,000	4.125%	59,503	994,503
2032	975,000	4.125%	20,109	995,109
Total	$ 13,360,000		$ 4,874,094	$ 18,234,094

City of Tomball
General Obligation Refunding Bonds, Series 2013
$6,370,000 - Tax Supported 90.59%, Utility System 9.41%*
Issue Date : January 1, 2013
Closing Date: January 17, 2013
Refunded Series 2002 Certificates of Obligation (Unrefunded portion of original issue)
and Series 2003 Certificates of Obligation

Fiscal Year	Principal	Coupon	Interest	Total P & I
2015	490,000	1.000%	57,887.50	547,888
2016	500,000	1.000%	52,937.50	552,938
2017	510,000	1.100%	47,632.50	557,633
2018	520,000	1.250%	41,577.50	561,578
2019	530,000	1.050%	35,545.00	565,545
2020	545,000	1.250%	29,356.25	574,356
2021	550,000	1.400%	22,100.00	572,100
2022	560,000	1.550%	13,910.00	573,910
2023	580,000	1.650%	4,785.00	584,785
Total	$ 4,785,000		$ 305,731	$ 5,090,731

*Tax supported 100% 2015 to 2023

City of Tomball
Tax Certificates of Obligation, Series 2013
$ 8,500,000 - Tax Supported 100%
Issue Date : May 15, 2013
Sale Date: May 23, 2013
Business Park

Fiscal Year	Principal	Coupon	Interest	Total P & I
2015	340,000	2.000%	184,913	524,913
2016	350,000	2.000%	178,013	528,013
2017	360,000	2.000%	170,913	530,913
2018	370,000	2.000%	163,613	533,613
2019	380,000	2.000%	156,113	536,113
2020	385,000	2.000%	148,463	533,463
2021	395,000	2.000%	140,663	535,663
2022	405,000	2.000%	132,663	537,663
2023	415,000	2.000%	124,463	539,463
2024	430,000	2.000%	116,013	546,013
2025	440,000	2.000%	107,313	547,313
2026	450,000	2.000%	98,413	548,413
2027	460,000	2.250%	88,738	548,738
2028	470,000	2.250%	78,275	548,275
2029	485,000	2.500%	66,925	551,925
2030	495,000	2.750%	54,056	549,056
2031	510,000	3.000%	39,600	549,600
2032	525,000	3.000%	24,075	549,075
2033	540,000	3.000%	8,100	548,100
Total	$ 8,205,000		$ 2,081,325	$ 10,286,325

Special Revenue Funds

Statement of Revenues, Expenditures and Changes in Fund Balance

2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Base Budget	FY 2015 Recurring Supplemental	FY 2015 Non Recur. Supplemental	FY 2015 Proposed Budget
Revenues:							
Occupancy Tax	$ 375,482	$ 390,000	$ 425,000	$ 465,000			$ 465,000
Fines and Warrants	240,105	310,000	184,000	185,000			185,000
Grants	559,994	632,000	632,000	81,570			81,570
Interest	1,766	2,150	780	850			850
General Special	17,735	13,000	18,500	18,000			18,000
Miscellanous Income	8,072	10,000	10,000	10,000			10,000
Event Revenue	34,866	34,250	15,841	42,000			42,000
TEDC Contributions	-	-	-	-			-
Transfers and Other	10,000	47,373	85,375	20,000			20,000
Total	$ 1,248,019	$ 1,438,772	$ 1,371,495	$ 822,419	$ -	$ -	$ 822,419
Expenditures:							
General Special	$ 12,163	$ 40,000	$ 26,000	$ 36,000			$ 36,000
Senior Housing	-	-	-	-			-
Court Building Security	-	1,000	1,000	1,000			1,000
Court Building Technology	12,896	1,500	1,500	9,400			9,400
Hotel Occupancy	407,503	486,364	519,663	539,877			539,877
Red Light Cameras	482,364	348,520	388,697	195,446	-	-	195,446
DA Grant	440	-	-	-			-
SAFER Grant	588,670	673,709	688,740	81,570			81,570
Department of Justice Grant	-	-	-	-			-
Fun Runs	8,089	8,000	11,504	15,250			15,250
Total	$ 1,512,127	$ 1,559,095	$ 1,637,106	$ 878,543	$ -	$ -	$ 878,543
Revenues Over (Under) Expenditures	$ (264,108)	$ (120,323)	$ (265,611)	$ (56,124)	$ -	$ -	$ (56,124)
Beginning Fund Balance	$ 1,459,600	$ 1,195,492	$ 1,195,492	$ 929,881			$ 929,881
Ending Fund Balance	$ 1,195,492	$ 1,075,169	$ 929,881	$ 873,757			$ 873,757

200 - General Special Revenue Fund

Statement of Revenues, Expenditures and Changes in Fund Balance

2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Budget	FY 2015 Recurring Supplemental	FY 2015 Non Recur. Supplemental	FY 2015 Proposed Budget
Revenues:							
Abandoned Vehicles			$ -	$ -	$ -	$ -	$ -
Seized Funds	5,224	-	6,000	5,000	-	-	$ 5,000
Child Safety	12,511	13,000	12,500	13,000	-	-	$ 13,000
Interest	172	200	60	50	-	-	$ 50
Other			-	-	-	-	$ -
Total	$ 17,907	$ 13,200	$ 18,560	$ 18,050	$ -	$ -	$ 18,050
Expenditures:							
Supplies	$ 3,607	$ 25,000	$ 16,000	$ 21,000	$ -	$ -	$ 21,000
Communication Services	-	-	-	-			$ -
Child Safety Education	8,556	15,000	10,000	15,000			$ 15,000
Capital*			-	-			$ -
Total	$ 12,163	$ 40,000	$ 26,000	$ 36,000	$ -	$ -	$ 36,000
Revenues Over (Under) Expenditures	$ 5,744	$ (26,800)	$ (7,440)	$ (17,950)	$ -	$ -	$ (17,950)
Beginning Fund Balance	$ 130,290	$ 136,034	$ 136,034	$ 128,594			$ 128,594
Ending Fund Balance	$ 136,034	$ 109,234	$ 128,594	$ 110,644			$ 110,644

Fund Description

The General Special Revenue fund accounts for Police forfeiture funds and Child Safety fees. Forfeiture funds are awards of monies or property by the courts related to cases that involve the Tomball Police Department. According to Chapter 59, Article 6, Paragraph (d) of the Code of Criminal Procedure, "Proceeds awarded under this chapter to a law enforcement agency may be spent by the agency after a budget for the expenditures of the proceeds has been submitted to the governing body of the municipality." Child Safety Fees are received through the Harris County Tax Assessor/Collector. These fees represent a portion of each citation written by the Tomball Police Department. The State of Texas allocates a percentage of each court fee to the Child Safety Program and is remitted back to the municipality to be used for educational material for children, coloring books, pencils, goody bags, etc and are distributed at various community events each year.

290 - Tomball Fun Runs Fund

Statement of Revenues, Expenditures and Changes in Fund Balance

2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Base Budget	FY 2015 Recurring Supplemental	FY 2015 Non Recur. Supplemental	FY 2015 Proposed Budget
Revenues:							
Event Revenue	$ 12,210	$ 9,250	$ 15,841	$ 17,000			$ 17,000
Interest	1	-	-	-			$ -
Transfers In	-	-	-	-			$ -
Total	$ 12,211	$ 9,250	$ 15,841	$ 17,000	$ -	$ -	$ 17,000
Expenditures:							
Supplies	$ 5,724	$ 6,000	$ 8,498	$ 9,000			$ 9,000
Maintenance	-	-	-	-			$ -
Services and Charges	2,365	2,000	3,006	6,250			$ 6,250
Capital	-	-	-	-			$ -
Total	$ 8,089	$ 8,000	$ 11,504	$ 15,250	$ -	$ -	$ 15,250
Revenues Over (Under) Expenditures	$ 4,122	$ 1,250	$ 4,337	$ 1,750			$ 1,750
Beginning Fund Balance	$ 3,280	$ 7,402	$ 7,402	$ 11,739			$ 11,739
Ending Fund Balance	$ 7,402	$ 8,652	$ 11,739	$ 13,489	$ -	$ -	$ 13,489

Fund Description

In 2009, various Fun Runs were scheduled to encourage residents of all ages to get out in the community and get fit. Net proceeds of these events are to be used for future fun runs or for improvements to the Depot and Downtown Tomball area.

285 - SAFER Grant Fund

Statement of Revenues, Expenditures and Changes in Fund Balance

2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Base Budget	FY 2015 Recurring Supplemental	FY 2015 Non Recur. Supplemental	FY 2015 Proposed Budget
Revenues:							
Grant Revenues	$ 560,035	$ 632,000	$ 632,000	$ 81,570			$ 81,570
Transfer from General Fund	$ 10,000	$ 37,373	75,375	-			$ -
Interest		-	-	-			-
Total	$ 570,035	$ 669,373	$ 707,375	$ 81,570	$ -	$ -	$ 81,570
Expenditures:							
Personnel	$ 491,159	$ 562,760	$ 577,791	$ -			$ -
Supplies	-	-	-	-			-
Maintenance	-	-	-	-			-
Services and Charges	-	-	-	-			-
Capital	-	-	-	-			-
Transfer to General Fund	$ -	$ -	$ -	$ 81,570			$ 81,570
Transfer to Employee Benefits Trust	97,511	110,949	110,949	-			-
Total	$ 588,670	$ 673,709	$ 688,740	$ 81,570	$ -	$ -	$ 81,570
Revenues Over (Under) Expenditures	$ (18,635)	$ (4,336)	$ 18,635	$ -			$ -
Beginning Fund Balance	$ -	$ (18,635)	$ (18,635)	$ -			$ -
Ending Fund Balance	$ (18,635)	$ (22,971)	$ -	$ -	$ -	$ -	$ -

Fund Description

The grant award, to the Tomball Fire Department, is for $1,244,952 which will provide funding for two full years for the cost of the nine personnel hired. It is anticipated that the costs will be allocated approximately $613,000 the first year and $632,000 the second year.

220 - Municipal Court Building Security Fund

Statement of Revenues, Expenditures and Changes in Fund Balance

2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Base Budget	FY 2015 Recurring Supplemental	FY 2015 Non Recur. Supplemental	FY 2015 Proposed Budget
Revenues:							
Fines and Warrants	$ 23,249	$ 25,000	$ 20,000	$ 20,000			$ 20,000
Interest	250	300	100	100			$ 100
Transfers In							$ -
Total	$ 23,499	$ 25,300	$ 20,100	$ 20,100	$ -	$ -	$ 20,100
Expenditures:							
Personnel	$ -	$ -	$ -	$ -			$ -
Supplies	-	1,000	1,000	1,000			$ 1,000
Maintenance	-	-	-	-			$ -
Services and Charges		-	-	-			$ -
Capital		-	-	-			$ -
Total	$ -	$ 1,000	$ 1,000	$ 1,000	$ -	$ -	$ 1,000
Revenues Over (Under) Expenditures	$ 23,499	$ 24,300	$ 19,100	$ 19,100			$ 19,100
Beginning Fund Balance	$ 185,301	$ 208,800	$ 208,800	$ 227,900			$ 227,900
Ending Fund Balance	$ 208,800	$ 233,100	$ 227,900	$ 247,000			$ 247,000

Fund Description

In prior years, the General Fund accounted for the City's court building security fees. In order to more accurately account for these funds, in FY 2006-07, the City created the Municipal Court Building Security Fee fund. These fees are generated from court fines. By law, these funds can only be spent on the City's municipal court.

230 - Municipal Court Technology Fund

Statement of Revenues, Expenditures and Changes in Fund Balance

2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Base Budget	FY 2015 Recurring Supplemental	FY 2015 Non Recur. Supplemental	FY 2015 Proposed Budget
Revenues:							
Fines and Warrants	$ 30,991	$ 35,000	$ 24,000	$ 25,000	$ -	$ -	$ 25,000
Interest	257	400	120	150	-	-	$ 150
Transfers In		-	-	-	-	-	-
Total	$ 31,248	$ 35,400	$ 24,120	$ 25,150	$ -	$ -	$ 25,150
Expenditures:							
Supplies	$ 573	$ -		$ 7,900	$ -	$ -	$ 7,900
Maintenance		-	-	-	-	-	-
Services and Charges	12,323	1,500	1,500	1,500	-	-	1,500
Capital		-	-	-	-	-	-
Total	$ 12,896	$ 1,500	$ 1,500	$ 9,400	$ -	$ -	$ 9,400
Revenues Over (Under) Expenditures	$ 18,352	$ 33,900	$ 22,620	$ 15,750	$ -	$ -	$ 15,750
Beginning Fund Balance	$ 229,265	$ 247,617	$ 247,617	$ 270,237			$ 270,237
Ending Fund Balance	$ 247,617	$ 281,517	$ 270,237	$ 285,987			$ 285,987

Fund Description

In prior years, the General Fund accounted for the City's court technology fees. In order to more accurately account for these funds, in FY 2006-07, the City created the Municipal Court Technology Fund These fees are generated from court fines. By law, these funds can only be spent on the City's municipal court.

240 - Hotel Occupancy Tax Fund

Statement of Revenues, Expenditures and Changes in Fund Balance

2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Base Budget	FY 2015 Recurring Supplemental	FY 2015 Non Recur. Supplemental	FY 2015 Proposed Budget
Revenues:							
Occupancy Tax	$ 375,482	$ 390,000	$ 425,000	465,000	$ -	$ -	$ 465,000
Miscellaneous Income	8,072	10,000	10,000	10,000	-	-	$ 10,000
Event Revenue	22,656	25,000	-	25,000	-	-	$ 25,000
TEDC Contributions	-	-	-	-	-	-	$ -
Interest	350	500	200	250	-	-	$ 250
Transfers In	-	10,000	10,000	20,000	-	-	$ 20,000
Total	$ 406,560	$ 435,500	$ 445,200	$ 520,250	$ -	$ -	$ 520,250
Expenditures:							
Grants	164,376	161,300	201,000	175,000	-	-	175,000
Second Saturday Events	62,613	77,689	72,470	88,039	-	-	88,039
Tourism	171,331	230,039	228,857	258,306	-	-	258,306
Transfer to Employee Benefits Trust Fund	9,183	17,336	17,336	18,532	-	-	18,532
Total	$ 407,503	$ 486,364	$ 519,663	$ 539,877	$ -	$ -	$ 539,877
Revenues Over (Under) Expenditures	$ (942)	$ (50,864)	$ (74,463)	$ (19,627)	$ -	$ -	$ (19,627)
Beginning Fund Balance	$ 292,609	$ 291,667	$ 291,667	$ 217,204			$ 217,204
Ending Fund Balance	$ 291,667	$ 240,803	$ 217,204	$ 197,577			$ 197,577
25% of Operating Expenses - Target		50%	42%	37%			37%

Fund Description

The Hotel Occupancy Tax Fund accounts for revenues received from hotel occupancy taxes. By state statute, cities with populations of less than 125,000 must spend at least 1% of hotel tax revenues on advertising, no more than 15% on the encouragement, promotion, improvement, and application of the arts and a maximum of 50% on historical preservation. Hotels submit quarterly to the City an occupancy tax based upon 7% of total room receipts. Compliance with the provisions of the state statues is monitored by the City administration on a continuing basis.

CITY OF TOMBALL
240 - HOTEL OCCUPANCY TAX - HOT (GRANTS)
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Supplies	-	300	-	-	-	-	-
Services and charges	164,377	161,000	201,000	175,000	-	-	175,000
Total Operating Expenditures	164,377	161,300	201,000	175,000	-	-	175,000
Total Expenditures	164,377	161,300	201,000	175,000	-	-	175,000

CITY OF TOMBALL
240 - HOTEL OCCUPANCY TAX - HOT (GRANTS)
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6101	Office Supplies		300	-	-	-	-	-
	TOTAL SUPPLIES		300	-	-	-	-	-
6301	Professional Services-Audit & Acct.	-	-	8,000	4,000			4,000
6351	Tomball Chamber of Commerce	35,000	35,000	35,000	35,000	-	-	35,000
6352	Spring Creek Historical Society	30,000	30,000	40,000	-	-	-	-
6353	The Regional Arts Council	11,000	11,000	11,000	-	-	-	-
6356	Tomball Sister City Organization	75,042	65,000	87,000	65,000	-	-	65,000
6358	Other-Tourism Expenditures	135	-	-	-	-	-	-
6359	Grants	13,200	20,000	20,000	71,000	-	-	71,000
6360	Main Street Advertising	-	-	-	-	-	-	-
	TOTAL SERVICES AND CHARGES	164,377	161,000	201,000	175,000	-	-	175,000
240	**Total Department Expenditures**	164,377	161,300	201,000	175,000	-	-	175,000

CITY OF TOMBALL
240- HOTEL OCCUPANCY TAX-2ND SATURDAY
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	36,164	40,671	39,752	42,621	-	-	42,621
Supplies	6,372	8,900	9,100	11,100	-	-	11,100
Services and charges	20,077	28,118	23,618	34,318	-	-	34,318
Total Operating Expenditures	62,613	77,689	72,470	88,039	-	-	88,039
Transfers	-	8,668	8,668	9,244	-	-	9,244
Total Expenditures	62,613	86,357	81,138	97,283	-	-	97,283

Staffing	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Community Events Coordinator	0.50	0.50	1.00	1.00	1.00
Total	0.50	0.50	1.00	1.00	1.00

CITY OF TOMBALL
240.241-HOTEL OCCUPANCY TAX-2ND SATURDAY
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	28,548	32,115	30,709	33,904	-	-	33,904
6003	Wages - Full Time	-	-	-	-	-	-	-
6004	Wages - Part Time	-	-	-	-	-	-	-
6005	Wages - Overtime	-	-	-	-	-	-	-
6009	Wages - Other	787	-	988	-	-	-	-
6011	Vacation Pay	-	334	494	-	-	-	-
6012	Sick Pay		-	-	522	-	-	522
6019	Miscellaneous Pay	-	75	75	135	-	-	135
6021	Social Security & Medicare Taxes	2,410	2,804	2,665	2,886	-	-	2,886
6022	TMRS Retirement - Employer	4,333	4,968	4,514	5,066	-	-	5,066
6025	Worker Compensation Insurance	77	105	100	108	-	-	108
6026	State Unemployment Taxes	9	270	207	-	-	-	-
	TOTAL PERSONNEL SERVICES	36,164	40,671	39,752	42,621	-	-	42,621
6101	Office Supplies	1,127	1,000	1,000	1,250	-	-	1,250
6105	Food Supplies	293	600	600	800	-	-	800
6119	Other Supplies	4,935	7,000	7,000	8,250	-	-	8,250
6130	Furniture <$20,000	17	300	500	800	-	-	800
	TOTAL SUPPLIES	6,372	8,900	9,100	11,100	-	-	11,100
6304	Professional Services-Other	1,165	2,200	1,200	4,000	-	-	4,000
6312	Communications Services	768	768	768	768	-	-	768
6327	Garbage Services	1,290	1,750	750	650	-	-	650
6329	Other Services	2,550	5,000	4,000	8,000	-	-	8,000
6334	Automobile Allowance	2,400	2,400	2,400	2,400	-	-	2,400
6335	Advertising Cost	5,319	5,000	5,000	6,500	-	-	6,500
6336	Equipment Rentals	100	4,500	3,000	4,500	-	-	4,500
6358	Other Tourism Expenditures	6,485	6,500	6,500	7,500	-	-	7,500
	TOTAL SERVICES AND CHARGES	20,077	28,118	23,618	34,318	-	-	34,318
6692	Transfer to Employee Benefits	-	8,668	8,668	9,244			9,244
	TOTAL TRANSFERS	-	8,668	8,668	9,244	-	-	9,244
241	**Total Department Expenditures**	62,613	86,357	81,138	97,283	-	-	97,283

CITY OF TOMBALL
240.243-HOTEL OCCUPANCY TAX-VISITORS/CONVENTION
2014-2015 PROPOSED BUDGET WORKSHEET

	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recur.	FY2015 Proposed Budget
Personnel services	73,708	83,571	82,389	97,238	-	-	97,238
Supplies	4,718	7,300	7,300	7,800	-	-	7,800
Services and charges	92,905	139,168	139,168	153,268	-	-	153,268
Total Operating Expenditures	171,331	230,039	228,857	258,306	-	-	258,306
Transfers	9,183	8,668	8,668	9,288	-	-	9,288
Total Expenditures	180,514	238,707	237,525	267,594	-	-	267,594

Staffing	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Marketing Director	0.00	1.00	1.00	1.00	1.00
Total	0.00	1.00	1.00	1.00	1.00

CITY OF TOMBALL
240.243-HOTEL OCCUPANCY TAX-VISITORS/CONVENTION
2014-2015 PROPOSED BUDGET WORKSHEET

ACCT	ACCOUNT NAME	FY2013 Actual	FY2014 Budget	FY2014 Projections	FY2015 Base	Recurring	Non-Recurring	FY2015 Proposed Budget
6001	Salaries - Administrative	56,555	65,853	62,191	77,834	-	-	77,834
6009	Wages - Other	2,020	-	1,266	-	-	-	-
6011	Vacation Pay	263	783	2,280	-	-	-	-
6012	Sick Pay	898	1,044	1,266	1,198	-	-	1,198
6019	Miscellaneous Pay	100	160	160	220	-	-	220
6021	Social Security & Medicare Taxes	5,018	5,767	5,605	6,489	-	-	6,489
6022	TMRS Retirement - Employer	8,768	9,589	9,314	11,389	-	-	11,389
6025	Worker Compensation Insurance	77	105	100	108	-	-	108
6026	State Unemployment Taxes	9	270	207	-	-	-	-
	TOTAL PERSONNEL SERVICES	73,708	83,571	82,389	97,238	-	-	97,238
6101	Office Supplies	352	500	500	1,000	-	-	1,000
6105	Food Supplies	-	1,000	1,000	1,000	-	-	1,000
6107	Clothing and Uniforms	25	300	300	300	-	-	300
6109	Postage	27	-	-	-	-	-	-
6119	Other Supplies	4,314	5,500	5,500	5,500	-	-	5,500
	TOTAL SUPPLIES	4,718	7,300	7,300	7,800	-	-	7,800
6304	Professional Services-Other	15,975	35,500	35,500	43,000	-	-	43,000
6312	Communications Services	768	768	768	768	-	-	768
6327	Garbage Services	-	3,200	3,200	2,500	-	-	2,500
6329	Other Services	898	5,000	5,000	7,500	-	-	7,500
6332	Travel and Meals	1,806	2,800	2,800	2,800	-	-	2,800
6333	Dues and Subscriptions	934	1,000	1,000	1,000	-	-	1,000
6334	Automobile Allowance	4,800	4,800	4,800	4,800	-	-	4,800
6335	Advertising Cost	25,003	45,500	45,500	45,500	-	-	45,500
6336	Equipment Rentals	24,035	37,200	37,200	42,000	-	-	42,000
6337	Training	-	1,400	1,400	1,400	-	-	1,400
6358	Other Tourism Expenditures	18,686	2,000	2,000	2,000	-	-	2,000
	TOTAL SERVICES AND CHARGES	92,905	139,168	139,168	153,268	-	-	153,268
6692	Transfer to Employee Benefits	9,183	8,668	8,668	9,288			9,288
	TOTAL TRANSFERS	9,183	8,668	8,668	9,288	-	-	9,288
243	**Total Department Expenditures**	180,514	238,707	237,525	267,594	-	-	267,594

250 - Red Light Camera Program Fund

Statement of Revenues, Expenditures and Changes in Fund Balance

2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Base Budget	FY 2015 Recurring Supplemental	FY 2015 Non Recur. Supplemental	FY 2015 Proposed Budget
Revenues:							
Fines and Warrants	$ 185,865	$ 250,000	$ 140,000	$ 140,000	-		$ 140,000
Interest	736	750	300	300	-		300
Other Grants	-	-	-	-	-		-
Total	$ 186,601	$ 250,750	$ 140,300	$ 140,300	$ -	$ -	$ 140,300
Expenditures:							
Personnel Costs	37,684	$ 61,520	60,697	65,446	-	-	65,446
Supplies	96,814	90,000	81,000	65,000	-	-	65,000
Maintenance	-	-	-	-	-	-	-
Services and Charges	25,747	47,000	45,000	45,000	-	-	45,000
Capital	22,118	0	52,000	-	-	-	-
Transfer to Veh. Repl. Fund	-	50,000	50,000	20,000			20,000
Transfer to Capital Projects Fund	300,000	100,000	100,000	-		-	-
Total	$ 482,364	$ 348,520	$ 388,697	$ 195,446	$ -	$ -	$ 195,446
Revenues Over (Under) Expenditures	$ (295,764)	$ (97,770)	$ (248,397)	$ (55,146)	$ -	$ -	$ (55,146)
Beginning Fund Balance	$ 618,374	$ 322,609	$ 322,609	$ 74,212			$ 74,212
Ending Fund Balance	$ 322,609	$ 224,839	$ 74,212	$ 19,066			$ 19,066

Fund Description

Automated red light photo enforcement cameras were setup during FY 2008. Four intersections were selected for this initiative with a goal of reducing the number of injury accidents caused by "red light running". By law, the use of the revenues is limited to traffic safety programs, including pedestrian safety programs, public safety programs, intersection improvements, and traffic enforcement.

City of Tomball
650-Internal Service Funds - General Fund Fleet Replacement
2014-2015 City Manager Proposed Budget

	FY 2013 Budget	FY 2014 Budget	FY 2014 Projections	FY 2015 Proposed	Recurring Supplemental	Non-Recur. Supplemental	FY 2015 Total Proposed Budget
Revenues:							
Transfers	$ 234,500	$ 593,802	$ 593,802	$ 502,247		$ -	$ 502,247
Other	13,054	-	-	-			-
Interest	1,441	1,200	700	-			-
Total	$ 248,995	$ 595,002	$ 594,502	$ 502,247	$ -	$ -	$ 502,247
Expenditures:							
Capital Outlay	$ 141,206	$ 393,802	$ 382,242	$ 502,247		$ -	$ 502,247
Total	$ 141,206	$ 393,802	$ 382,242	$ 502,247	-	$ -	$ 502,247
Revenues Over (Under) Expenditures	$ 107,789	$ 201,200	$ 212,260	$ -	$ -	$ -	$ -
Beginning Fund Balance	$ 1,493,696	$ 1,601,485	$ 1,601,485	$ 1,813,745			$ 1,813,745
Ending Fund Balance	$ 1,601,485	$ 1,802,685	$ 1,813,745	$ 1,813,745	$ -	$ -	1,813,745

City of Tomball
650-Internal Service Funds - Enterprise Fund Fleet Replacement
2014-2015 City Manager Proposed Budget

	FY 2013 Budget	FY 2014 Budget	FY 2014 Projections	FY 2015 Proposed	Recurring Supplemental	Non-Recur. Supplemental	FY 2015 Total Proposed Budget
Revenues:							
Transfers	$ 82,200	$ 102,500	$ 102,500	$ 245,063	-	-	$ 245,063
Interest	-	-	-	-	-	-	-
Total	$ 82,200	$ 102,500	$ 102,500	$ 245,063	-	-	245,063
Expenditures:							
Capital Outlay	$ 46,365	$ 52,500	$ 52,500	$ 245,063	-	-	245,063
Total	$ 46,365	$ 52,500	$ 52,500	$ 245,063	-	-	245,063
Revenues Over (Under) Expenditures	$ 35,835	$ 50,000	$ 50,000	$ -	-	-	-
Beginning Fund Balance	$ 331,289	$ 367,124	$ 367,124	$ 417,124	-	-	417,124
Ending Fund Balance	$ 367,124	$ 417,124	$ 417,124	$ 417,124	-	-	417,124

City of Tomball
650-Internal Service Funds - Special Revenue Fund Fleet Replacement
2014-2015 City Manager Proposed Budget

	FY 2013 Budget	FY 2014 Budget	FY 2014 Projections	FY 2015 Proposed	Recurring Supplemental	Non-Recur. Supplemental	FY 2015 Total Proposed Budget
Revenues:							
Transfers	$ -	$ 50,000	$ 50,000	$ 20,000	-	-	$ 20,000
Other	$ -	$ -	$ 65,000				
Interest	-	-	-	-	-	-	-
Total	$ -	$ 50,000	$ 115,000	$ 20,000	-	-	$ 20,000
Expenditures:							
Capital Outlay	$ -	$ -	$ 84,408	$ -	-	-	-
Total	$ -	$ -	$ 84,408	$ -	-	-	-
Revenues Over (Under) Expenditures	$ -	$ 50,000	$ 30,592	$ 20,000	-	-	$ 20,000
Beginning Fund Balance	$ -	$ -	$ -	$ 30,592	-	-	30,592
Ending Fund Balance	$ -	$ 50,000	$ 30,592	$ 50,592	-	-	$ 50,592

CITY OF TOMBALL
2014-2015 ANNUAL BUDGET
FLEET REPLACEMENT FUND
VEHICLES EQUIPMENT SCHEDULE FOR REPLACEMENT

DEPARTMENT	UNIT NO	CURRENT VEHICLE/EQUIPMENT	REPLACEMENT/NEW VEHICLE/EQUIPMENT	REPLACEMENT COST
141-Fire Marshal	504	2009 Chevy Tahoe	2015 Chevy Tahoe-Police Package Vehicle	29,522
154-Street Department	G27	2005 Chevy 1500 Truck	2015 Chevy 2500 Crew Cab Truck	28,784
154-Street Department	GE43	2009 John Deere 4x2 TS Gator	New John Deere 4x2 TS Gato	10,000
154-Street Department	GE31	2005 John Deere Sidewinder	Kubota M108SDSC 4WD Cab Tractor	120,000
154-Street Department	New		Takeuchi TB235R Mini Excavator	39,500
112-Building Inspections	AD11	2007 Chevy 1500 Truck	2015 Chevy 2500 Ext Cab Truck	25,723
121-Police Department	Shop 24	2011 Chevy Tahoe	2015 Chevy Tahoe-Police Package Vehicle	29,522
121-Police Department	Shop 27	2011 Tahoe	2015 Chevy Tahoe-Police Package Vehicle	29,522
121-Police Department	Shop 1	2009 Tahoe	2015 Chevy Tahoe-Civilian Package Vehicle	32,980
121-Police Department	Shop 4	2006 Dodge Charger	2015 Ford Interceptor Sport Utility	26,073
121-Police Department	Shop 33	2010 Crown Vic	2015 Ford Interceptor Sport Utility	26,073
121-Police Department	Shop 36	2010 Crown Vic	2015 Ford Interceptor Sport Utility	26,073
121-Police Department	Shop 14	2006 Ford F150 Truck	2014 Ford F150 Truck	24,771
121-Police Department	Shop 21	2001 Chevy Van	2015 Chevy Van 12-16 passenger with no seats. Insert will be part of upfit for this van.	25,935
121-Police Department	Shop 22	1999 Ford Van	2015 Chevy Van 15 passenge	27,769
				502,247
613-Water	U24	2004 Chevy 1500 Ext Cab Truck	2015 Chevy 2500 Crew Cab Truck w/utility bed	33,595
613-Water	U28	2006 Chevy 2500 Crew Cab	2015 Chevy 2500 Crew Cab Truck w/utility bed	33,595
614-Sewer	UE20	2004 John Deere Excavator 80C	2014 John Deere Track-Hoe	146,000
615-Gas	U26	2004 Chevy 2500 Crew Cab	2015 Chevy 2500 Ext Cab Truck w/utility bed	31,873
				245,063
				747,311

City of Tomball
910 Employee Benefit Trust Fund
2014-2015 City Manager Proposed Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projected	FY 2015 Proposed
Revenues:				
Transfers	2,091,322	2,176,583	2,176,583	2,376,960
Interest	523	200	210	200
Total	2,091,845	2,176,783	2,176,793	2,377,160
Expenditures:				
Health Insurance Costs	1,915,643	2,146,299	2,010,673	2,331,600
Services and Charges	44,226	44,586	43,492	45,360
Total	1,959,869	2,190,885	2,054,165	2,376,960
Revenues Over (Under) Expenditures	131,976	(14,102)	122,628	200
Beginning Fund Balance	638,781	770,757	770,757	893,385
Ending Fund Balance	770,757	756,655	893,385	893,585

City of Tomball
400 Capital Projects Fund - General Fund Projects
2014-2015 City Manager Adopted Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projections	FY 2015 Adopted
Revenues:				
Transfers	$ -	$ 500,000	$ 575,000	$ 400,000
Certificates of Obligation	-	-	-	-
TEDC Contributions	518,210	-	285,000	-
Interest	19,964	15,000	-	-
Total	$ 538,174	$ 515,000	$ 860,000	$ 400,000
Expenditures:				
Capital Outlay	$ 1,421,727	$ 500,000	$ 2,360,203	$ 3,375,000
Debt Service	$ -	$ -	$ -	$ -
Total	$ 1,421,727	$ 500,000	$ 2,360,203	$ 3,375,000
Revenues Over (Under) Expenditures	$ (883,553)	$ 15,000	$ (1,500,203)	$ (2,975,000)
Beginning Fund Balance	$ 15,321,616	$ 14,438,063	$ 14,438,063	$ 12,937,860
Ending Fund Balance	$ 14,438,063	$ 14,453,063	$ 12,937,860	$ 9,962,860

City of Tomball
400 Capital Projects Fund - Enterprise Fund Projects and Red Light Fund Projects
2014-2015 City Manager Adopted Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projections	FY 2015 Adopted
Revenues:				
Transfers	$ 502,621	$ 410,110	$ 410,110	$ 100,000
Interest	-	-	-	-
Total	$ 502,621	$ 410,110	$ 410,110	$ 100,000
Expenditures:				
Capital Outlay	$ 101,558	$ 100,000	$ 891,711	$ 810,000
Total	$ 101,558	$ 100,000	$ 891,711	$ 810,000
Revenues Over (Under) Expenditures	$ 401,063	$ 310,110	$ (481,601)	$ (710,000)
Beginning Fund Balance	$ 1,194,027	$ 1,595,090	$ 1,595,090	$ 1,113,489
Ending Fund Balance	$ 1,595,090	$ 1,905,200	$ 1,113,489	$ 403,489

City of Tomball
460-Capital Projects Fund - Business Park
2014-2015 City Manager Adopted Budget

	FY 2013 Actual	FY 2014 Budget	FY 2014 Projections	FY 2015 Adopted
Revenues:				
Transfers	$ -	$ -	$ -	$ -
Certificates of Obligation	8,500,000	-	-	-
Premium on Bonds	170,307	-	-	
Interest	2,339	12,000	-	-
Total	$ 8,672,646	$ 12,000	$ -	$ -
Expenditures:				
Capital Outlay	$ -	$ 4,000,000	$ 5,000,000	$ -
Bond Fees and Costs	$ 156,142	$ -	$ -	$ -
Total	$ 156,142	$ 4,000,000	$ 5,000,000	$ -
Revenues Over (Under) Expenditures	$ 8,516,504	$ (3,988,000)	$ (5,000,000)	$ -
Beginning Fund Balance	$ -	$ 8,516,504	$ 8,516,504	$ 3,516,504
Ending Fund Balance	$ 8,516,504	$ 4,528,504	$ 3,516,504	$ 3,516,504

FUND 400- CAPITAL PROJECTS FUNDED LIST

Project Name	Project #	Cash allocated for Project
M118 Drainage Channels	71	12,000.00
Agg Rd. Extension	75	1,480,071.00
M124- Willow Creek tributaries	103	78,808.09
Hufsmith water & gas line improvement	115	215,397.61
24" Sanitary Sewer-E. Hufsmith	142	118,820.00
Rudolph Road & Utilities	161	270,273.51
Downtown Specific Plan	175	43,869.09
Master Drainage Plan	178	4,609.14
M121 Final Phase	180	9,821,600.93
Medical Complex Segment 3	181	3,700,000.00
Medical District Sidewalks	183	34,633.35
Infrastructure Master Plan and Capital Recovery Fee	184	16,086.26
Downtown Sidewalk Replacement	186	587,500.00
Drainage Capital Recovery		88,611.34
NWWTP Sewer Effluent Reuse		75,000.00
SWWTP Expansion		75,000.00
Cash allocated for Projects		16,622,280.32

730 Water Capital Recovery Fund

Statement of Revenues, Expenditures, and Changes in Fund Balance

2014-2015 Proposed Budget Worksheet

	FY2013 Actual	FY2014 Current Budget	FY2014 Projections	FY 2015 Proposed Budget
Revenues:				
Water Capital Recovery Fee	$ 302,083	$ 250,000	$ 220,000	$ 200,000
Interest	885	1,500	325	325
Total Revenues	$ 302,968	$ 251,500	$ 220,325	$ 200,325
Expenditures:				
Prof. Service Other	$ 20,099	$ -	$ 29,731	$ -
Total Expenditures	$ 20,099	$ -	$ 29,731	$ -
Other Sources/(Uses):				
Transfers		-	-	-
Total Other Sources/(Uses)	-	-	-	-
Revenues Over/(Under) Expenditures	$ 282,869	$ 251,500	$ 190,595	$ 200,325
Beginning Fund Balance	$ 782,709	$ 1,065,578	$ 1,065,578	$ 1,256,173
Ending Fund Balance	$ 1,065,578	$ 1,317,078	$ 1,256,173	$ 1,456,498

740 Sewer Capital Recovery Fund

Statement of Revenues, Expenditures, and Changes in Fund Balance

2014-2015 Proposed Budget Worksheet

	FY2013 Actual	FY2014 Current Budget	FY2014 Projections	FY 2015 Proposed Budget
Revenues:				
Sewer Capital Recovery Fee	$ 353,070	$ 250,000	$ 215,000	$ 225,000
Interest	1,074	2,000	500	500
Total Revenues	$ 354,144	$ 252,000	$ 215,500	$ 225,500
Expenditures:				
Prof.Serivce Other	$ 20,099	$ -	$ 29,731	$ -
Total Expenditures	$ 20,099	$ -	$ 29,731	$ -
Other Sources/(Uses):				
Transfers		-	-	-
Total Other Sources/(Uses)	-	-	-	-
Revenues Over/(Under) Expenditures	$ 334,045	$ 252,000	$ 185,770	$ 225,500
Beginning Fund Balance	$ 929,015	$ 1,263,060	$ 1,263,060	$ 1,448,830
Ending Fund Balance	$ 1,263,060	$ 1,515,060	$ 1,448,830	$ 1,674,330

City of Tomball
Public Works Department

* 501 James St. * Tomball, Texas 77375 * 281.290.1425 * FAX 281.351.4735 *

* Utilities * Streets * Parks * Fleet Maintenance * Facilities Maintenance * Solid Waste *

To : George Shackelford, City Manager

From: David Kauffman, PWLF, Director of Public Works

Re: Update on Progress of Pavement Management Plan

Date: July 7, 2014

The public works department has maintained an aggressive approach towards the maintenance of the City's streets for a number of years. In 2009 public works consulted with HDR Claunch & Miller to develop an engineered Pavement Management Plan (PMP) for the City's concrete and asphalt street inventories to ensure that the City's street maintenance program appropriately targeted streets utilizing a condition-based prioritization system. PMP's utilize a Pavement Condition Index (PCI) as a standard rating system to prioritize maintenance schedules based on observed pavement conditions, effectiveness of existing drainage systems, traffic volumes, traffic types, and age of existing pavement. The industry standard goal for an effective PMP is to maintain the street inventory at a PCI of 70/100 or above in order to maximize maintenance dollars by utilizing more available funds for resurfacing and spend less for total reclamations and reconstructions as is typical for streets with a PCI below 70. When the City's current PMP was developed in 2009, the City was addressing streets with PCI ratings from 38 and up. The City is currently addressing streets with a PCI of 78 and above. Staff has determined that a goal of 80 (PCI) is obtainable within the next 2 years, which will enable the City to further maximize available funding while addressing more streets within each annual project. The results of an effective PMP also allows the user to consider current, newly developed, and the most cost effective methods for maintaining street inventories in order to maximize the life and available funds allocated for the maintenance of our streets.

Additionally, Public Works has incorporated the PMP into an overall infrastructure maintenance program to ensure that our street maintenance schedules coordinated with the maintenance of the City's utility infrastructure, drainage systems, and street signage replacement program. This comprehensive system maintenance program ensures that the City's major infrastructure is consistently maintained so that the areas that receive pavement maintenance are also left with all city-maintained utilities and drainage systems in good condition, and new street signs as needed. This also ensures that newly paved streets are not damaged by utility or drainage operations for repairs or replacements by simply coordinating all infrastructure maintenance schedules. The overall goal is to ensure that all residents and businesses located where streets have been repaved are left with no infrastructure maintenance needs and their daily lives are not interrupted by public works crews and equipment for as long as possible.

The following will show all completed streets since implementation of the PMP in 2009, as well as the streets that will be completed during FY 2014, and the streets that will be targeted during FY 2015.

Asphalt Street Inventory

2009

- Development of Pavement Management Plan

2010

- Southmore
- Belmont
- Malone – at School
- School – at Malone
- S Peach – south of Main
- S Live Oak – Main to Green
- Wickford

2011

- Baker – Reclamation and reconstruct of major fault line east of SH 249
- Lovett – reclamation and reconstruct due to base failures from Carrell to E. Hufsmith

2012

- Holderreith – Main to Alma
- N Pine – Main to Market
- Houston – at RR crossing
- Hospital
- Roxanne – south of Hicks

2013

- Lovett – surface mill and overlay to restore riding surface
- Quinn - Turnervine to Zion
- Brown Rd – west of SH 249

A current map of all completed asphalt streets for 2003 - 2013 is attached for your reference.

Asphalt streets to be overlaid during FY2014 will include all of James St. from Pine to transition to Alma to Main St. and all of Joseph Ct.

In spring of FY2015, PW will perform an updated assessment of all city-maintained streets to revise priorities identified in the PMP developed in 2009. Therefore, the actual street priorities for FY2015 and beyond are currently unknown. However, based on existing conditions the priority streets for FY2015 and FY2016 will likely include; all of Theis Ln. (concrete and asphalt sections), Brown Rd. east of SH 249 to Quinn, and Baker from Main to Brown Rd.

Concrete Street Inventory

2009

- Development of Pavement Management Plan

2010

- Tomball Terrace – leveling of recessed concrete panels by pressurized concrete injection

- Hunterwood - leveling of recessed concrete panels by pressurized concrete injection
- Tomball Hills - leveling of recessed concrete panels by pressurized concrete injection

2011

- Tomball Terrace – Joint repair and sealing

2012

- Tomball Hills – Joint repair and sealing (includes saw cut remove and replacement of spaulded joints

2013

- Hunterwood – Replacement of failed panels and leveling of recessed concrete panels by pressurized concrete injection in preparation for joint sealing scheduled for FY 2015

The goal for the City's concrete street inventory for FY2016 and beyond is to continue minor panel repairs as needed, and to reseal all expansion and curb joints to prevent water infiltration into the sub-base which causes most concrete pavement failures. The most effective approach has been to target a complete subdivision each FY, from old to new, as this is where the majority of the concrete street inventory is located. Local concrete streets will be addressed at the same time.

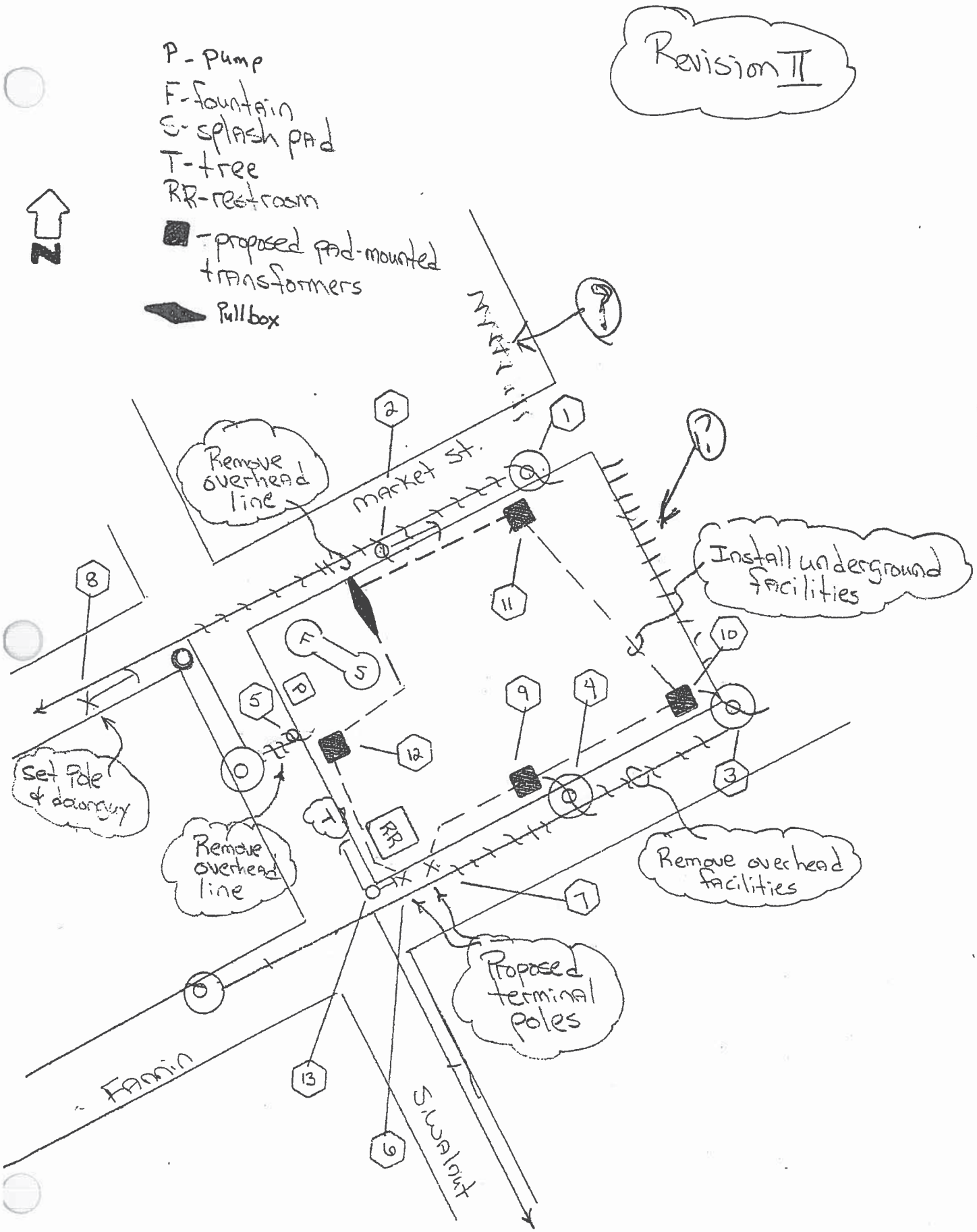
Feel free to call on me with any questions.

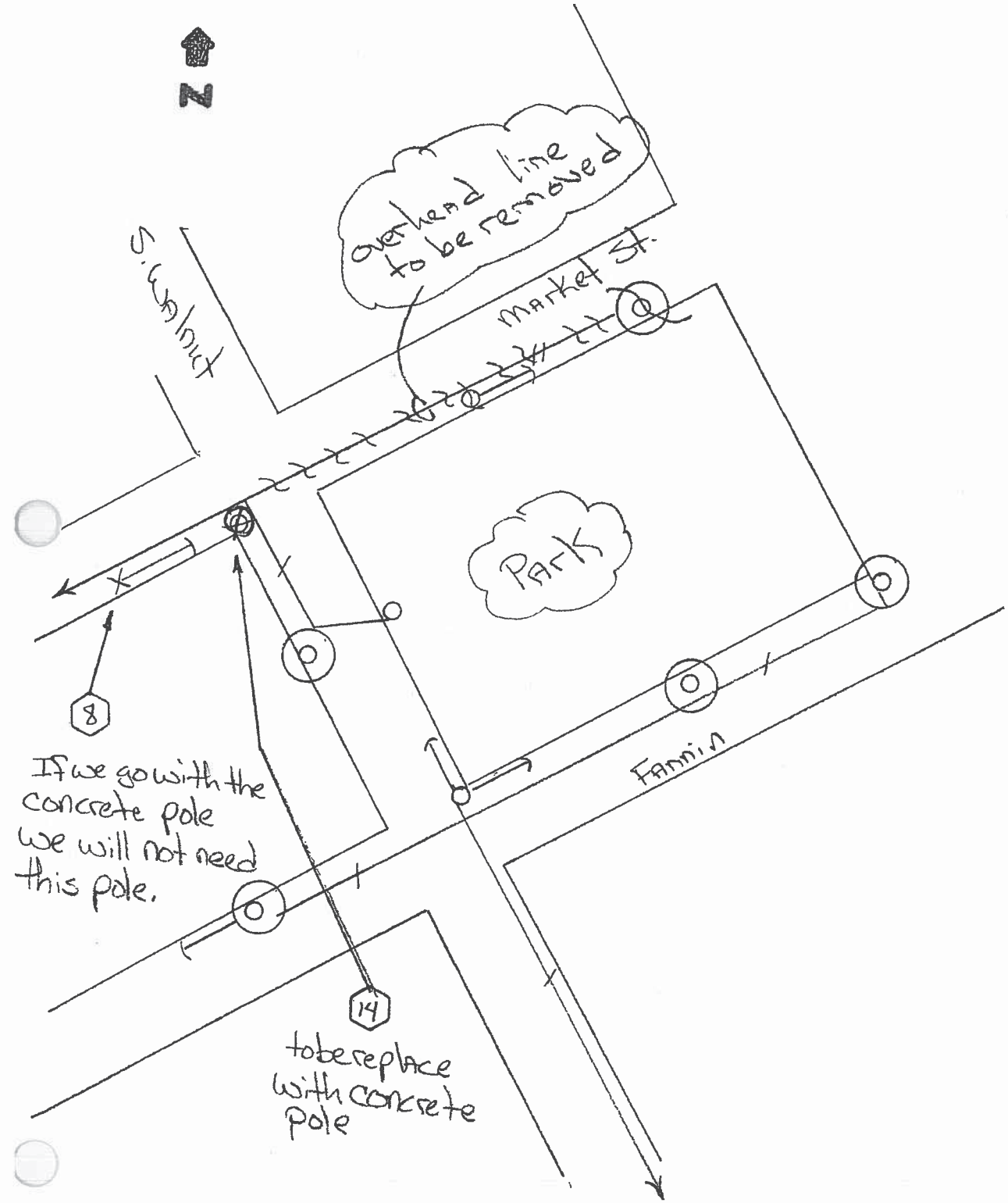
City of Tomball, Texas

Asphalt Overlay

Current As of : July 30, 2014




Revision II
P - Pump
F - fountain
S - splash pad
T - tree
RR - restroom
- proposed pad-mounted transformers
Pull box
N
Remove overhead line
Market St.
Install underground facilities
Set pole & guy
Remove overhead line
Remove overhead facilities
Proposed terminal poles
Fannin
S. Walnut
Not to scale


N
overhead line to be removed
S. Walnut
Market St.
PARK
8
If we go with the concrete pole we will not need this pole.
Fannin
14
to be replace with concrete pole

Not to scale

TMRS
TEXAS MUNICIPAL RETIREMENT SYSTEM

May 30, 2014

City #01284

City Official
City of Tomball
401 West Market St. Ste C
Tomball, TX 77375-4697

Subject: 2015 Municipal Contribution Rate

Dear City Official:

Presented below are your city's contribution requirements to the Texas Municipal Retirement System (TMRS) for Plan Year 2015 (Calendar Year 2015, PY2015) as determined by the December 31, 2013 actuarial valuation. The actuarially determined contribution rates for retirement benefits and Supplemental Death Benefits (SDB), if any, are based on your city's plan provisions in effect as of April 1, 2014 and the actuarial assumptions and methods adopted by the TMRS Board. Effective January 1, 2015, your city's monthly contribution rates will be as follows:

	Phase-in Rate	Full Rate
Normal Cost	9.94%	9.94%
Prior Service	2.99%	3.60%
Total Retirement Rate	12.93%	13.54%
Supplemental Death Benefit	0.18%	0.18%
Total Combined Contribution	13.11%	13.72%

The actuarial liabilities and contribution rates determined as part of the December 31, 2013 actuarial valuation reflect a change in post-retirement mortality assumptions, actuarial cost method, and amortization policy. Please see the "Actuarial Changes" section for more detailed information. Full information on your rate, including an explanation of changes, and the pension disclosure data to assist your city with the reporting requirements of the Governmental Accounting Standards Board (GASB) are also contained in the attached report.

The Total Retirement Rate shown in the Full Rate column above represents the Annual Required Contribution (ARC) under GASB Statement No. 27 for PY2015. **The Total Combined Contribution Rate shown in the Phase-in Rate column above represents the minimum required contribution rate to TMRS for PY2015.** The difference represents the portion of your Full Rate that is eligible to be phased in. Please see the "Phase-in Rates" section for more information. **Your city must contribute at least the Phase-in Rate, though TMRS highly recommends that each city contribute as much toward the Full Rate as possible. Please note that if your city chooses to contribute at a rate below the 2015 Full Rate, the contribution shortfall will be reflected in your city's unfunded actuarial accrued liability and contribution rate in subsequent years as well as in your employer's financial statement.**

If you have questions about your rate or if you wish to evaluate potential changes in your TMRS plan, contact TMRS at 800-924-8677.

Sincerely,

Eric W. Davis
Deputy Executive Director

CITY OF TOMBALL, TEXAS
2014-2015 ANNUAL BUDGET
ANALYSIS OF TEXAS UNEMPLOYMENT TAXES
FISCAL YEAR 2004 THROUGH CURRENT FISCAL YEAR TO DATE

	Tax Rate	Taxes Paid	Claims Paid	Difference
FY2014	2.30%	$ 33,484.63	$ -	$ 33,484.63
FY 2013	0.10%	4,561.83	248.00	4,313.83
FY2012	2.90%	48,943.90	18,811.92	30,131.98
FY2011	0.80%	15,853.91	12,279.86	3,574.05
FY2010	2.10%	32,286.71	6,916.74	25,369.97
FY2009	0.50%	9,867.30	1,894.13	7,973.17
FY2008	1.10%	16,256.01	5,096.00	11,160.01
FY2007	0.50%	11,893.80	691.22	11,202.58
FY2006	3.00%	36,536.33	71.34	36,464.99
FY2005	0.30%	6,451.22	-	6,451.22
FY2004	2.30%	29,072.18	2,733.22	26,338.96
Total		$ 245,207.82	$ 48,742.43	$ 196,465.39

Reimbursing & Government Employers

On this page:

- Overview
- Which Employers Pay Reimbursements
- How Reimbursements are Paid
- Advantages & Disadvantages of Paying Reimbursements
- Electing to Pay Reimbursements
- Group Accounts
- Tax Rates for Government Employers
- Contact Information
- Unemployment Tax Registration

Overview

Contributions are paid to the Texas Workforce Commission (TWC) in one of two ways: taxes or reimbursements. Taxed employers pay taxes every quarter. Reimbursing employers, which include certain non-profit and government employers, pay no taxes but must repay TWC for unemployment benefits paid to eligible former employees.

A reimbursing employer is required to report wages for employees. If unemployment benefits are paid to former employees, the employer is billed quarterly for the amount of regular benefits and 50 percent of any federal extended benefits paid during the prior quarter, except for government employers who pay 100 percent of federal extended benefits.

Which Employers Pay Reimbursements

The following employers may pay reimbursements instead of unemployment taxes:

- A political subdivision of the state which chooses to be a reimbursing employer including municipalities, counties, utility districts, public education institutions, etc.
- A non-profit organization described in Section 501(c)(3) of the Internal Revenue Code
- State government agencies
- An American-Indian tribe or any of its governing bodies

How Reimbursements are Paid

TWC will send you a Reimbursable Unemployment Benefits Statement. Reimbursement payments are due on the specified due date and may be made using any of the payment options for Unemployment Insurance tax. A reimbursing employer is subject to the same penalties as a taxed employer for failure to file reports or make payments on time.

Electronic funds transfers are required for an employer that paid reimbursements in the preceding state fiscal year of $250,000 or more and anticipates doing the same in the current fiscal year.

Advantages & Disadvantages of Paying Reimbursements

Possible Cost Savings

To choose to become a reimbursing employer is comparable to making a decision to discontinue carrying casualty insurance. If no casualty occurs, the cost of the premium has been saved. Likewise, if no former employee is paid unemployment benefits, the organization has saved the cost of the tax.

Potential Liability for Past Employees

A taxed employer normally knows in December of each year his tax rate for the following year. A reimbursing employer never knows his potential liability and may be required to pay reimbursements well after the individual has been separated from his employment.

An unfortunate scenario could occur if an employee chooses to leave your employment and is laid off by their next employer. You could be liable for a portion of that employee's unemployment benefits.

A reimbursing employer can protest payment of unemployment benefits only if they were the claimant's last employer. This means that a reimbursing employer sometimes has no control over the award of benefits even though it must pay for them.

Disaster Declaration Protection

A reimbursing employer, unlike a taxed employer, is not protected from charges to his account if the employee's last separation is the result of a disaster declaration by the president of the United States or the governor, or is the result of a natural disaster, fire, flood, or explosion.

Liability for Benefits Paid in Error

Even if unemployment benefits are paid in error, the reimbursing employer still owes TWC for that money. We cannot credit the employer until we receive the money back from the claimant.

Electing to Pay Reimbursements

Eligible employers must complete an Election to Pay Reimbursements (Form C-6A) to elect to pay reimbursements. For a newly-established employer tax account, this form must be submitted to TWC within 45 days from the date the liability notice letter is sent to the employer. For previously established taxed employers, the application must be received by December 1st to change the status for the next calendar year.

After their status is established, employers must remain a taxed or reimbursing employer for at least two calendar years before requesting to change that status. Reimbursing status may be changed by filing the Application for Withdrawal of Election to Pay Reimbursements (Form C-6F) with TWC no later than December 1. The new status takes effect January 1 of the following year.

Group Accounts

The Texas Unemployment Compensation Act (TUCA) provides that two or more reimbursing employers may file a joint application with TWC to establish a group account for the purpose of sharing the costs of unemployment benefits paid to former employees.

The members of a group must designate an individual to act as the group representative for submitting reports and paying reimbursements.

The advantage in forming such a group is that the risk to a member for payments of reimbursements may be shared among all members. On the other hand, a member may be required to share in the reimbursements although no former employees have been paid unemployment benefits.

Tax Rates for Government Employers

Unemployment Insurance tax rates are calculated for taxed government employers as a group. All taxed government employers will have the same rate in a given year. Unemployment Insurance tax rates for taxed government employers are determined by how much all government employers have withdrawn from the Unemployment Compensation Trust Fund in benefit payments to their former employees as compared to the amount of taxes that they paid.

Last Verified: November 06, 2013

Auxiliary aids and services are available upon request to individuals with disabilities.
Deaf, hard-of-hearing or speech-impaired customers may contact Relay Texas: 800-735-2989 (TTY) and 711 (Voice). Equal opportunity is the law.

Texas Workforce Commission Values: Community, Responsibility, Innovation, Accountability, Commitment to Excellence and Partnership.

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City of Tomball
Summary of Water Consumption and Payments
to North Harris County Regional Water Authority

Residential
Fiscal 2013-2014

Month	Total Consumption In Gallons	Number of Customers	Residential Average Consumption	Total Payment to NHCRWA**
October	20,517,000	2,591	7,919	$ 13,857
November	10,874,000	2,595	4,190	7,333
December	17,274,000	2,603	6,636	11,613
January	14,160,000	2,615	5,415	9,476
February	12,894,000	2,620	4,921	8,612
March	13,079,000	2,620	4,992	8,736
April	25,286,000	2,630	9,614	19,229
May	28,218,000	2,640	10,689	21,377
June				
July				
August				
September				
Average Monthly	11,858,500	1,743		
Total for Year				

** $ 1.75 per TH
4/14 changed $2.00

Commercial
Fiscal 2013-2014

Month	Total Consumption In Gallons	Number of Customers	Commercial Average Consumption	Total Payment to NHCRWA**
October	35,463,000	1,058	33,519	$ 58,658.08
November	22,203,000	1,059	20,966	36,690.51
December	31,748,000	1,060	29,951	52,414.15
January	26,711,000	1,069	24,987	43,727.08
February	24,937,000	1,069	23,327	40,822.97
March	25,076,000	1,071	23,414	40,973.86
April	35,081,000	1,072	32,725	65,449.63
May	37,193,000	1,072	34,695	69,389.93
June				
July				
August				
September				
TOTALS	29,801,500	1,066		

NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY
SUMMARY OF AMOUNTS COLLECTED AND PAID
FY 2014

MONTH	COLLECTED	PAID	
October	$ 97,088.25	$ -	
November	56,812.00	108,524.50	Oct
December	84,465.50	103,323.50	Nov
January	70,460.25	88,427.50	Dec
February	65,007.25	83,842.50	Jan
March	61,559.75	73,512.25	Feb
April	119,008.25	88,088.00	Mar
May	129,092.00	132,194.00	Apr
June	-	-	
July	-	-	
August	-	-	
September	-	-	
Total	$ 683,493.25	$ 677,912.25	

NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY
SUMMARY OF AMOUNTS COLLECTED AND PAID
FY 2013

MONTH	COLLECTED	PAID	
October	$ 94,685.50	$ 131,664.75	
November	99,821.75		
December	77,892.50	118,595.75	
January	75,454.75	107,331.00	
February	64,260.00	87,794.00	
March	76,816.25	79,605.75	
April	101,981.25	105,267.75	
May	94,892.00	104,223.00	
June	113,666.00	123,249.00	
July	147,322.00	149,282.00	
August	118,291.25	155,494.50	
September	119,561.75	288,099.00	Aug & Sept
Total	$ 1,184,645.00	$ 1,450,606.50	

NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY
SUMMARY OF AMOUNTS COLLECTED AND PAID
FY 2012

MONTH	COLLECTED	PAID	
October	$ 147,103.25	$ 148,720.25	
November	112,131.25		
December	103,225.50	107,156.00	
January	69,293.00	95,182.50	
February	61,045.25	85,508.50	
March	67,674.25	81,520.25	
April	63,665.00	89,393.50	
May	87,080.00	108,057.25	
June	129,816.75	137,275.25	
July	105,105.00	270,044.25	(for June & July)
August	87,690.25	172,480.00	
September	147,264.25	145,269.25	
Total	$ 1,181,093.75	$ 1,440,607.00	city paid -58,236.00

Staffing

as of 7/8/14

		FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15	
General Fund												
	City Hall Administration	8.5	9.5	10								
	City Manager's Office				3.5	3.5	3	3	2	2	2	
	Mayor and Council											
	City Secretary's Office				4.5	4.5	4.5	4.5	4.5	4.5	4.5	
	Human Resources				2	2	2	2.5	3	3	3	
	Finance				5	5	5	5	5	5	5	
	Information Systems							1	3	3	3	
	Legal											
	Police	50.5	52.5	55	55	55	57	59	58	58.5	59.5	
	Municipal Court	4	4	5	5	5	5.5	4.5	4.5	4.5	4.5	
	Community Center	3	3	3	3	3	3	3	3	3	3	
	Fire Department	9	12	14	12	12	14	16	16	16	25	*
	Fire Marshal's Office				2	2	2	2	2	2.5	2.5	
	Emergency Management											
	Community Development											
	Building Permits and inspections	5	6	6	5	5	5	5	5	5	4	
	Engineering and Planning				7	7	7	7	6	6	7	
	Public Works Administration	5.5	6	9	1	1	1	1	1	1	1	
	Facilities Maintenance				1	1	1	1	2	2	2	
	Garage	1	1	1	1	1	2	2	2	2	2	
	Parks	4.2	4.2	5.2	5.2	5.2	5.2	5.2	5.2	5.2	5.2	
	Streets	9.2	7.2	7.2	8.2	8.2	8.2	8.2	7.2	7.2	7.2	
Total General Fund		99.9	105.4	115.4	120.4	120.4	125.4	129.9	129.4	130.4	140.4	
Enterprise Fund												
	Utilities administration	10.5	11.5	12	3	3	3	3	3	3	3	
	Utility Billing				7	6	6	6	4	4	4	
	Water	7.2	8.2	8.2	6.2	7.2	7.2	7.2	8.2	8.2	8.2	
	Wastewater	10.2	10.2	10.2	10.2	10.2	10.2	10.2	10.2	10.2	10.2	
	Gas	6.2	7.2	7.2	6.2	6.2	6.2	6.2	6.2	6.2	6.2	
Total Enterprise Fund		34.1	37.1	37.6	32.6	32.6	32.6	32.6	31.6	31.6	31.6	**
Special Revenue Funds							3	2.5	12	12	3	
Total Paid staff		134	142.5	153	153	153	161	165	173	174	175	

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Adopt, on Second Reading, Ordinance No. 2014-27, an Ordinance of the City of Tomball, Texas, Amending Its Zoning Ordinance, by Approving a Planned Development (PD) District of Approximately 39.4 Acres of Land, Legally Described as Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4a, 4b, and 5, Abstract 629, J. Pruitt; Within the City of Tomball, Harris County, Texas; Amending the Official Zoning Map of the City to Reflect the PD to be known as PD District #7 (PD-7); Adopting a Concept Plan and Regulations Applicable to PD-7; 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 May 28, 2013, City staff met with the applicant and property owner to discuss the expansion of Concordia Lutheran High School. At that time they indicated their desire to construct multiple new buildings, add on to several of their existing buildings, create new parking areas, update their athletic fields and make numerous other site improvements.

On June 16, 2014, the City received a Planned Development (PD) application along with a concept plan and development standards which are described further in the Rezoning Staff Report.

On August 11, 2014, the Planning and Zoning Commission, after conducting a public hearing, unanimously recommended approval of Rezoning Case P14-123.

Origination:

Concordia Lutheran High School

Recommendation:

Adopt Ordinance No. 2014-27 on Second Reading

Funding:

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2014-27
P14-123 Staff Report
Notice of Public Hearing
Property Owner Notification Letter

ORDINANCE NO. 2014-27

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING ITS ZONING ORDINANCE, BY APPROVING A PLANNED DEVELOPMENT (PD) DISTRICT OF APPROXIMATELY 39.4 ACRES OF LAND, LEGALLY DESCRIBED AS RESERVE A, BLOCK 1, NORTH HARRIS COUNTY CONCORDIA LUTHERAN HIGH SCHOOL AND TRACTS 4, 4A, 4B, AND 5, ABSTRACT 629, J. PRUITT; WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT THE PD TO BE KNOWN AS PD DISTRICT #7 (PD-7); ADOPTING A CONCEPT PLAN AND REGULATIONS APPLICABLE TO PD-7; 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 owner of approximately 39.4 acres of land, legally described as Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4A, 4B, and 5, Abstract 629, J. Pruitt; generally located southerly of East Main Street, northerly of Lizzie Lane, easterly of South Chestnut Street, and westerly of South Persimmon Street, in the City of Tomball, Harris County, Texas, (the "Property"), has requested that the Property be rezoned; and

Whereas, the owner has presented an application to the City for a PD District to allow the expansion of Concordia Lutheran High School; and

Whereas, the PD District application consists of an application for PD District (Exhibit “A”); request letter (Exhibit “B”); and concept plan (Exhibit “C”) attached to and made a part of this Ordinance; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days written notice of that hearing to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the proposal to change the zoning for the Property from the General Retail and Single-Family Residential-6 Districts to PD-7; and

Whereas, the public hearing was held at least forty (40) calendar days after the City’s receipt of the request for rezoning; and

Whereas, the Planning & Zoning Commission recommended in its final report that City Council grant such proposed change in the zoning district classification of the Property; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing on the proposal to change the zoning district classification for the Property from the General Retail and Single-Family Residential-6 Districts to PD-7, the City Council held the public hearing on the proposal to change the zoning for the Property and the City Council considered the final report of the Planning & Zoning Commission regarding the change of zoning district classification; and

Whereas, the City Council deems it appropriate to grant such proposed change in the zoning district classification of the Property.

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

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

Section 2. The zoning classification of the Property is hereby changed from the General Retail and Single-Family Residential-6 Districts to PD-7 subject to the regulations, restrictions, and conditions hereafter set forth.

Section 3. The Official Zoning Map of the City of Tomball shall be revised and amended to show the designation of the Property as PD-7, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Tomball, save and except the change in zoning classification of the Property, to PD-7 as described above.

Section 5. PD-7 shall be subject to the following additional limitations, restrictions, and covenants:

A. Compliance with Application and Concept Plan. The granting of the PD District shall be conditioned upon the proposed improvements and land uses being located, constructed, and conducted upon the Property in substantial compliance with the application for PD District (Exhibit "A"), request letter (Exhibit "B"), and concept plan (Exhibit "C") made a part hereof for all purposes.

B. Height Regulations:

    a. Maximum Height:

        i. Main Building/House: 50'

        ii. Accessory Building(s): 27'

C. Area Regulations:

    a. Size of Lots:

        i. Minimum Lot Area: 320,000 square feet

        ii. Minimum Lot Width: 400'

        iii. Minimum Lot Depth: 800'

b. Size of Yards:

i. Minimum Front Yard: 25'; 35' when adjacent to arterial

ii. Minimum Side Yard: 10'

iii. Minimum Rear Yard: 20'

c. Maximum Lot Coverage: 30%

d. Maximum Impervious Coverage: 60%

D. PD-7 shall be limited to only the following land uses:

a. School – Public or Denominational

b. Church/Temple/Place of Worship

c. Playfield or Stadium (Private)

E. PD-7 shall adhere to Articles I, II, and VI of the Zoning Ordinance.

F. Off-Street Parking and Loading Requirements

a. PD-7 shall provide a minimum of 550 off-street parking.

b. If overflow parking is required in excess of 550 spaces, it shall not be permitted in designated drive aisles, loading spaces, or public rights-of-way.

c. PD-7 shall adhere to all other regulations of Section 39 of the Zoning Ordinance.

G. PD-7 shall adhere to Sections 40 ("Landscape Requirements"), 41 ("Accessory Buildings and Related Use Regulations"), 42 ("Screening, Buffering, and Fencing Requirements"), 43 ("Supplemental Regulations"), 44 ("Home Occupation Regulations"), 45 ("Definitions") of the Zoning Ordinance or the Concept Plan, whichever is more restrictive.

H. Other Requirements

a. Building Materials: The major building material shall be masonry and shall be in harmony with the existing masonry walls. Window frames shall match the color of the existing window frames. Any accent metal panels shall be complementary in color to the masonry walls and window frames. Covered walkways shall be aluminum and shall be complementary in color to the masonry walls and window frames.

b. South Campus Vehicular Access: The portion of the campus south of Timkin Road shall have two vehicular access points. One shall be from Timkin Road and the other shall be from the private drive to the west. Both access points shall be secured with gates and shall be shut and locked after normal hours of use.

c. North Campus Speed Controls: A speed limit sign and speed bumps shall be posted along the drive aisle east of the proposed football field.

d. Hours of Operation By Use:

i. School – Public or Denominational: 7:00 AM to 6:00 PM

ii. Church/Temple/Place of Worship: 9:30 AM to 1:30 PM

iii. Playfield or Stadium (Private): No later than 10:00 PM

e. Noise: PD-7 shall adhere to all noise and nuisance regulations of the City of Tomball.

f. Screening and Buffering: All portions of PD-7 that are adjacent to a single- or two-family residential districts or uses shall be screened with an 8' high opaque wooden fence and trees spaced on 40' centers. All dumpsters shall be screened with masonry walls and opaque gates.

g. Lighting: All drives shall be lit with a minimum intensity of two foot-candles. Lighting for the fields shall be equipped with cut-off baffles to shield any light spilling onto the adjoining neighbors.

Section 6. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

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

Section 8. City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Tex.Gov't. Code ch. 551.

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 18TH DAY OF AUGUST 2014.

COUNCILMAN HUDGENS	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN QUINN	AYE

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 1ST DAY OF SEPTEMBER 2014.

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

_____
Gretchen Fagan, Mayor

ATTEST:

_____
Doris Speer, City Secretary

Exhibit "A"
PD District Application

Exhibit "B"
PD District Request Letter

Exhibit "D"
Concept Plan

Community Development Department

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: August 11, 2014

Rezoning Case:	P14-123
Property Owner(s):	Concordia Lutheran High School
Applicant(s):	Bill Merriman
Legal Description:	Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4A, 4B, and 5, Abstract 629, J. Pruitt
Location:	Southerly of East Main Street, northerly of Lizzie Lane, easterly of South Chestnut Street, and westerly of South Persimmon Street (Exhibit "A")
Area:	39.4 acres
Present Zoning and Use:	General Retail (GR) and Single-Family Residential-6 (SF-6) Districts (Exhibit "B") / Concordia Lutheran High School
Comp Plan Designation:	Employment/Office and Medium Density Residential (Exhibit "C")
Proposed Zoning and Use:	Planned Development #7 (PD-7) District / Expansion of Concordia Lutheran High School

Adjacent Zoning & Land Uses:

- **North**: GR and Old Town & Mixed Use (OTMU) Districts / F.M. 2920 right-of-way (ROW), vacant land, various commercial uses, and the entrance to Good Shepherd Episcopal Church
- **South**: SF-6 District / Vacant land and single-family residences
- **West**: GR, OTMU, SF-6, and PD-3 Districts / Harris County Flood Control ditch, welding supply shop, vacant land, duplexes, Chestnut Business Park, and a self-storage facility
- **East**: SF-6 and GR Districts / Blackshear Street ROW, single-family residences, and vacant land

BACKGROUND

On May 28, 2013, City staff met with the applicant and property owner to discuss the expansion of Concordia Lutheran High School. They indicated their desire to construct multiple new buildings, add on to several of their existing buildings, create new parking areas, update their athletic facilities, and make numerous other site improvements. At this meeting, City staff informed them of the following:

- The southern property (Tracts 4, 4A, 4B, and 5) is comprised of multiple lots and would need to be replatted into one overall tract before the proposed improvements could receive site plan and building permit approval.

- The property has Comprehensive Plan designations of Employment/Office (Reserve A) and Medium Density Residential (Tracts 4, 4A, 4B, and 5) which are consistent with the proposed expansion.

- The property has zoning classifications of GR (Reserve A) and SF-6 (Tracts 4, 4A, 4B, and 5) Districts.

- The "School – Public or Denominational" use is permitted by right in both the GR and SF-6 Districts and would be permitted to expand.

- Because the southern property (Tracts 4, 4A, 4B, and 5) is zoned SF-6, Section 43.4 of the Zoning Ordinance requires that "Any nonresidential use which may be permitted in a residential zoning district shall conform to the O, Office district standards…"

- If the applicant wanted to develop under one set of zoning standards instead of two, they could request the entire property be rezoned. However, staff informed the applicant that rezoning the southern property to the GR District would be inconsistent with the Medium Density Residential Comprehensive Plan designation and rezoning the northern property to the SF-6 District would be inconsistent with the Employment/Office Comprehensive Plan designation.

- Another option that was discussed was the possibility of requesting a PD District because they are proposing to have multiple land uses operating at the site: "School – Public or Denominational," "Church/Temple/Place of Worship," and "Playfield or Stadium (Private)."

On June 16, 2014, the City received a PD (Exhibit "D") application from the applicant and property owner along with a concept plan and development standards.

ANALYSIS

The concept plan (Exhibit "E") indicates that multiple new buildings will be constructed, several existing buildings will be expanded, new parking and drive aisles will be established, numerous new athletic facilities will be constructed, the site will be heavily landscaped, screening and buffering mechanism will be utilized, and numerous other site improvements. Additionally, the proposed development standards (Exhibit "F") appear to allow the property owner to effectively use their property while protecting the public's health, safety, and welfare. Examples of this include:

- Limiting the land uses to only "School – Public or Denominational," "Church/Temple/Place of Worship," and "Playfield or Stadium (Private)."

- Establishing minimum lot area, depth, and width standards that are much larger than the minimum requirements of the GR and SF-6 Districts.

- Requiring the major building materials to be masonry when the Zoning Ordinance does not have building material standards for the GR or SF-6 Districts.

- Establishing screening, buffering, and lighting standards in excess of the City of Tomball's regulations.

There are a number of land uses in the area. To the north of the subject site are F.M. 2920 ROW, vacant land, various commercial uses, and the entrance to Good Shepherd Episcopal Church; to the south are vacant land and single-family residences; to the west are a Harris County Flood Control ditch, a welding supply shop, vacant land, duplexes, Chestnut Business Park, and a self-storage facility; and to the east are Blackshear Street ROW, single-family residences, and vacant land (Exhibit "G"). Although there are single- and two-family residential uses in the vicinity of the subject site, the concept plan and development standards proposed for this development appear to minimize land use incompatibilities.

There are a number of zoning districts in the area. To the north are the GR and OTMU Districts; to the south is the SF-6 District; to the west are the GR, OTMU, SF-6, and PD-3 Districts; and to the east are the SF-6 and GR Districts. A Planned Development District "accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options, or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners." Although there are single-family residential districts in the vicinity of the subject site, the concept plan and development standards proposed for this development appear to minimize zoning district incompatibilities.

The Comprehensive Plan identifies the site as "Employment/Office" (Reserve A) and "Medium Density Residential" (Tracts 4, 4A, 4B, and 5). According to the Comprehensive Plan, "Employment/Office indicates where employment uses that are not industrially focused should occur. These uses include corporate headquarters, regional offices, professional offices, light enclosed manufacturing or assembly facilities, office/showrooms, and small business office suites. Some retail activities are permitted in this land use to support offices and employment operations." Additionally, "Medium Density Residential includes suburban-type development that is intended to be single family detached residential development. This designation may also include such supporting land uses as neighborhood shops and services, parks and recreation amenities, religious institutions, small offices and schools to serve local residents where deemed appropriate by the City." The proposed rezoning to a mixed use Planned Development District appears to be consistent with the "Employment/Office" and "Medium Density Residential" classifications.

ZONING CONSIDERATIONS

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

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

Although there are multiple single-family residential uses and residentially zoned properties in the vicinity, the concept plan and development standards proposed for this development appear to minimize land use incompatibilities.

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

The proposed rezoning is not anticipated to negatively impact public schools, streets, water supply, sanitary sewers, or other utilities to the area.

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

There are no other tracts, vacant or occupied, in the vicinity or elsewhere in the City zoned PD District intended for the same purpose as proposed by the applicant.

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

There has been no development City-wide or within the vicinity in a PD District intended for the same purpose as proposed by the applicant.

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

If the proposed zoning change were approved, there should be few if any affects on other areas designated for similar developments.

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

The proposed zone change is not anticipated to substantially affect the public health, safety, morals, or general welfare.

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

The proposed rezoning to a mixed use PD District appears to be consistent with the "Employment/Office" and "Medium Density Residential" classifications.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on July 29, 2014. One public comment form was received in support of the request as of August 6, 2014 (Exhibit "H").

RECOMMENDATION

Based on the findings outlined in the analysis and zoning consideration sections of this staff report, City staff recommends **APPROVAL** of Zoning Case P14-123.

EXHIBITS

A. Aerial Photo
B. Zoning Map
C. Comprehensive Plan
D. Rezoning Application
E. Concept Plan
F. Draft PD Ordinance
G. Site Photos
H. Public Comment Form(s)

Exhibit "A"
Aerial Photo

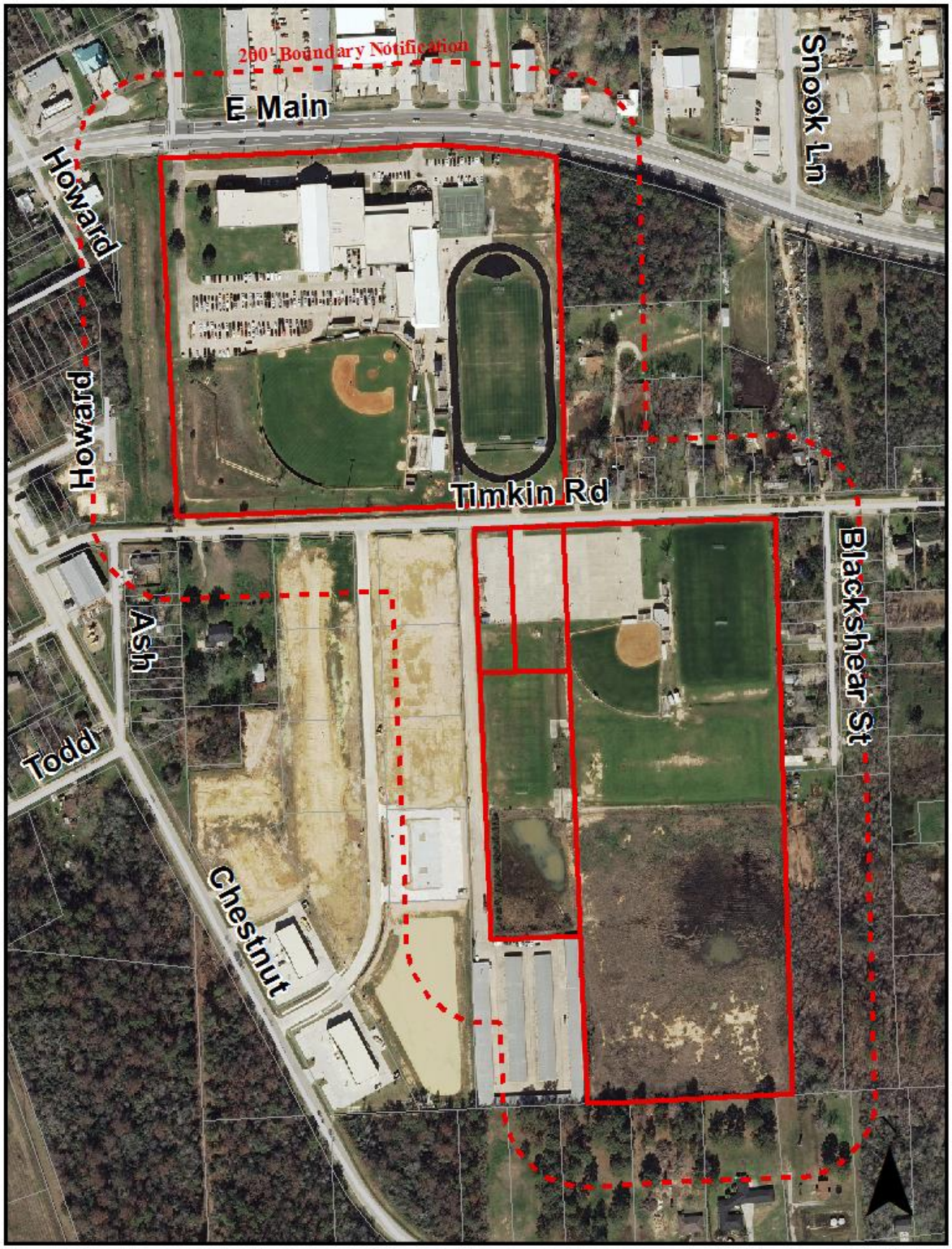


Exhibit "B"
Zoning Map

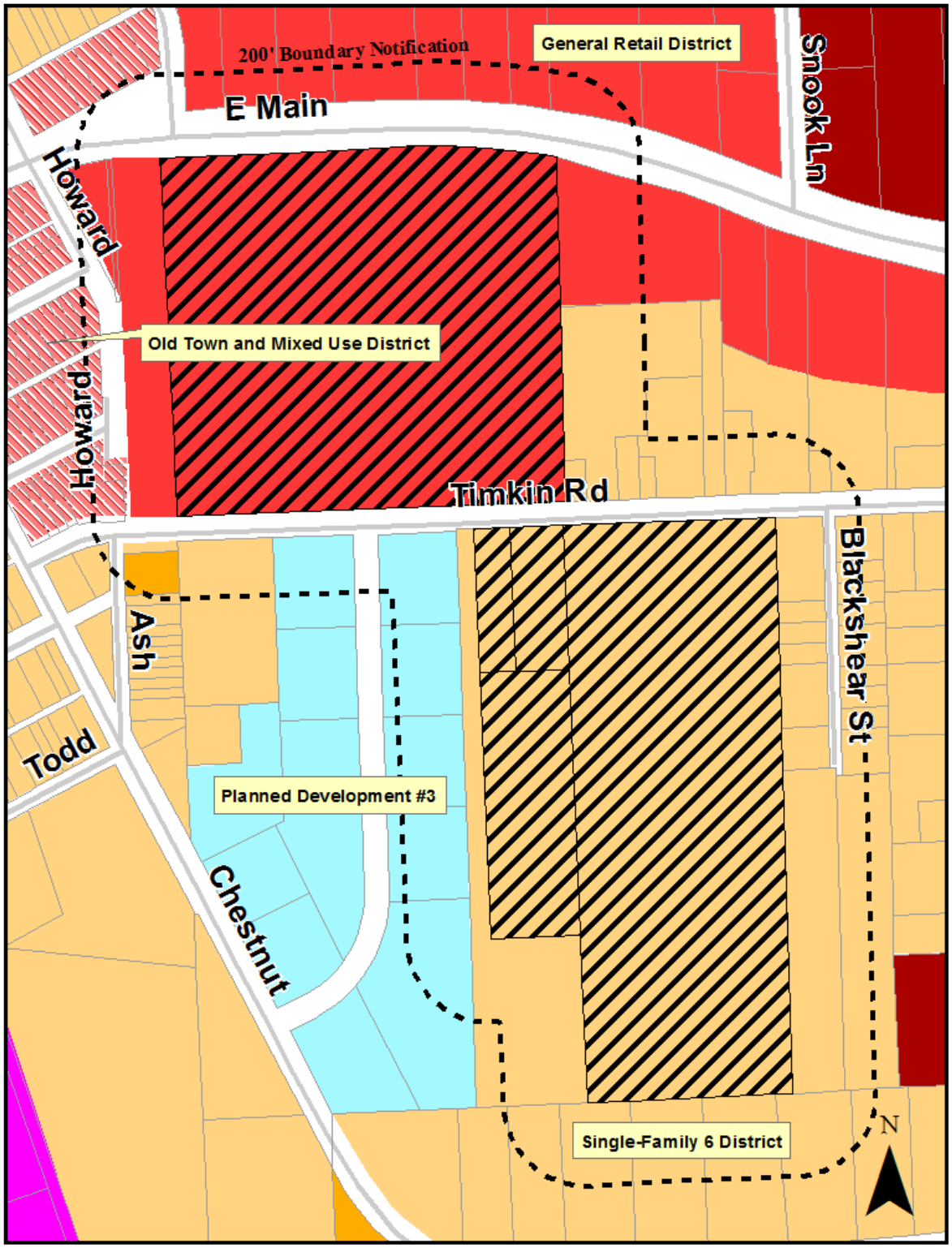
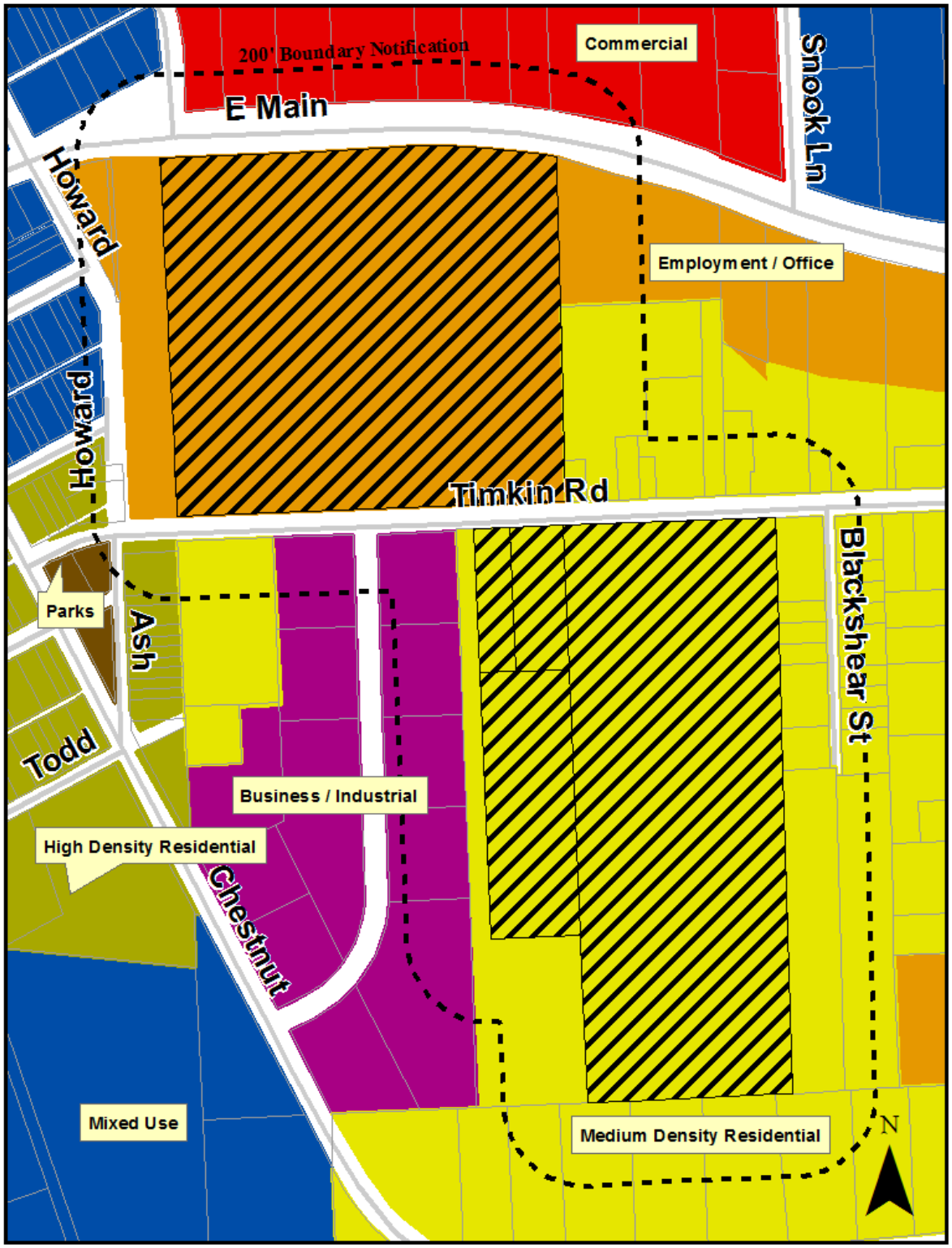


Exhibit "C"
Comprehensive Plan



Revised 1/20/09

Application for Planned Development

Engineering & Planning Department

RECEIVED
JUN 16 2014
BY:

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

No planned development shall be established and no building permit shall be issued for any use designated as a Planned Development within any zoning district until a Planed Development Permit is approved and issued in accordance with the provisions of the Zoning Ordinance and Concept Plan.

The minimum acreage for a planned development request shall be four (4) acres.

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

Applicant
Name: Bill Merriman, Merriman Holt Architects Title: President
Mailing Address: 3900 Essex Lane, Suite 200 City: Houston State: Texas
Zip: 77027
Phone: (713) 522-2885 Fax: (713) 524-4151 Email: bmerriman@merrimanholt.com

Owner
Name: Joel Bode, Concordia Lutheran High School Title: Head of School
Mailing Address: 700 E.Main Street City: Tomball State: Texas
Zip: 77375
Phone: (281) 351-2547 Fax: (281) 255-8806 Email: bodej@clhs-tx.org

Engineer/Surveyor (if applicable)
Name: Bill Park, Jones & Carter Title: Senior Project Engineer
Mailing Address: 8701 New Trails Drive Suite 200 City: The Woodlands State: Texas
Zip: 77381
Phone: (281) 363-4039 Fax: (281) 363-3459 Email: wpark@jonescarter.com

Description of Proposed Project: Master Plan for Growth and Enhancement of the School

Physical Location of Property: 700 E. Main Street, Tomball, Texas
[General Location – approximate distance to nearest existing street corner]

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.ci.tomball.tx.us

Legal Description of Property: See Attached

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

HCAD Identification Number: See Attached Acreage: _____

Current Use of Property: Denominational High School with Ancillary Fields

Proposed Use of Property: Denominational High School with Ancillary Fields

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

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

X Brian Merriman 6/10/2014

Signature of Applicant **Date**

X Joel R Bode 6-12-14

Signature of Owner **Date**

CONCORDIA
LUTHERAN HIGH SCHOOL
700 E. Main, Tomball, TX 77375
281-351-2547

June 18, 2014

Ms. Rachel Lazo
Planning & Code Enforcement Division
Community Development Department
401 Market Street
Tomball, Texas 77375

Dear Ms. Lazo,

As you are aware, Concordia Lutheran High School is in the process of plans for expansion of our facilities. To assist us in that process, and in particular regard to the Planned Development rezoning, we have been working with Merriman Holt Architects.

Concordia Lutheran High School is the official owner per HCAD of the property for which the plans are being made, and we give permission to Mr. Bill Merriman of Merriman Holt Architects to act as an agent of the school for the purposes of the rezoning.

Should you need anything additional from Concordia, please let me know.

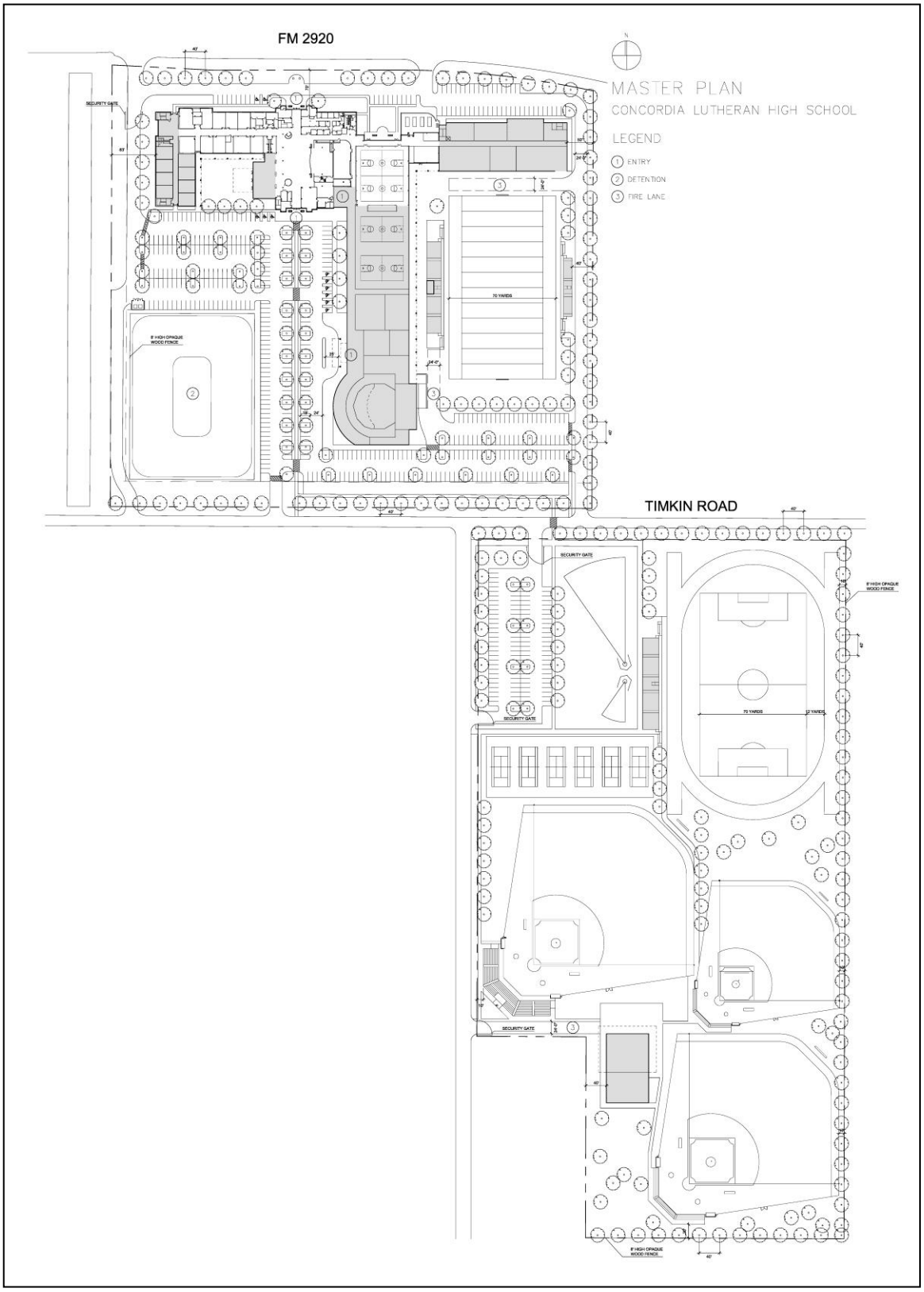
Sincerely,

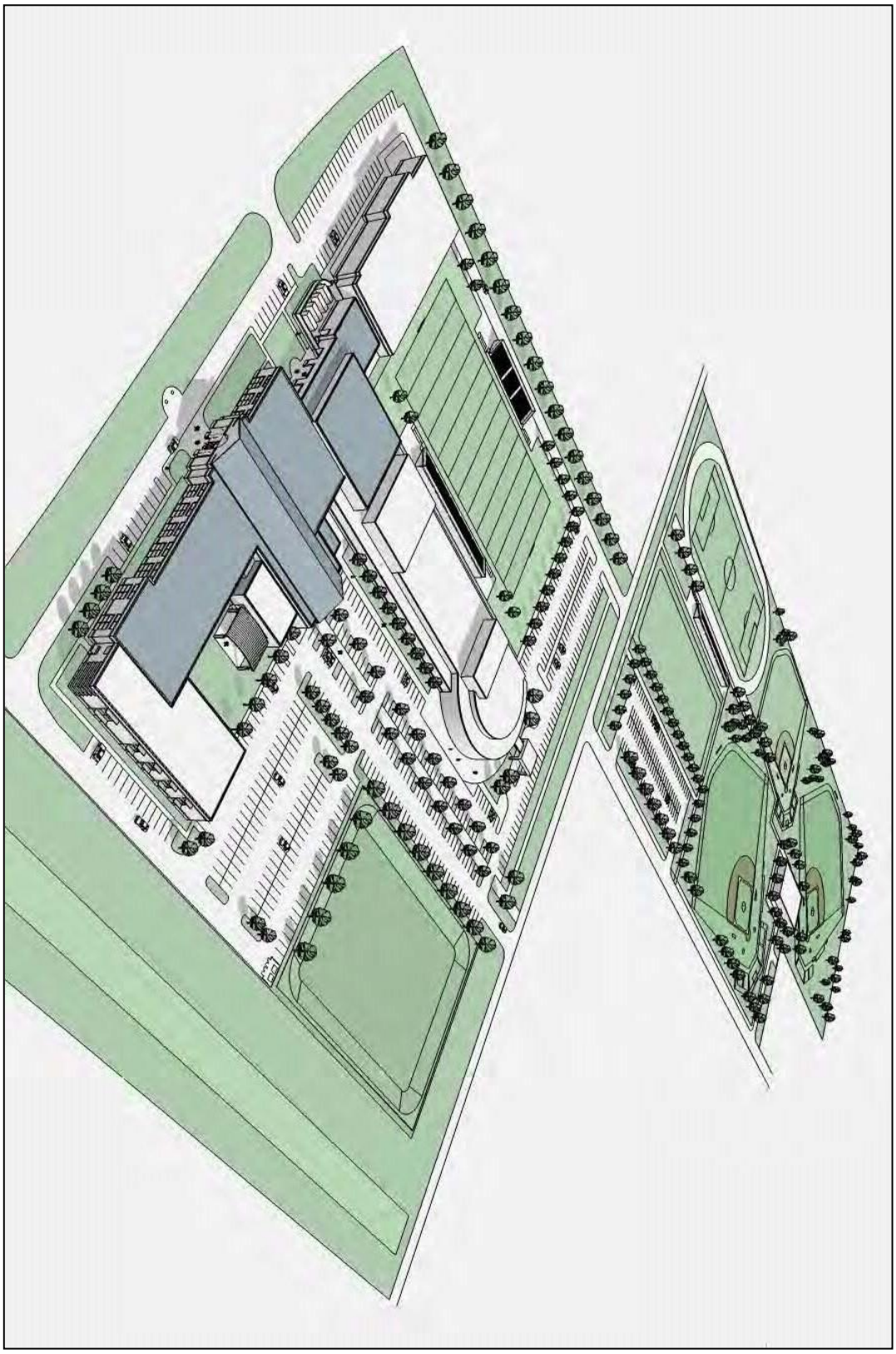
Joel R. Bode
Head of School

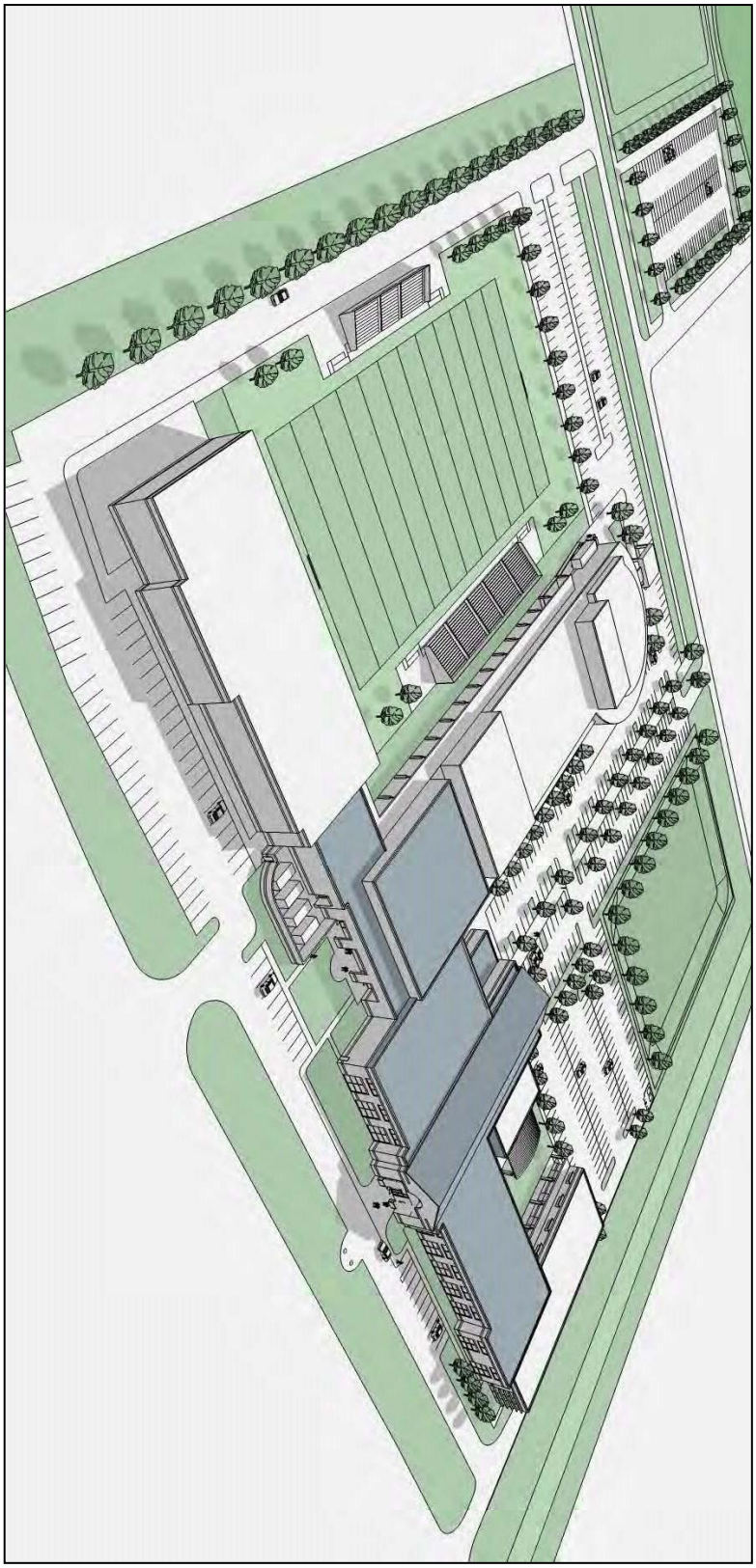
BUILDING LIVES OF EXCELLENCE UPON THE FOUNDATION OF CHRIST

WWW.CLHS-TX.ORG

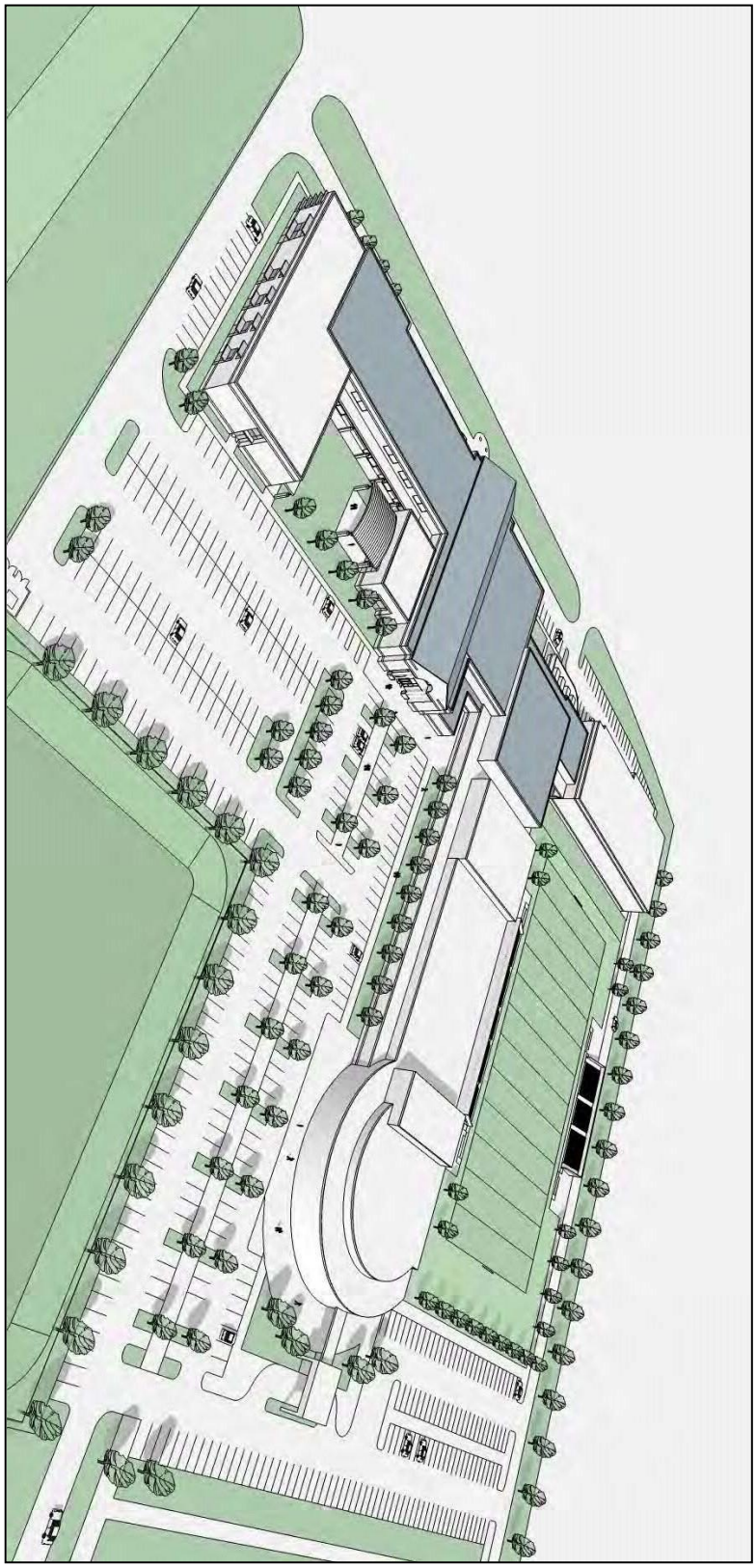
Exhibit "E"
Concept Plan

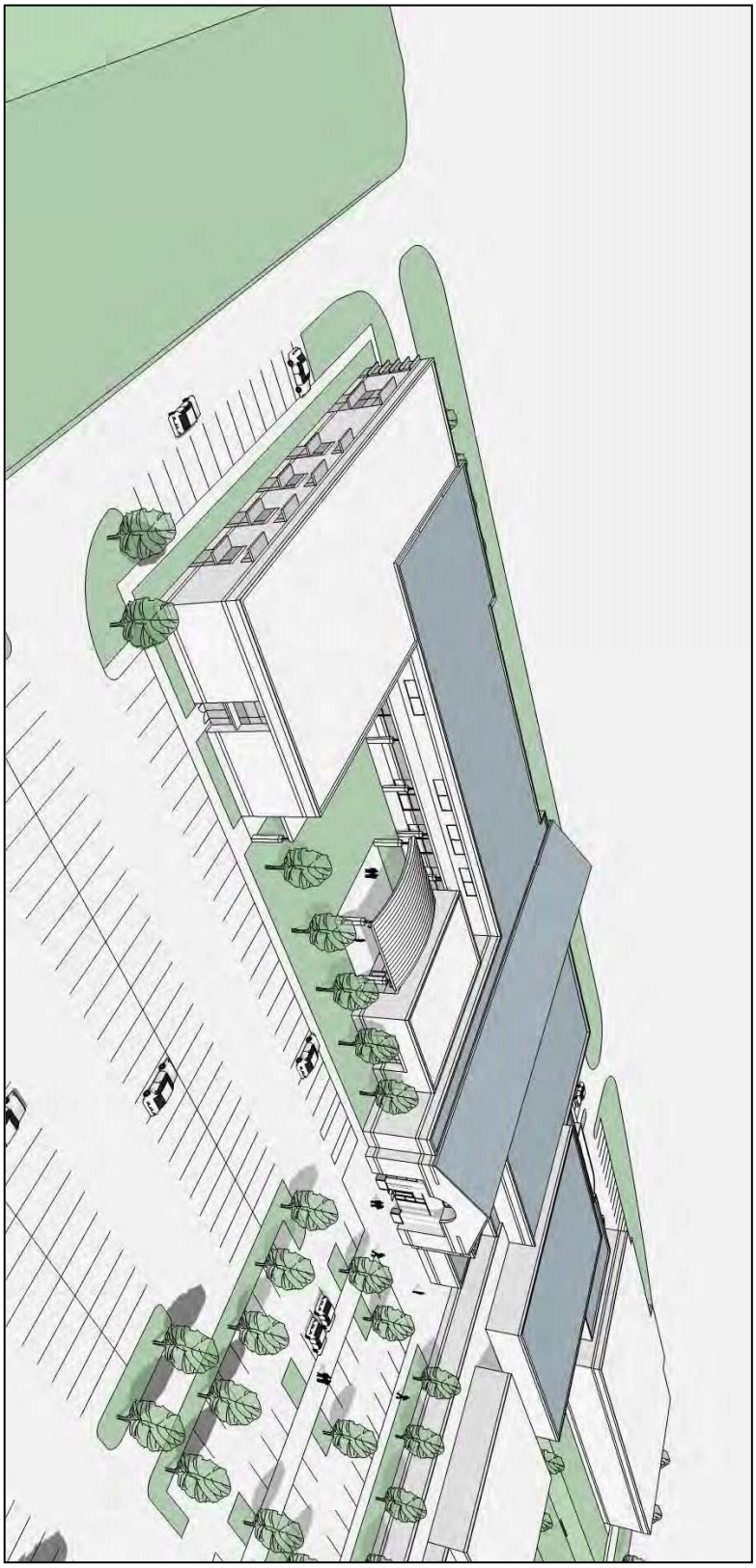
















ORDINANCE NO. 2014-XX

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING ITS ZONING ORDINANCE, BY APPROVING A PLANNED DEVELOPMENT (PD) DISTRICT OF APPROXIMATELY 39.4 ACRES OF LAND, LEGALLY DESCRIBED AS RESERVE A, BLOCK 1, NORTH HARRIS COUNTY CONCORDIA LUTHERAN HIGH SCHOOL AND TRACTS 4, 4A, 4B, AND 5, ABSTRACT 629, J. PRUITT; WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT THE PD TO BE KNOWN AS PD DISTRICT #7 (PD-7); ADOPTING A CONCEPT PLAN AND REGULATIONS APPLICABLE TO PD-7; 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 owner of approximately 39.4 acres of land, legally described as Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4A, 4B, and 5, Abstract 629, J. Pruitt; generally located southerly of East Main Street, northerly of Lizzie Lane, easterly of South Chestnut Street, and westerly of South Persimmon Street, in the City of Tomball, Harris County, Texas, (the "Property"), has requested that the Property be rezoned; and

Whereas, the owner has presented an application to the City for a PD District to allow the expansion of Concordia Lutheran High School; and

Whereas, the PD District application consists of an application for PD District (Exhibit "A"); request letter (Exhibit "B"); and concept plan (Exhibit "C") attached to and made a part of this Ordinance; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days written notice of that hearing to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the proposal to change the zoning for the Property from the General Retail and Single-Family Residential-6 Districts to PD-7; and

Whereas, the public hearing was held at least forty (40) calendar days after the City's receipt of the request for rezoning; and

Whereas, the Planning & Zoning Commission recommended in its final report that City Council grant such proposed change in the zoning district classification of the Property; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing on the proposal to change the zoning district classification for the Property from the General Retail and Single-Family Residential-6 Districts to PD-7, the City Council held the public hearing on the proposal to change the zoning for the Property and the City Council considered the final report of the Planning & Zoning Commission regarding the change of zoning district classification; and

Whereas, the City Council deems it appropriate to grant such proposed change in the zoning district classification of the Property.

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

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

Section 2. The zoning classification of the Property is hereby changed from the General Retail and Single-Family Residential-6 Districts to PD-7 subject to the regulations, restrictions, and conditions hereafter set forth.

Section 3. The Official Zoning Map of the City of Tomball shall be revised and amended to show the designation of the Property as PD-7, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Tomball, save and except the change in zoning classification of the Property, to PD-7 as described above.

Section 5. PD-7 shall be subject to the following additional limitations, restrictions, and covenants:

A. Compliance with Application and Concept Plan. The granting of the PD District shall be conditioned upon the proposed improvements and land uses being located, constructed, and conducted upon the Property in substantial compliance with the application for PD District (Exhibit "A"), request letter (Exhibit "B"), and concept plan (Exhibit "C") made a part hereof for all purposes.

B. Height Regulations:

   a. Maximum Height:

      i. Main Building/House: 50'

      ii. Accessory Building(s): 27'

C. Area Regulations:

   a. Size of Lots:

      i. Minimum Lot Area: 320,000 square feet

      ii. Minimum Lot Width: 400'

      iii. Minimum Lot Depth: 800'

   b. Size of Yards:

      i. Minimum Front Yard: 25'; 35' when adjacent to arterial

      ii. Minimum Side Yard: 10'

DRAFT

iii. Minimum Rear Yard: 20'

c. Maximum Lot Coverage: 30%

d. Maximum Impervious Coverage: 60%

D. PD-7 shall be limited to only the following land uses:

a. School – Public or Denominational

b. Church/Temple/Place of Worship

c. Playfield or Stadium (Private)

E. PD-7 shall adhere to Articles I, II, and VI of the Zoning Ordinance.

F. Off-Street Parking and Loading Requirements

a. PD-7 shall provide a minimum of 550 off-street parking.

b. If overflow parking is required in excess of 550 spaces, it shall not be permitted in designated drive aisles, loading spaces, or public rights-of-way.

c. PD-7 shall adhere to all other regulations of Section 39 of the Zoning Ordinance.

G. PD-7 shall adhere to Sections 40 ("Landscape Requirements"), 41 ("Accessory Buildings and Related Use Regulations"), 42 ("Screening, Buffering, and Fencing Requirements"), 43 ("Supplemental Regulations"), 44 ("Home Occupation Regulations"), 45 ("Definitions") of the Zoning Ordinance or the Concept Plan, whichever is more restrictive.

H. Other Requirements

a. Building Materials: The major building material shall be masonry and shall be in harmony with the existing masonry walls. Window frames shall match the color of the existing window frames. Any accent metal panels shall be complementary in color to the masonry walls and window frames. Covered walkways shall be aluminum and shall be complementary in color to the masonry walls and window frames.

b. South Campus Vehicular Access: The portion of the campus south of Timkin Road shall have two vehicular access points. One shall be from Timkin Road and the other shall be from the private drive to the west. Both access points shall be secured with gates and shall be shut and locked after normal hours of use.

c. North Campus Speed Controls: A speed limit sign and speed bumps shall be posted along the drive aisle east of the proposed football field.

d. Hours of Operation By Use:

DRAFT

i. School – Public or Denominational: 7:00 AM to 6:00 PM

ii. Church/Temple/Place of Worship: 9:30 AM to 1:30 PM

iii. Playfield or Stadium (Private): No later than 10:00 PM

e. Noise: PD-7 shall adhere to all noise and nuisance regulations of the City of Tomball.

f. Screening and Buffering: All portions of PD-7 that are adjacent to a single- or two-family residential districts or uses shall be screened with an 8' high opaque wooden fence and trees spaced on 40' centers. All dumpsters shall be screened with masonry walls and opaque gates.

g. Lighting: All drives shall be lit with a minimum intensity of two foot-candles. Lighting for the fields shall be equipped with cut-off baffles to shield any light spilling onto the adjoining neighbors.

Section 6. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

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

Section 8. City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Tex.Gov't. Code ch. 551.

DRAFT

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 18TH DAY OF AUGUST 2014.

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

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 1ST DAY OF SEPTEMBER 2014.

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

_____
Gretchen Fagan, Mayor

ATTEST:

_____
Doris Speer, City Secretary

DRAFT

Exhibit "G"
Site Photos



Figure 1: Subject site.
Source: Google Earth



Figure 2: Subject site.
Source: Google Earth

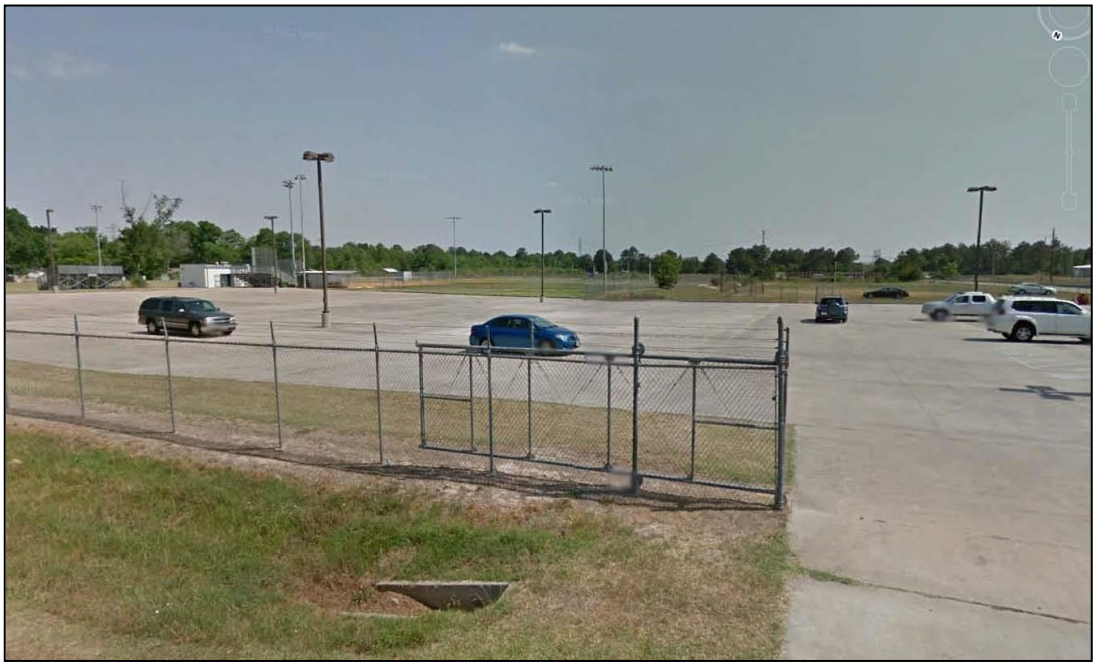


Figure 3: Subject site.
Source: Google Earth



Figure 4: North of subject site.
Source: Google Earth



Figure 5: South of subject site.
Source: Google Earth



Figure 6: West of subject site.
Source: Google Earth



Figure 7: West of subject site.
Source: City of Tomball



Figure 8: West of subject site.
Source: City of Tomball



Figure 9: East of subject site.
Source: Google Earth



Figure 10: East of subject site.
Source: City of Tomball

Exhibit "H"
Public Comment Form(s)

Public Comment Form

(Please type or use black ink)

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

Please return to:
City of Tomball
Attn: Rodney Schmidt
501 James Street
Tomball, TX 77375

RECEIVED
AUG 06 2014
BY:

Name: Alfred B. Colwell
(please print) ALFRED B. COLWELL
Address: 235 E. MAIN ST
Signature:
Date: 8/3/2014

✓ I am **FOR** the requested rezoning as explained on the attached public notice for **Zoning Case P14-123. (Please state reasons below)**

____ I am **AGAINST** the requested rezoning as explained on the attached public notice for **Zoning Case P14-123. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:
Monday, August 11, 2014, 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:
Monday, August 18, 2014, 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

THIS WILL BE A POSITIVE IMPACK ON THE city.

You may also comment via email to rschmidt@tomballtx.gov.
Please reference the case number in the subject line.
For questions regarding this request please call 281-290-1410.

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION
AUGUST 11, 2014
&
CITY COUNCIL
AUGUST 18, 2014

Notice is Hereby Given that a Public Hearing will be held by the Planning & Zoning Commission of the City of Tomball on **Monday, August 11, 2014, at 6:00 P.M.,** and by the City Council of the City of Tomball on **Monday, August 18, 2014, 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 Planning & Zoning Commission and City Council will consider the following:

ZONING CASE P14-123: Request by Bill Merriman, on behalf of Concordia Lutheran High School, to amend the City's Zoning Ordinance by rezoning approximately 39.4 acres of land, legally described as Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4A, 4B, and 5, Abstract 629, J. Pruitt; within the City of Tomball, Harris County, Texas; generally located southerly of East Main Street, northerly of Lizzie Lane, easterly of South Chestnut Street, and westerly of South Persimmon Street; from the General Retail and Single-Family Residential-6 Districts to the Planned Development - 7 District to facilitate the expansion of Concordia Lutheran High School.

Persons interested in this case will be given an opportunity to be heard. Action by the Planning & Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Should the Planning & Zoning Commission 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 Planning & Zoning Commission. The application is available for public inspection 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.

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 8th day of August 2014 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Craig Meyers
Craig Meyers
Director of Community Development

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.

Notice of Public Hearing

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

CASE NUMBER: P14-123

APPLICANT: Bill Merriman, on behalf of Concordia Lutheran High School

LOCATION: ***S***outherly of East Main Street, northerly of Lizzie Lane, easterly of South Chestnut Street, and westerly of South Persimmon Street

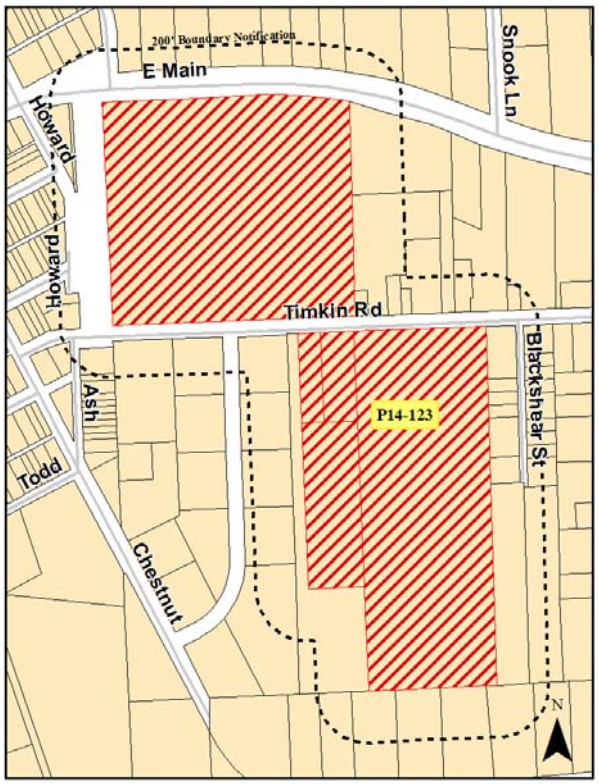
PROPOSAL: Request to amend the City's Zoning Ordinance by rezoning approximately 39.4 acres of land, legally described as Reserve A, Block 1, North Harris County Concordia Lutheran High School and Tracts 4, 4A, 4B, and 5, Abstract 629, J. Pruitt, within the City of Tomball, Harris County, Texas, from the General Retail and Single-Family Residential-6 Districts to the Planned Development - 7 District to facilitate the expansion of Concordia Lutheran High School.

* * *

CONTACT: Rodney Schmidt
PHONE: (281) 290-1410
E-MAIL: rschmidt@tomballtx.gov

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

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



Planning & Zoning Commission
Public Hearing:
Monday, August 11, 2014, 6:00 PM

City Council Public Hearing:
***Monday, August 18, 2014, 6:00 PM**

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

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Adopt, on Second Reading, Ordinance No. 2014-28, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, or Parts Thereof, Within the Corporate Limits of the City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars ($200.00) for the Violation of this Ordinance

Background:

On July 10, 2014, Public Works staff contacted the Houston District Traffic Engineering Office of the Texas Department of Transportation (TxDOT) to express concerns regarding the posted speed limits along FM 2920 through the City of Tomball. The basis for the concerns were that continued growth and development along FM 2920 through Tomball was contributing to increased traffic volumes and adding to the number of driveway connections along FM 2920, and that these factors may increase the potential for vehicle accidents given current posted speed limits.

TxDOT conducted a Speed Zone Study, which has warranted certain revisions to the posted speed limits along sections of FM 2920 through Tomball, and has provided the City with a set of Speed Zone Strip Maps and a suggested Speed Zone Ordinance containing the recommended speed zones for FM 2920 through Tomball. Once the City of Tomball executes the required ordinance, TxDOT estimates the new speed limits to be posted in approximately 30 days.

The recommended revisions include the following speed zones;

- FM 2920 from the west city limit of Tomball to the southbound frontage road of SH 249 (1.565 miles), the speed limit shall be 45 MPH (no change);
- FM 2920 from the southbound frontage road of SH 249 to the intersection of Snook Lane (2.225 miles), the speed limit shall be 30 MPH (S. Peach to Snook Lane currently 45 MPH);
- FM 2920 from the intersection of Snook Lane to the east city limits of Tomball (0.514 miles), the speed limit shall be 45 MPH (east of Persimmon currently 50 MPH);
- The ordinance also establishes the school zones for Tomball Intermediate School and Concordia High School as 20 MPH when flashing.

Attached for Council's review are (1) TxDOT Notice of Speed Study Recommendation 080714, (2) TxDOT Suggested Speed Zone Ordinance No. 2014-28, and (3) Speed Zone Strip Maps 5750A - 5750B.

Origination:

Public Works Department

Recommendation:

Adopt Ordinance No. 2014-28 on Second Reading

Funding:

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

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2014-28
TxDOT Notice of Speed Study Recommendation 080714
TxDOT Seed Zone Strip Maps 5750A and 5750B

ORDINANCE NO. 2014-28

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

* * * * * * * * * *

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

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

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

Along FM 2920 from the west city limit of the City of Tomball to the south-bound frontage road of SH 249, a distance of approximately 1.565 miles, the speed limit shall be 45 MPH;

Along FM 2920 from the south-bound frontage road of SH 249 to the intersection of Snook Lane, a distance of approximately 2.225 miles, the speed limit shall be 30 MPH;

Along FM 2920 from the intersection of Snook Lane to the east city limit of the City of Tomball, a distance of approximately 0.514 mile, the speed limit shall be 45 MPH.

Along FM 2920, a school zone, from point of 264 feet east of a Holderrieth Boulevard to a point of 475 feet west of Poplar Street, a distance of approximately 0.220 mile, the speed limit shall be 20 MPH when flashing;

Along FM 2920, a school zone, from Howard Street to 316 feet west of Snook Lane, a distance of approximately 0.290 mile, the speed limit shall be 20 MPH when flashing.

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

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 18TH DAY OF AUGUST 2014.

COUNCILMAN HUDGENS	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN DEGGES	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN KLEIN QUINN	AYE

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 18TH DAY OF NOVEMBER 2013.

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

_____
GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

_____
DORIS SPEER, City Secretary
City of Tomball

Texas Department of Transportation
P.O. BOX 1386 | HOUSTON, TEXAS 77251-1386 | (713) 802-5000 | WWW.TXDOT.GOV

August 7, 2014

The Honorable Gretchen Fagan
Mayor, City of Tomball
401 Market Street
Tomball, Texas 77375-4697

RE: Speed Limit Study – Control Section 2941-1 & 2 Harris County

Dear Mayor Fagan:

Our office has completed a Speed Zone Study along FM 2920 within the City of Tomball.

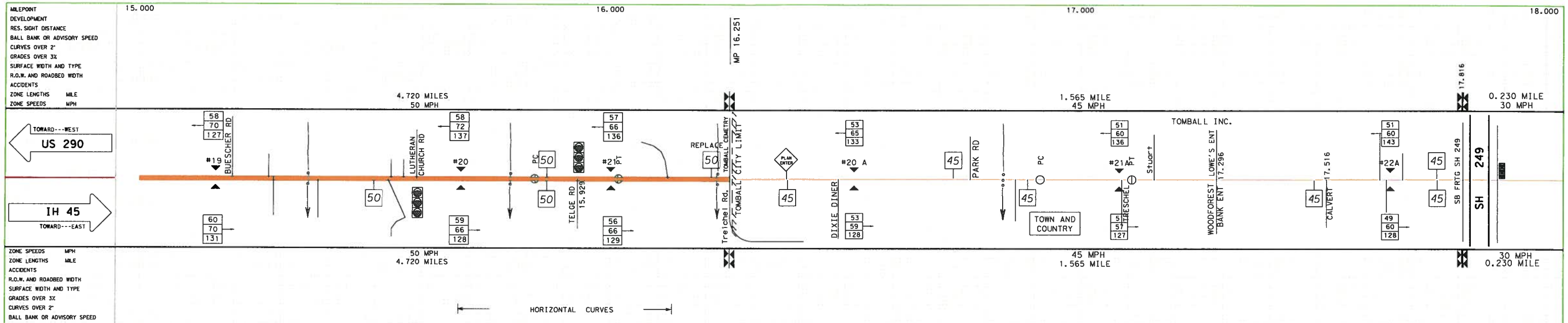
Attached you will find Speed Zone Strip Maps numbered 5750A through 5750B and a prepared Speed Zone Ordinance suggested by the Texas League of Municipalities containing the recommended zone along FM 2920. If you concur with the recommended zone please furnish this office with a copy of your executed ordinance.

Should you have questions, please contact Rogelio R. Rubico, P.E., at (713) 802-5182 or Boris Klebanskiy at (713) 802-5830.

Sincerely,

Ugonna U. Ughanze, P.E.
Director of Transportation Operations
Houston District

Attachments
cc: David Kauffman – City of Tomball
Rogelio R. Rubico, P.E.
Mr. Boris Klebanskiy



DISTRICT	HOUSTON	COUNTY	HARRIS	MINUTE NO.	DATE / /
HIGHWAY	FM 2920	CITY	RURAL/TOMBALL	REPLACES	DATE / /
DATE OF SURVEY	12/2011	SCALE	5" = 1 MILE	REPLACED BY	DATE / /
				CANCELED BY	DATE / /

LIMITS OF ZONE

SECTION ONE	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS		2941=1	
ENDS		2941=1	

SECTION TWO	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS			
ENDS			

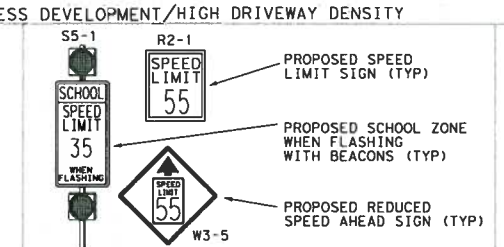
LIMITS OF ZONE

SECTION THREE	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS			
ENDS			

SECTION FOUR	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS			
ENDS			

SPEED CHECK BLOCK:
- 68 — 85 PERCENTILE SPEED
- 74 — TOP SPEED MEASURED
- 85 — NUMBER OF CARS CHECKED
- (65) — TRIAL RUN CONDUCTED

- — FATAL ACCIDENT
- — PERSONAL INJURY ACCIDENT
- (N) — PROPERTY DAMAGE ACCIDENT
- — SECTION ZONED BY COMMISSION MINUTE ORDER
- 55 — EXISTING SPEED LIMIT SIGN
- — SECTION ZONED BY CITY ORDINANCE
- #N — SPEED CHECK STATION
- — EXCEEDED STATEWIDE AVERAGE ACCIDENT
- — EXISTING SIGNAL
- — EXISTING FLASHING BECON
- — EXISTING POLE
- — PROPOSED SIGN
- PC — POINT OF CURVE
- PT — POINT OF TANGENT



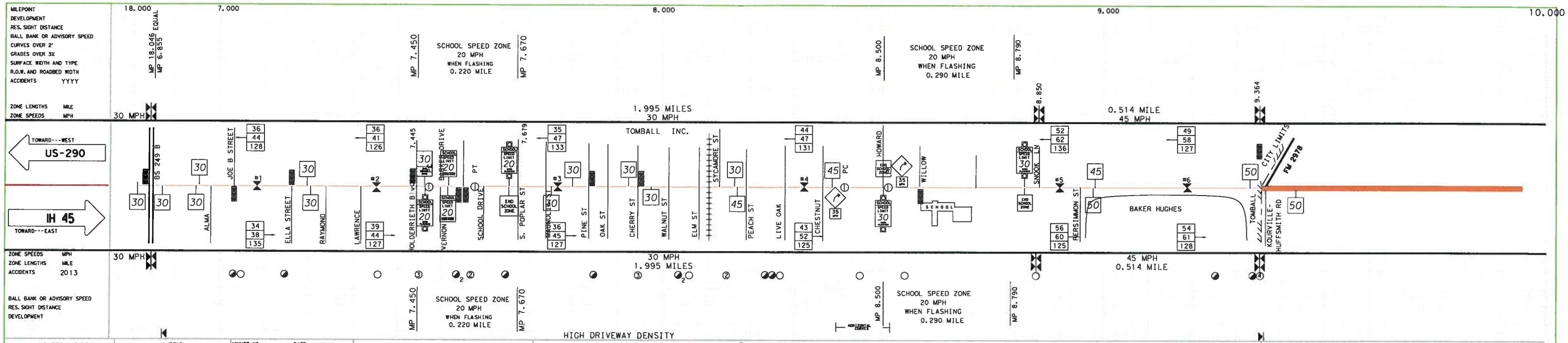
TEXAS DEPARTMENT OF TRANSPORTATION

SPEED ZONE

STRIP MAP 5750 A

H:\TrfSpeedZoning\BORIS\FM 2920 (2941-02) (7-2014)T.dgn

8/6/2014 2:15:28 PM



DISTRICT	HOUSTON (DIST 12)	COUNTY	HARRIS
HIGHWAY	FM 2920	CITY	TOMBALL/RURAL
DATE OF SURVEY	7/2014	SCALE	5" = 1 MILE

MINUTE NO.		DATE
REPLACES		DATE
REPLACED BY		DATE
CANCELED BY		DATE

LIMITS OF ZONE

SECTION ONE	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS	9.364	2941-2	
ENDS	19.714	2941-2	

LENGTH 10.350 MILES

SECTION TWO	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS			
ENDS			

SECTION THREE	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS			
ENDS			

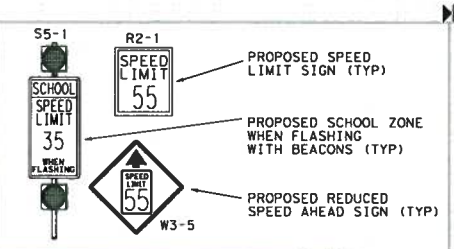
LENGTH

SECTION FOUR	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS			
ENDS			

LIMITS OF ZONE

SPEED CHECK BLOCK:
68 — 85 PERCENTILE SPEED
74 — TOP SPEED MEASURED
85 — NUMBER OF CARS CHECKED
(65) — TRIAL RUN CONDUCTED

- FATAL ACCIDENT
- PERSONAL INJURY ACCIDENT
- (N) PROPERTY DAMAGE ACCIDENT
- SECTION ZONED BY COMMISSION MINUTE ORDER
- 55 EXISTING SPEED LIMIT SIGN
- SECTION ZONED BY CITY ORDINANCE
- SN SPEED CHECK STATION
- EXCEEDED STATEWIDE AVERAGE ACCIDENT
- EXISTING SIGNAL
- EXISTING FLASHING BECON
- EXISTING POLE
- PROPOSED SIGN
- PC POINT OF CURVE
- PT POINT OF TANGENT



TEXAS DEPARTMENT OF TRANSPORTATION

SPEED ZONE

STRIP MAP 5750 B

H:\TrfSpeedZoning\BORIS\FM 2920 (2941-02) (7-2014)T.dgn

8/6/2014 2:15:58 PM

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Ratify the FY 2014-2015 Budget and Find that the Proposed Tax Rate of $.341455/$100 Does Not Exceed the Effective Tax Rate and Will Generate Less Property Tax Revenue than the FY 2013-2014 Budget.

Background:

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

According to Harris County's Effective Tax Rate Notice, the proposed rate of $.341455 per $100 of assessed value does not exceed the effective tax rate.

The notice of effective tax rate for Tomball will be published in the official newspaper on September 1, 2014, as required by state law.

After ratifying the 2014-2015 budget and finding that the proposed tax rate does not exceed the effective tax rate, Council will announce that no public hearings on the tax rate will be required.

Voting on the Ordinance to adopt the tax rate will take place on September 15, 2014 and October 6, 2014. This year's proposed tax rate does not exceed the effective tax rate. The motion to adopt an ordinance, resolution or order setting the tax rate does not require the language about "tax increase" as stated in Section 26.05(b) of the Property Tax Code.

Origination:

City Secretary

Recommendation:

Ratification of the FY 2014-2015 Budget and find that the proposed tax rate of $0.341455 will generate less property tax revenue than the FY 2013-2014 Budget.

Funding:

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

City Secretary

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Announce that No Public Hearings on the Proposed Tax Rate for 2014 will be Required

Background:

After Council has ratified the budget and found that the proposed tax rate will generate MORE tax revenue than the previous year's budget, the usual procedure would be to set and/or announce the dates for the public hearings on the proposed tax rate for 2014, if the proposed tax rate exceeds either the effective tax rate or the rollback rate.

On August 22, 2014, we received the certified tax rolls from Harris County; on August 28, 2014 we received the final calculation for the 2014 Property Tax Rates notice for the City of Tomball. The current tax rate of $0.341455 is less than both the effective tax rate and the rollback tax rate. The notice of effective tax rate was published in the September 1, 2014 issue of the official newspaper.

Because our proposed tax rate is less than both the effective and rollback tax rates, the City is not required to hold public hearings.

City staff suggests that the first reading of the ordinance adopting the tax rate be held on September 15, at the next regular Council meeting and the second reading of the ordinance be held at the October 6, 2014 regular Council meeting. The October 6 date will meet the requirements to adopt the tax rate within 60 days of receiving the certified rolls from Harris County.

Origination:

City Secretary

Recommendation:

Announce that no public hearings are required for the proposed tax rate for 2014.

Funding:

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

Doris Speer, City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Notice of Effective Tax Rate (2014 Property Tax Rates in City of Tomball)

2014 Property Tax Rates in City of Tomball

This notice concerns the 2014 property tax rates for City of Tomball. It presents information about three tax rates. Last year's tax rate is the actual tax rate the taxing unit used to determine property taxes last year. This year's *effective* tax rate would impose the same total taxes as last year if you compare properties taxed in both years. This year's *rollback* tax rate is the highest tax rate the taxing unit can set before taxpayers start rollback procedures. In each case these rates are found by dividing the total amount of taxes by the tax base (the total value of taxable property) with adjustments as required by state law. The rates are given per $100 of property value.

Last year's tax rate:	
Last year's operating taxes	$1,662,244
Last year's debt taxes	$3,430,229
Last year's total taxes	$5,092,473
Last year's tax base	$1,491,403,845
Last year's total tax rate	$0.341455/$100
This year's effective tax rate:	
Last year's adjusted taxes (after subtracting taxes on lost property)	$5,082,886
÷ This year's adjusted tax base (after subtracting value of new property)	$1,478,882,427
=This year's effective tax rate	$0.343697/$100
(Maximum rate unless unit publishes notices and holds hearings.)	
This year's rollback tax rate:	
Last year's adjusted operating taxes (after subtracting taxes on lost property and adjusting for any transferred function, tax increment financing, state criminal justice mandate, and/or enhanced indigent healthcare expenditures)	$5,064,955
÷ This year's adjusted tax base	$1,478,882,427
=This year's effective operating rate	$0.342485/$100
x 1.08=this year's maximum operating rate	$0.369883/$100
+ This year's debt rate	$0.230055/$100
= This year's total rollback rate	$0.599938/$100
-Sales tax adjustment rate	$0.225668/$100
=Rollback tax rate	$0.374270/$100

Statement of Increase/Decrease

If City of Tomball adopts a 2014 tax rate equal to the effective tax rate of $0.343697 per $100 of value, taxes would increase compared to 2013 taxes by $94,692.

Schedule A - Unencumbered Fund Balance

The following estimated balances will be left in the unit's property tax accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Property Tax Fund	Balance
General Fund	12,281,443
Special Revenue Funds	929,881

Schedule B - 2014 Debt Service

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
Series 2010 Refunding Bonds	270,000	19,970	0	289,970
Series 2011 Refunding Bonds	513,000	113,085	0	626,085
2011 Lease - Fire Truck	535,464	20,615	0	556,079
2015 Lease - Fire Truck	68,104	27,200	0	95,304
Series 2012 Certificates of Obligatioin	585,000	459,819	0	1,044,819
Series 2013 Refunding Bonds	490,000	57,888	0	547,888
Series 2013 Certificates of Obligation	340,000	184,913	0	524,913

Total required for 2014 debt service	$3,685,058
- Amount (if any) paid from Schedule A	$213,000
- Amount (if any) paid from other resources	$0
- Excess collections last year	$0
= Total to be paid from taxes in 2014	$3,472,058
+ Amount added in anticipation that the unit will collect only 100.00% of its taxes in 2014	$0
= Total debt levy	$3,472,058

Schedule C - Expected Revenue from Additional Sales Tax

In calculating its effective and rollback tax rates, the unit estimated that it will receive $3,405,840 in additional sales and use tax revenues.

This notice contains a summary of actual effective and rollback tax rates' calculations. You can inspect a copy of the full calculations at 1001 Preston, Houston, TX 77002.

Name of person preparing this notice: Mike Sullivan
Title: Harris County Tax Assessor-Collector
Date Prepared: 08/28/2014

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Approve Long-Term Use Agreement between the City of Tomball and Tomball Farmers Market Allowing Tomball Farmers Market to Use City of Tomball Property Located at 105-A Cherry Street

Background:

Lane McCarty, Master Gardener and General Manager of the Tomball Farmers Market, has approached the City of Tomball with a request to use the City's parking facility at 105-A Cherry Street for the Saturday Tomball Farmer Market events, due to the growing popularity of the event and the anticipated loss of their current location.

The Tomball Farmers Market operates every Saturday, year-round, from 9:00 a.m. to 1:00 p.m., except during the two Tomball Sister City German Festivals. It has proven to be a popular shopping experience in the downtown area.

Attached is a draft agreement for Council review and consideration.

The proposed agreement addresses the City's Strategic Plan in the focus areas of Community Basics and Building our Economy.

Origination:

Lane McCarty, representing Tomball Farmers Market

Recommendation:

N/A

Funding:

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Draft Agreement between COT and TFM
TFM Insurance Certificate

FACILITY USE AGREEMENT BETWEEN THE CITY OF TOMBALL AND THE TOMBALL FARMERS MARKET

This Facility Use Agreement ("Agreement") is made and entered into this ____ day of _____, 2014 by and between the City of Tomball ("City") and the Tomball Farmers Market ("TFM"), a Texas nonprofit corporation.

WHEREAS, the City is the owner of the City Parking Lot, located at 105-A Cherry Street, Tomball, Texas ("Site"); and

WHEREAS, the City and the TFM agree that the TFM is an independent contractor with respect to the services provided pursuant to this agreement, nothing in this agreement shall be considered to create the relationship of employer and employee between the parties hereto; and

WHEREAS, it is in the City's and the public's interest to allow TFM to use the City Parking Lot property, referenced as the "Site", for operation of the Tomball Farmers Market, subject to the terms specified within this Agreement;

NOW THEREFORE, in consideration of the promises and commitments made herein, the sufficiency of which is hereby acknowledged, it is agreed as follows:

1. Premises. The City hereby agrees to allow TFM to use the Site, graphically depicted on Exhibit "A", a copy of which is attached and incorporated by this reference, for the sole purpose of operating a farmers market upon the following terms and conditions.

2. Term. For planning purposes, this Agreement shall be deemed in full force and effect as of the date of execution. The use permitted under this Agreement shall be on the dates and times specified herein. This Agreement may be renewed for additional one-year terms upon written, mutual agreement between the City and TFM.

3. Use. TFM shall use said Premises for the sole purpose of operating a farmers market. All other uses are expressly prohibited without the prior written consent of the City Manager.

   Parking for vendors will be located at 105-A Cherry Street, as designated by TFM, in order to provide adequate parking for customers.

   Products to be sold at the farmers market include, but are not limited to, fresh farm, organic and local products; processed farm, organic and local foods; baked goods and grain products; artisan/craft products; trees or plants; and distribution of educational and free informational or promotional items.

4. Improvements and Alterations. TFM shall make no alterations or improvements to or upon the Premises, or install any fixtures (other than trade fixtures which can be removed

without injury to the Premises) without first obtaining written approval from the City Manager or his designee.

5. Dates and Hours of Operation. The TFM shall have use of the Site beginning October 4, 2014 and continuing through December 31, 2014; thereafter, the TFM shall have use of the Site beginning January 1 and ending December 31 of each year, with the exception of the dates for the two Tomball Sister City German Festivals, during which time the City-owned property will be unavailable for use by the TFM. Such use shall be between the hours of 9:00 a.m. and 1:00 p.m. on Saturdays. Times may be adjusted by TFM as needed with written notification to City.

   a) Market season is expected to begin in January and continue through December of each year.
   b) General. The City agrees the Site shall be available two (2) hours prior to the times established above for set-up purposes. The TFM agrees to clean up and vacate the Site no later than two (2) hours after the stated time of the market as referenced previously.

6. Rental Fees. In executing this Agreement, the parties expressly agree and affirm that the use permitted herein is without charge.

7. Duties of the TFM.

   a) The TFM agrees to include in its vendor guidelines and market promotion that the farmers' market will adhere to the City's policy of no smoking in city parks and public facilities.
   b) The TFM agrees to give local farmers priority in taking part in the farmers market.
   c) The TFM is responsible for obtaining all permits, certificates and licenses necessary to operate a farmers market.
   d) The TFM is responsible for all operation and management duties, including but not limited to:
      - setting up and closing the market;
      - putting up signs and banners;
      - removing trash and debris;
      - managing the number of vendors and their stall positions;
      - collecting fees;
      - providing all necessary labor, materials, equipment and supplies;
      - resolving issues such as prices, stall locations, eligible foods/products, etc.;
      - complying will all federal, state, and local laws, ordinances and regulations, applicable to operating a farmers market;
      - enforcing guidelines; and
      - marketing the Tomball Farmers Market.

c) The TFM understands that this agreement and the terms described above solely cover the use of the Site for the specified days for the farmers market. Any additional uses of the Site will be subject to rental fees.

8. Indemnification/Hold Harmless. TFM shall defend, indemnify and hold harmless the City of Tomball, its officers, officials, employees and volunteers from and against any and all claims, injuries, damages, suits including reasonable attorneys' fees, actions or liabilities for injury or death of any person, or for loss or damage to property, which arises out of the use of Site facility or premises or from any activity, work or thing done, permitted, or suffered by User in or about the facility or premises, except only such injury or damage as shall have been occasioned by the sole negligence of the City of Tomball.

9. Insurance. The TFM shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the use of the Site facility or premises. The TFM shall provide a certificate of insurance evidencing:

- General Liability insurance covering premises, products-completed operations and contractual liability. The City shall be named as an insured on the TFM's General Liability insurance policy. The General Liability insurance shall be written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate.

The insurance policy shall contain, or be endorsed to contain that the TFM's insurance coverage shall be primary insurance as respect to the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the TFM's insurance and not contribute with it.

The TFM shall provide a certificate of insurance evidencing the required insurance before using the facility or premises.

10. Assignment. This agreement may not be assigned or transferred without the written approval of the City.

11. Discrimination Prohibited. In all services or activities and all hiring or employment made possible by or resulting from this Agreement, there shall be no discrimination against any employee or applicant for participation in the farmers market operation because of sex, age (except minimum age and retirement provisions), race, color, creed, national origin, marital status, sexual orientation, or the presence of any sensory, mental, or physical handicap, unless based upon a bona fide occupational qualification, in the selection and retention of employees or procurement of materials or supplies. TFM shall observe and fully comply with any and all applicable federal, state, or local law or regulations regarding non-discrimination.

Any violation of this provision shall be considered a violation of a material provision of this Agreement and shall be grounds for cancellation, termination, or suspension, in whole or in part of the Agreement by the City, and may result in ineligibility for further City agreements. The TFM will also comply with other anti-discrimination laws or requirements of any and all jurisdictions having authority.

12. Compliance with All Laws and Regulations. In using the Premises, TFM will comply with all applicable laws, ordinances, and regulations from any and all authorities having jurisdiction. The TFM specifically agrees to comply and pay all costs associated with achieving such compliance without any notice from the City, and further agrees that the City of Tomball does not waive this section by giving notice of demand for compliance in any instance.

    The TFM further covenants and agrees that it does not and will not knowingly employ an undocumented worker. An "undocumented worker" shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States; or (b) authorized by law to be employed in that manner in the United States.

13. Non-Waiver. Waiver by the City of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.

14. Captions. The captions in this Agreement are for convenience only and do not in any way limit or amplify particular provisions.

15. Notice. Any notice or information required or permitted to be given to the parties under this Agreement may be sent to the following addresses unless otherwise specified in a subsequent written directive:

City of Tomball	Tomball Farmers Market
George Shackelford, City Manager	Lane McCarty, General Manager
401 Market Street	14090 FM 2920 – Suite G163
Tomball, TX 77375	Tomball, TX 77377

16. Termination. Either party to this agreement may, after thirty days' written notice to the other, may terminate the agreement.

    The City may suspend or terminate the Agreement due to emergency circumstances as defined by the City at its sole discretion.

    The City may suspend any farmers market(s) due to the need to access City-owned property for other uses with ten (10) days' written notice to the TFM.

17. Governing Law. This Agreement shall be governed, construed and interpreted by, through and under the Laws of the State of Texas. Venue for any claims that might flow from this Agreement shall lie exclusively in the federal and state courts of Harris County, Texas.

16. Severability. If any provision of this Agreement or the application thereof shall, for any reason and to any extent, be invalid or unenforceable, neither the remainder of this Agreement nor the application of the provision to other persons, entities or circumstances shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law.

17. Entire Agreement. By signing below the City of Tomball and the TFM understand and concur to this Agreement. This Agreement, together with attachments or addenda, represents the entire and integrated agreement between the City and the TFM. The parties hereby agree that this document contains the entire agreement between the parties and this Agreement shall not be modified, changed, altered or amended in any way except through a written amendment signed by all of the parties hereto.

IN WITNESS WHEREOF, the City and the TFM have executed this Agreement the date and year indicated.

CITY OF TOMBALL	TOMBALL FARMERS MARKET
_____	_____
George Shackelford, City Manager	Lane McCarty, General Manager
Date: _____	Date: _____

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 7/9/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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

PRODUCER

Modern Insurance Concepts, Inc
5900 S. Lake Forest Drive - Suite 300

McKinney Tx 75070

CONTACT NAME: Chris Terman
PHONE (A/C, No, Ext): 877-520-8363 FAX (A/C, No): 214-383-3279
E-MAIL ADDRESS: chris@exhibitorinsurenow.com
PRODUCER CUSTOMER ID #:

INSURED

Tomball Farmers Market
14090 FM 2920 Suite G-163
Tomball TX 77377

C/O Subscribed Users of Farmers Market Insure Now

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Lexington Insurance Company	19437
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 15602 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	**GENERAL LIABILITY**	X		010-624225	8/7/2014 12:01 AM	8/7/2015 12:01 AM	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$ 1,000,000
	X POLICY PRO-JECT LOC							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	HIRED AUTOS							$
	NON-OWNED AUTOS							$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DEDUCTIBLE							$
	RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N	N / A					WC STATU-TORY LIMITS OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? **(Mandatory in NH)**						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

We provide a venue for local farmers and artisans to sell their products. We are open every Saturday from 9:00 AM to 1:00 PM

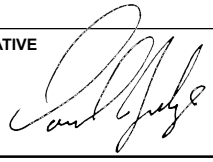
CERTIFICATE HOLDER

City of Tomball
401 Market St.
Tomball,TX 77375

CANCELLATION

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

AUTHORIZED REPRESENTATIVE



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Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Cast Ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees (TML-IRP)

Background:

Nominations for the TML Intergovernmental Risk Pool (TML-IRP) Board of Trustees, Places 1 through 5, are over. Tomball's City Manager, George Shackelford, has been nominated for Place 3.

We have received the official ballot for the election of Places 1-4 of the Board of Trustees for the TML-IRP Board of Trustees. Council is requested to select the candidates for Places 1-4; for Place 4, City staff recommendation is Peter Vargas.

Upon election to the TML-IRP Board of Trustees, Mr. Shackelford's term will expire October 1, 2020.

Origination:

TML-IRP

Recommendation:

Cast ballot for the TML-IRP Board of Trustees.

Funding:

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Official Ballot - TML-IRP Board of Trustees

OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool
Board of Trustees Election

This is the official ballot for the election of Places 1 – 4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2014. Ballots received after September 30, 2014, cannot be counted. **The ballot must be properly signed and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P. O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.**

PLACE 1

☐ **Robert T. Herrera** (Incumbent). City Manager, City of Cibolo (Region 7) since 2012. Mr. Herrera served as City Manager of Hondo, Texas from 2003 to 2012 and as City Manager of La Porte from 1986 to 2002. He has served other Texas cities, including management positions with the cities of San Marcos, Missouri City and Woodway. He has been a Board member of the TML Intergovernmental Risk Pool since 1993 and has served as Chair and Vice Chair of the Board.

WRITE IN CANDIDATE:

_____

PLACE 2

☐ **John W. Fullen** (Incumbent). Commissioner, Henderson Housing Authority (Region 15) since 2011. Mr. Fullen served as Mayor of the City of Henderson from 2004 to 2012, and currently serves on the Henderson Main Street Board (2004–present), Henderson Civic Center Board (2003–present), and the Henderson ETMC Hospital Diabetes Board (2009–present). He has been a Board member of the TML Intergovernmental Risk Pool since 2010.

WRITE IN CANDIDATE:

_____

PLACE 3

☐ **George Shackelford**. City Manager for Tomball (region 14) since 2010. He has served the past 30 years either as City Manager or Administrative Assistant for the cities of Canyon, Littlefield, Port Lavaca, Texarkana and Liberty. He has also served on the Texas City Management Association (TCMA) Board, numerous TCMA and regional committees, and as the TCMA representative to the TML Board. Mr. Shackelford is a 30-year member of the ICMA.

WRITE IN CANDIDATE:

_____

PLACE 4

☐ **Peter Vargas** (Incumbent). City Manager, City of Allen (Region 13) since 1999. Mr. Vargas received the 2010 Public Administrator of the Year Award from the North Texas American Society for Public Administration. He has been in public service since 1978. Mr. Vargas has been a Board member of the TML Intergovernmental Risk Pool since 2011 and is currently serving as Chair of its Underwriting Committee.

☐ **Rona Stringfellow**. Assistant City Manager, City of Lancaster (Region 13), serving in Lancaster since 2004, initially as a Planner. Ms. Stringfellow also served as a Long Range Planner for the City of McKinney. She is a member of TCMA, ICMA, North Texas City Managers Association, Greater Dallas Planning Council, American Planning Association, American Institute of Certified Planners and National Forum for Black Public Administrators.

WRITE IN CANDIDATE:

_____

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness by hand, this _____ day of _____, 2014.

_____ _____

Signature of Authorized Official Title

_____

Printed Name of Authorized Official

_____

Printed name of Political Entity

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2014-2015 Budget.

Background:

TEDC Bylaws state that the TEDC is to prepare and submit to the Tomball City Council for its approval an annual budget of expected revenue and proposed expenditures for the next fiscal year.

Origination:

Tomball Economic Development Corporation Board of Directors

Recommendation:

Approval of the FY 2014-2015 TEDC Budget, as approved by the TEDC Board of Directors at its Regular Meeting on August 5, 2014.

Funding: Yes

Account Number:

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

Kelly Violette, Executive Director, Tomball Economic Development Corporation.

ACTION TAKEN

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

ATTACHMENTS:

FY 2014-2015 Proposed TEDC Budget
TEDC Budget Notes
TEDC Account Descriptions

Tomball Economic Development Corporation
2014-2015 Proposed Budget
October 1, 2014 to September 30, 2015

	9/30/2013 Actual Rev./Exp.	2013-2014 Approved Budget	2013-2014 Year End Projected	2014-2015 Proposed Budget
Beginning Fund Balance	$ 9,591,849	$ 9,832,219	$ 9,832,219	$ 10,292,357
REVENUE				
Sales Tax	$ 3,145,893	$ 2,725,000	$ 3,350,000	$ 3,500,000
Interest	$ 45,388	$ 30,000	$ 40,000	$ 40,000
Grants	$ -	$ 5,500	$ 5,500	$ 5,500
Total Revenue	$ 3,191,281	$ 2,760,500	$ 3,395,500	$ 3,545,500
Total Available Resources	$ 12,783,130	$ 12,592,719	$ 13,227,719	$ 13,837,857
EXPENDITURES				
Administrative				
Salary and Benefits				
Salary-Executive Director	$ 85,883	$ 90,100	$ 90,100	$ 95,506
Salary-Eco. Dev. Coordinator	$ 53,561	$ 57,711	$ 57,711	$ 60,840
Benefits-Executive Director	$ 33,834	$ 35,143	$ 35,143	$ 36,408
Benefits-Eco. Dev. Coordinator	$ 31,908	$ 34,802	$ 34,802	$ 37,792
Total Salaries and Benefits	$ 205,185	$ 217,756	$ 217,756	$ 230,546
Other Personnel Expenditures				
Auto Allow-Executive Director	$ 7,200	$ 7,200	$ 7,200	$ 7,200
Phone Allowances	$ 768	$ 768	$ 768	$ 1,536
Local Travel Expense	$ 260	$ 450	$ 300	$ 450
Dues and Subscriptions	$ 7,484	$ 7,200	$ 7,200	$ 7,200
Seminars/Conference Registrations	$ 2,780	$ 7,000	$ 6,800	$ 7,000
Travel and Training	$ 6,116	$ 13,000	$ 11,500	$ 13,000
Total Other Personnel Expense	$ 24,607	$ 35,618	$ 33,768	$ 36,386
Service and Supply Expenditures				
Contracted Administrative Services	$ 10,000	$ 10,000	$ 10,000	$ 10,000
Bank Charges	$ 339	$ 500	$ 200	$ 500
Insurance	$ 1,958	$ 2,200	$ 1,886	$ 2,200
Computer Equipment & Maintenance	$ 2,102	$ 5,000	$ 2,000	$ 5,000
Communications Services	$ 4,145	$ 4,500	$ 3,800	$ 4,500
Legal Fees	$ 14,454	$ 25,000	$ 7,000	$ 25,000
Lease Expense-GTACC	$ 21,263	$ 22,000	$ 22,000	$ 22,000
Office Supplies	$ 2,671	$ 5,000	$ 2,500	$ 5,000
Total Service and Supply Expense	$ 56,932	$ 74,200	$ 49,386	$ 74,200
Total Administrative Expenditures	$ 286,724	$ 327,574	$ 300,910	$ 341,132

Indirect Economic Development Exp.				
Chamber Guide	$ 8,354	$ 8,400	$ 8,354	$ 8,400
Area Street Maps	$ 3,875	$ -	$ -	$ 4,000
GIS License	$ 500	$ 550	$ 500	$ 550
Marketing	$ 49,096	$ 75,000	$ 70,000	$ 75,000
Economic Impact Model License		$ 3,600	$ 3,600	$ 3,780
Event Sponsorships	$ 3,351	$ 7,500	$ 6,500	$ 7,500
Promotional Items		$ 6,500	$ 6,500	$ 6,500
Printing	$ 1,242	$ 6,500	$ 3,500	$ 6,500
Website	$ 3,113	$ 5,000	$ 3,500	$ 15,000
Professional Services	$ 850,128	$ 865,000	$ 375,000	$ 865,000
Miscellaneous	$ 5,226	$ 5,000	$ 5,000	$ 10,000
Total Indirect Expenditures	$ 924,885	$ 983,050	$ 482,454	$ 1,002,230
City Debt Service				
Southside Sewer Plant (1999 CO-2/15/2019)	$ 300,000	$ 300,000	$ 300,000	$ 300,000
Utilities Expansion (2002 CO-2/15/2022)	$ 370,000	$ 370,000	$ 370,000	$ 370,000
Business Park Infrastructure (Series 2013)	$ -	$ 534,816	$ 534,816	$ 524,913
Total Debt Service	$ 670,000	$ 1,204,816	$ 1,204,816	$ 1,194,913
Grants, Loans & Other Expenditures				
Project Grants	$ 731,889	$ 1,500,000	$ 550,000	$ 1,500,000
380 Agreement Payments	$ 108,108		$ 109,181	$ 35,000
Property Acquisition		$ -	$ -	$ 500,000
Business Improvement Grants- Current Year	$ 196,334	$ 300,000	$ 135,000	$ 300,000
Business Improvement Grants- Prior Years		$ 135,000	$ 138,000	$ 165,000
Total Grants/Loans	$ 1,036,331	$ 1,935,000	$ 932,181	$ 2,500,000
Total All Expenditures	$ 2,917,940	$ 4,450,439	$ 2,920,361	$ 5,038,275
Revenues Over (Under) Expenditures	$ 273,341	$ (1,689,939)	$ 475,139	$ (1,492,775)
Other- Unrealized Gains/Losses	$ (32,971)	$ (15,000)	$ (15,000)	$ (15,000)
Ending Fund Balance	$ 9,832,219	$ 8,127,280	$ 10,292,357	$ 8,784,583

TOMBALL
ECONOMIC DEVELOPMENT CORPORATION

TO: City Council

FROM: Kelly Violette
Executive Director

MEETING DATE: September 2, 2014

SUBJECT: Tomball Economic Development Corporation (TEDC)
FY 2014-2015 Proposed Budget

The Tomball Economic Development Corporation Bylaws require that the TEDC prepare and submit an annual budget of expected revenues and proposed expenditures for the next fiscal year to the Tomball City Council for its approval.

The TEDC Board of Directors approved the proposed budget at its Regular Meeting on August 5, 2014. The following notes highlight the proposed changes for the FY 2014-2015 TEDC Budget. A full description for each line item within the budget is provided in the attached document entitled "TEDC Account Descriptions."

TEDC BUDGET NOTES:

Beginning Fund Balance, Revenues, and Total Available Resources are based on current and projected numbers generated by Glenn Windsor, City of Tomball Finance Director, and Kelly Violette, Tomball Economic Development Corporation (TEDC) Executive Director.

Sales tax revenues are projected to be higher than originally budgeted for 2013-2014 based upon collections actually received from the State this past year. Revenues for FY 2013-2014 are estimated at $3,395,500, which is approximately $635,000 over the budgeted amount. This amount includes the $5,500 grant from CenterPoint Energy to assist with the TEDC's economic development activities. A conservative estimate of revenues for FY 2014-2015 indicates $3,545,500, based upon projected sales tax revenues of $3,500,000 and interest remaining relatively flat.

Administrative

Salary and Benefits: Salary and benefit information was provided by Lisa Coe, City of Tomball Human Resources Director. The salaries for the Executive Director and the Economic Development Coordinator reflect increases based on performance evaluations conducted by the Board of Directors at the August 5, 2014 TEDC Meeting.

Other Personnel Expenditures

- **Phone Allowances:** This item has been increased to reflect a phone allowance for the TEDC Coordinator in an amount of $63.99 per month, which is the basic rate for City of Tomball employees to cover City related costs incurred on personal cellular phones.

Service and Supply Expenditures

- No changes are proposed from the FY 2013-2014 approved budget.

Indirect Economic Development Expense

- **Area Street Maps:** The maps are printed every other year; $4,000 has been budgeted to account for the printing of the map based on estimates provided by the vendor.

- **Economic Impact Model License:** The renewal licensing fee for the Economic Impact Model developed by Impact Data Source for analyzing the economic impacts of proposed TEDC projects is $3,708 (last year's $3,600 annual fee with a 3% increase).

- **Website:** This item has been increased from $5,000 to $15,000 to account for the addition of the LoopLink Search Engine as an integrated property database enhancement to the TEDC website. This search engine replaces the TEDC's LoopNet subscription and provides current property information based upon broker's listings, thereby eliminating the need for brokers to also post their listings on the TEDC website and regularly monitor their properties. The monthly fee for this service is $400. The additional increase in this line item is for potential updates to the TEDC website. The hosting and maintenance of the website is provided by EDSuite at an annual cost of $3,000.

- **Miscellaneous:** This item has been increased from $5,000 to $10,000 to account for miscellaneous expenses that may be incurred in FY 2014-2015.

City Debt Service

- **Business Park Infrastructure (Series 2013):** This item reflects the 2014-2015 payment according to the debt service schedule for Certificates of Obligation, Series 2013 that was issued on May 15, 2013. The payment includes $340,000 to the Principal and $184,913 to Interest.

Grants, Loans & Other Expenditures

- **380 Agreement Payments:** This item has been added as a mechanism to track the Sales Tax Reimbursement Payments on the development grants entered into by the City of Tomball and Tomball Economic Development Corporation. In FY 2013-2014, the TEDC paid a total of $109,181 in sales tax reimbursements for Weingarten and BK 2920. The Weingarten agreement has been completed and no additional payments will be made. It is anticipated that $35,000 will be reimbursed to BK 2920 in FY 2014-2015 for the Four Corners Shopping Center agreement.

- **Property Acquisition:** $500,000 has been budgeted for additional property acquisition for FY 2014-2015.

- **Business Improvement Grants- Prior Years:** $165,000 has been budgeted for fulfillment of the Business Improvement Grants that had been approved in FY 2013-2014 but not yet funded.

Tomball Economic Development Corporation
FY 2014-2015 Budget
Account Descriptions

REVENUE

- Sales Tax: Those revenues received from the State of Texas and through the City of Tomball for the $0.005 portion of the $0.020 sales tax revenues collected within the City limits of Tomball.

- Interest: Those revenues received from financial institutions for balances on hand and from funds that have been invested.

- Grants: Those revenues received from additional sources such as CenterPoint Energy for support of the Corporation's activities, including the Annual Economic Development Breakfast, marketing collateral, and continuing education.

EXPENDITURES

Administrative:

Salary and Benefits

- Salary- Executive Director: The amount reimbursed to the City of Tomball for the salary paid to the Executive Director of the Tomball Economic Development Corporation. This amount includes holiday, vacation, and sick pay.

- Salary- Economic Development Coordinator: The amount reimbursed to the City of Tomball for the wages paid to the Economic Development Coordinator of the Tomball Economic Development Corporation. This amount includes holiday, vacation, and sick pay.

- Benefits- Executive Director: The amount reimbursed to the City of Tomball for the benefits paid to, or on behalf of, the Executive Director of the Tomball Economic Development Corporation. This amount includes social security taxes, medicare taxes, employer matched funds to the Texas Municipal Retirement System, health insurance premiums, life insurance, flex plan, worker compensation insurance, State of Texas unemployment tax, sick time buy back, vacation buy back, and longevity pay.

- Benefits- Economic Development Coordinator: The amount reimbursed to the City of Tomball for the benefits paid to, or on behalf of, the Economic Development Coordinator of the Tomball Economic Development Corporation. This amount includes social security taxes, medicare taxes, employer matched funds to the Texas Municipal Retirement System, health insurance premiums, life insurance, flex plan, worker compensation insurance, State of Texas unemployment tax, vacation buy back, and longevity pay.

Other Personnel Expenditures

- Auto Allowance-Executive Director: Monthly stipend allocated to cover vehicle expenses for mileage and other travel related expenses within a 50 mile radius of Tomball.

- Phone Allowances: Monthly stipend allocated to cover business-related cell phone expenses for TEDC staff.

- Local Travel Expenses: The amount allocated to cover vehicle expenses for the Economic Development Coordinator of the Tomball Economic Development Corporation for mileage within a 50 mile radius of Tomball

- Dues and Subscriptions: Fees charged for memberships and related expenses to organizations that the Tomball Economic Development Corporation approves for its employees and for subscriptions to newspapers, periodicals, and books related to economic development.

- Seminars/Conference Registrations: Fees for the Tomball Economic Development Corporation staff and board members to attend conferences and professional training seminars.

- Travel and Training: The costs associated with attending classes, seminars, events, trade shows and for related travel expenses. This includes hotel rooms where overnight stay is reasonable, the cost of related meals, airfare, and car rental where reasonable, parking and toll fees, and for mileage. Because the Executive Director receives a monthly mileage allotment, reimbursable mileage for that position is limited to a destination that exceeds a 50 mile radius of the City of Tomball.

Service and Supply Expenditures

- Contracted Administrative Services: The cost of administrative services provided to the Tomball Economic Development Corporation by City of Tomball personnel as indicated in the Administrative Services Agreement

entered into between the Tomball Economic Development Corporation and the City of Tomball.

- Bank Charges: The various service charges for maintaining a bank account, including wire transfer fees, safekeeping fees for investments, and actual operating account fees based on the account analysis.

- Insurance: The cost of surety bonding fees and insurance premiums for the following types of insurance: General Liability, Errors and Omissions, and Property Content at 29201 Quinn Road, Suite B, Tomball, Texas.

- Computer Equipment and Maintenance: The cost of computer equipment and related expenses.

- Communication Services**:** The cost of telephone service, including land line phone base rate charges, DSL service, and long distance charges.

- Legal Fees: Expenses incurred for legal services related to document and agreement preparation, and obtaining advice and opinions from legal counsel related to Tomball Economic Development Corporation business activities.

- Lease Expense-GTACC: Payment to the Greater Tomball Area Chamber of Commerce for leased office space at 29201 Quinn Road, Suite B, Tomball, Texas.

- Office Supplies: The cost of various office supplies including, but not limited to copies, paper, envelopes, pens, pencils, binders, notebooks, postage, etc.

Indirect Economic Development Expenditures:

- Chamber Guide: Expenses related to the TEDC advertisement and publication of a map of the Tomball area in the annual Greater Tomball Area Chamber of Commerce magazine.

- Area Street Maps: The expenses incurred for the production and publication of maps of Tomball and the surrounding area that are issued free of charge to individuals and businesses to promote travel, tourism, and the commercial industry in Tomball.

- GIS License: The cost to maintain a license for TEDC use of the City's Geographical Information System (GIS) in order to generate customized maps, exhibits, and infrastructure data to assist with business retention and recruitment efforts.

- Marketing**:** Expenses related to marketing Tomball to attract business, industry, and visitors, including advertisements in printed and online publications, information packages, brochures, and related marketing collateral material.

- Economic Impact Model License: The annual licensing fee for the economic impact analysis model utilized by the TEDC to calculate the economic impact of a prospect firm/project and related costs and benefits to the City of Tomball.

- Website: Costs to maintain and update the Tomball Economic Development Corporation's website, including web hosting and property database services.

- Event Sponsorship**:** Costs to sponsor/co-sponsor events that foster relationships with site location consultants, brokers, real estate professionals, and those influencing business location and capital investment decisions including, but not limited to, the TEDC Annual Economic Development/Realtor Breakfast, GTACC Small Business Conference, Texas EDC Conference, trade show participation, etc.

- Promotional Items: The costs associated with TEDC promotional products, giveaways, and event favors.

- Professional Services: Consulting fees, engineering fees, photography, graphics and design services for brochures and promotional materials, and other professional services incurred in expanding the economic base of Tomball.

- Printing: The cost of printing various items including, but not limited to, Notice of Project/Public Hearing, brochures, presentation boards, community profile, business resource guide, stationary, etc.

- Miscellaneous: Other business related expenses including, but not limited to, meals with potential business developers, name plates for Board meetings, post office box fees, etc.

City Debt Service

- Southside Sewer Plant (1999 CO-2/15/2019): Contributions to debt repayment for the wastewater treatment plant built on the south side of Tomball to accommodate expanded industry in the City. Annual debt service payments of $300,000 until 2019.

- Utilities Expansion (2002 CO-2/15/2022): Contributions to debt repayment for the extension of utilities from FM 2920 south on Hufsmith-Kohrville Road to Holderrieth Road, west to SH 249 and north to Theiss Road. Annual debt service payments of $370,000 until 2022.

- Business Park (Series 2013): Contributions to debt repayment for the construction of utilities, roads, drainage facilities, etc. for the Tomball Business and Technology Park Project located at the northwest corner of Hufsmith-Kohrville and Holderrieth Roads. The bond sale occurred on May 6, 2013 for $8,500,000 and the funds were delivered to the City of Tomball on May 23, 2013. A debt service schedule has been prepared and included in the backup material for reference.

Grants, Loans & Other Expenditures

- Project Grants: Grant funds designated by the Tomball Economic Development Corporation's Board of Directors and approved by the Tomball City Council waiting for contract fulfillment in order to be disbursed.

- 380 Agreement Payments: Sales tax reimbursements made in accordance with economic development incentive agreements approved by the Tomball Economic Development Corporation's Board of Directors and the Tomball City Council.

- Property Acquisition: Costs associated with the acquisition of land related to the development of the Tomball Business and Technology Park.

- Business Improvement Grants- Current Year: Funds allocated to enhance the economic development of the City of Tomball through matching grants for façade or exterior improvements to buildings, sign improvements, landscaping, or other exterior property improvements.

- Business Improvement Grants- Prior Years: Grant funds approved in prior fiscal years by the Tomball Economic Development Corporation's Business Retention & Expansion Committee waiting for contract fulfillment in order to be disbursed.

City of Tomball
Tax Certificates of Obligation, Series 2013
$ 8,500,000 - Tax Supported 100%
Issue Date : May 15, 2013
Sale Date: May 23, 2013
Business Park

Fiscal Year	Principal	Coupon	Interest	Total P & I
2015	340,000	2.000%	184,913	524,913
2016	350,000	2.000%	178,013	528,013
2017	360,000	2.000%	170,913	530,913
2018	370,000	2.000%	163,613	533,613
2019	380,000	2.000%	156,113	536,113
2020	385,000	2.000%	148,463	533,463
2021	395,000	2.000%	140,663	535,663
2022	405,000	2.000%	132,663	537,663
2023	415,000	2.000%	124,463	539,463
2024	430,000	2.000%	116,013	546,013
2025	440,000	2.000%	107,313	547,313
2026	450,000	2.000%	98,413	548,413
2027	460,000	2.250%	88,738	548,738
2028	470,000	2.250%	78,275	548,275
2029	485,000	2.500%	66,925	551,925
2030	495,000	2.750%	54,056	549,056
2031	510,000	3.000%	39,600	549,600
2032	525,000	3.000%	24,075	549,075
2033	540,000	3.000%	8,100	548,100
Total	$ 8,205,000		$ 2,081,325	$ 10,286,325

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Consideration and possible action to approve, as a Project of the Corporation, an agreement with Advanced Pressure Systems, L.P., to make direct incentives to or expenditures for equipment expansion for the creation and retention of primary jobs for Advanced Pressure Systems. The estimated amount of expenditures for such project is $22,500.00.

Background:

All expenditures of the Tomball Economic Development Corporation (TEDC) sales tax revenue must first be approved as a "Project." At its regular meeting on August 5, 2014, the TEDC Board of Directors did take formal action to approve, as a Project of the TEDC, an agreement with Advanced Pressure Systems, L.P., for equipment expansion for the creation and retention of primary jobs for Advanced Pressure Systems. The City Council of Tomball has final approval authority over all projects and agreements of the TEDC.

Origination:

Tomball Economic Development Corporation Board of Directors.

Recommendation:

Approve, as a Project of the Corporation, the Performance Agreement with Advanced Pressure Systems, L.P.

Funding: Yes

Account Number: Project Grants

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

Kelly Violette, Executive Director, Tomball Economic Development Corporation.

ACTION TAKEN

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

ATTACHMENTS:

Cover Memo
Request Letter
Economic Impact Analysis
Draft Performance Agreement

TOMBALL
ECONOMIC DEVELOPMENT CORPORATION

TO: City Council Members
City of Tomball

FROM: Kelly Violette
Executive Director, Tomball Economic Development Corporation

MEETING DATE: September 2, 2014

SUBJECT: Advanced Pressure Systems

ITEM TYPE: Action

Advanced Pressure Systems (APS) L.P. is a manufacturing company specializing in products for high pressure water blasting, which has wide application in the fields of environmental and industrial cleaning. APS has been in business since 2007 and is located within an 18,900 square foot lease space in the Persimmon Business Park (701 S. Persimmon Street, Suite 85, in Tomball).

On March 28, 2013, the TEDC Board of Directors approved a grant agreement with Advanced Pressure Systems (APS) for assistance with the purchase of a Horizontal Machining Center and the creation of one new employment position in order to expand its manufacturing capabilities to produce high pressure pumps. The grant amount was $42,600.00, which was 5% of the equipment cost.

The TEDC funded the APS grant on June 5, 2014, after receiving verification that the equipment had been purchased and installed and the additional employee had been hired.

On June 9, 2014, APS submitted a second grant request for assistance with the purchase of a STAR SV – 38R Type B Swiss Style Screw Machine and an EPILOG Fusion 32 FiberMark Laser Engraver in order to increase its production capacity and add additional product lines. One new employment position will be created as a result of the new equipment. The cost of the new equipment is $450,000.00

Equipment, improvements, and expenditures that are for the creation and retention of primary jobs are eligible expenditures under the sales tax statute. The proposed grant amount is based on 5% of the equipment cost up, to $22,500.00.

An economic impact analysis is included with the agreement to show the five (5) year impact of this project on Tomball's economy.

ADVANCED PRESSURE SYSTEMS

701 S. Persimmon, Ste. 85 - Tomball, TX 77375
Toll Free in North America: 1-877-290-4277
Phone: 281-290-9950 - FAX: 281-290-9952
www.waterblast.pro
E-mail: sales-team@waterblast.pro

June 9th 2014

Ms. Kelly Violette, AICP
Executive Director
Tomball Economic Development Corporation
P.O. Box 820
Tomball, TX 77377

Dear Ms. Violette,

Further to our recent meeting we would like to formally request your consideration of our expansion project for a Development Assistance Grant. The Project comprises the acquisition of a STAR SV-38R Type B Swiss Style Screw Machine, and an EPILOG Fusion 32 FiberMark Laser Engraver, together with the associated electrical work to place both of these machines in service.

APS Pressure Systems L.P. (APS) is a manufacturing company specializing in products for high pressure water blasting, which has wide application in the fields of environmental and industrial cleaning.

This new equipment will enable us to increase production of our existing lines, and to add new products which are currently held up due to lack of machine time. There will be a commensurate increase in sales volume, which will lead to additional skilled manufacturing employment as well as semi-skilled supporting jobs.

The office/warehouse facilities that APS currently occupies, is reaching full capacity. APS has a close affiliation with PDGL Partners, who are the owners of Persimmon Business Park, in which we are located. At the request of APS, PDGL Partners is in the process of engaging architectural services to commence planning and design of additional office and warehouse accommodation, which APS will occupy.

We thank you for your consideration of our request, and look forward to hearing from you.

Yours sincerely

Peter J. Goldsmith P.E.Partner (Managing)

Economic Impact of Advanced Pressure Systems, L.P. in Tomball, TX

Executive Summary

August 1, 2014

Prepared by:
Tomball Economic Development Corporation
29201 Quinn Road
Tomball, TX 77375

This summary was prepared by the Tomball Economic Development Corporation using Quick Impact by Impact DataSource. Please consult the full economic impact report for additional details and assumptions used in this analysis.

ECONOMIC IMPACT EXECUTIVE SUMMARY: ADVANCED PRESSURE SYSTEMS, L.P.

Project Description

Advanced Pressure Systems (APS) is a manufacturing company specializing in equipment for the high pressure water blasting industry. This type of product controls very high pressure water used for industrial cleaning, construction and maintenance in a wide variety of industries. Various grades of stainless steel are the primary raw materials, which are machined using CNC lathes and mills, to produce the components for the finished products. The current expansion plans, which are the subject of this grant application, are to add a new Swiss Style CNC Screw Machine and a laser engraving machine, to increase production and improve product identification marking.

Economic Impact Over the First 10 Years

The project will have the following economic impact on the City of Tomball area over the first 10 years:

Economic Impact Over the First 10 Years			
	Direct	**Indirect & Induced**	**Total**
Total number of permanent direct and indirect jobs to be created	1	1	2
Salaries to be paid to direct and indirect workers	$550,266	$430,473	$980,739
Taxable sales and purchases expected in the city	$1,688,894	$37,666	$1,726,561
The value of new residential property to be built for direct and indirect workers who move to the city by Year 10	$0	$0	$0
The market value the firm's property on local tax rolls in Year 1	$533,000	$0	$533,000

Fiscal Impact Over the First 10 Years

Over the first 10 years, the City of Tomball and Tomball EDC can expect the following net benefits from the facility, its employees, and workers in spin-off jobs created in the community:

Costs and Benefits for the City Over the First 10 Years			
	Benefits	**Costs**	**Net Benefits**
Sales taxes allocated to the City	$25,898	$0	**$25,898**
Sales taxes allocated to Tomball EDC	$8,633	$0	**$8,633**
Property taxes	$14,359	$0	**$14,359**
Utility revenues	$0	$0	**$0**
Utility franchise fees	$5,363	$0	**$5,363**
Hotel occupancy taxes	$0	$0	**$0**
Other taxes and user fees	$0	$0	**$0**
Building permits and fees	$0	$0	**$0**
Costs of providing utilities	$0	$0	**$0**
Costs of providing municipal services for new residents	$0	$0	**$0**
Total	**$54,253**	**$0**	**$54,253**

Net Benefits To The City From The Direct and Indirect Sources

The city will receive benefits from direct and indirect economic impacts that result from the project. The benefits, associated costs and net benefits for the first 10 years are shown below, divided between direct and indirect impacts.

Net Benefits to the City from Direct and Indirect Sources			
	Benefits/Costs from:		
	Direct	***Indirect & Induced***	***Total***
Additional revenues:			
Sales taxes allocated to the City	$25,333	$565	**$25,898**
Sales taxes allocated to Tomball EDC	$8,444	$188	**$8,633**
Property taxes	$14,359	$0	**$14,359**
Utility revenues	$0	$0	**$0**
Utility franchise fees	$5,363	$0	**$5,363**
Hotel occupancy taxes	$0		**$0**
Other taxes and user fees	$0	$0	**$0**
Building permits and fees	$0		**$0**
Total additional revenues	***$53,500***	***$753***	***$54,253***
Additional costs:			
Costs of providing utilities	$0	$0	**$0**
Costs of providing municipal services for new residents	$0	$0	**$0**
Total additional costs	***$0***	***$0***	***$0***
Net Benefits	**$53,500**	**$753**	**$54,253**
Percent of total net benefits for city	*99%*	*1%*	

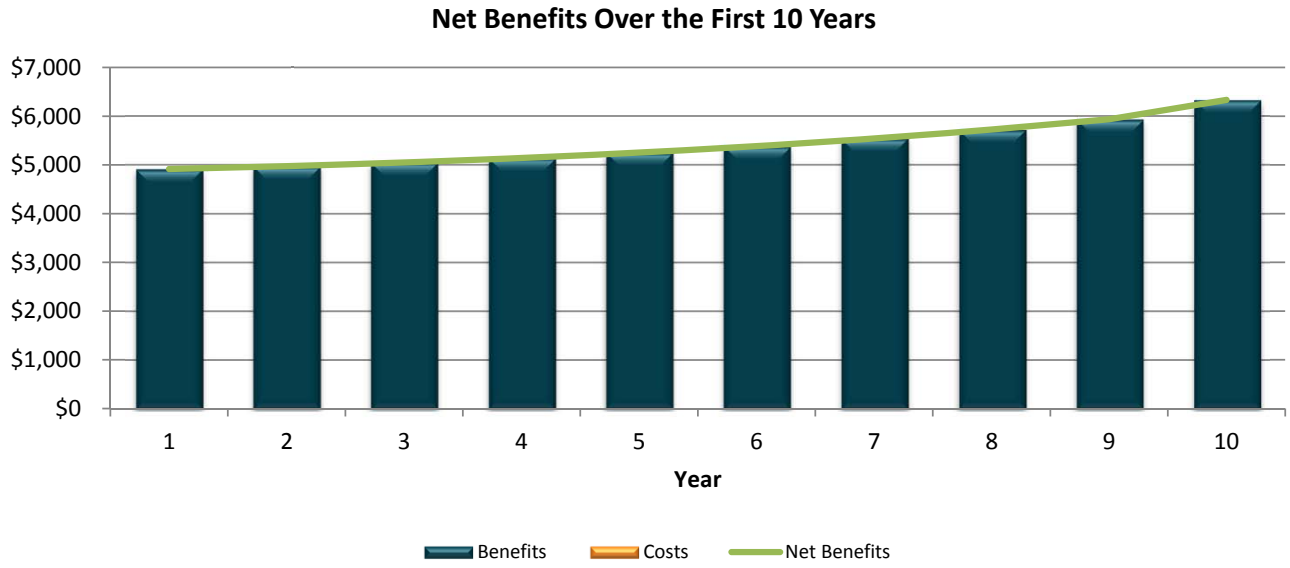
The net benefits to the city over the first 10 years are estimated to accrue as detailed below.

Net Benefits to the City by Year				
	Benefits	**Costs**	**Net Benefits**	**Cumulative Benefits**
Year 1	$4,916	$0	$4,916	$4,916
Year 2	$4,974	$0	$4,974	$9,890
Year 3	$5,049	$0	$5,049	$14,939
Year 4	$5,141	$0	$5,141	$20,080
Year 5	$5,253	$0	$5,253	$25,332
Year 6	$5,386	$0	$5,386	$30,718
Year 7	$5,542	$0	$5,542	$36,260
Year 8	$5,725	$0	$5,725	$41,985
Year 9	$5,936	$0	$5,936	$47,920
Year 10	$6,333	$0	$6,333	$54,253
Total	**$54,253**	**$0**	**$54,253**	
*Present Value of Net Benefits**			*$41,446*	

**The Present Value of Net Benefits is a way of expressing in today's dollars, dollars to be paid or received in the future. A dollar today and a dollar to be received or paid at differing times in the future are not comparable because of the time value of money. The time value of money is the interest rate or discount rate. This analysis uses a discount rate of 5% to make the dollars comparable.*

Fiscal Impact Over the First 10 Years

The graph below depicts the costs, benefits and net benefits to the city over the first 10 years.



Incentives

Tomball EDC may consider the following incentives for the project:

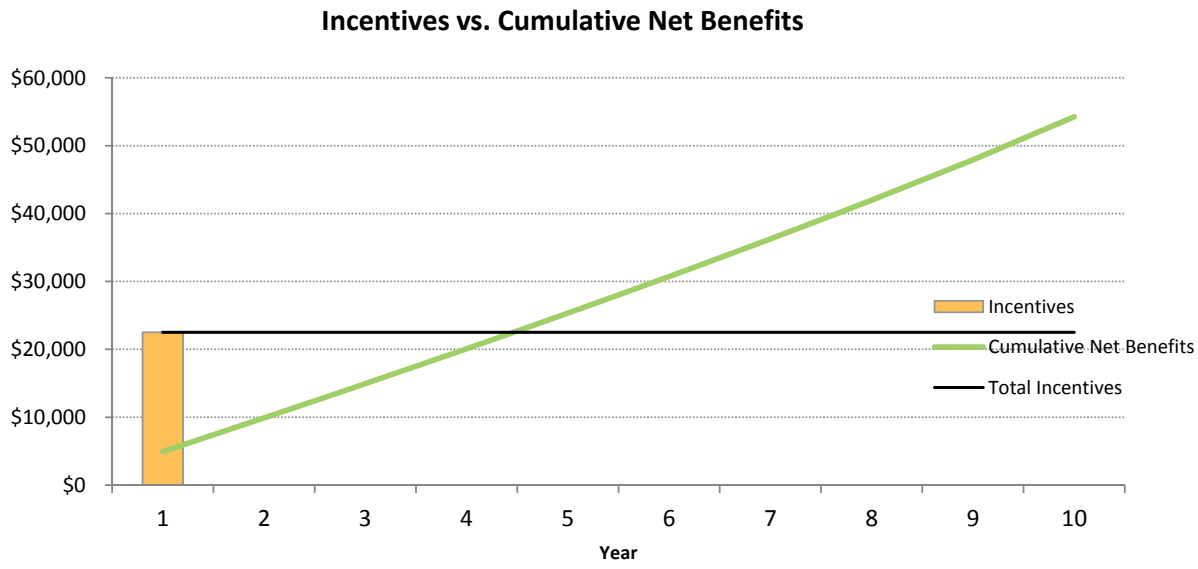
Incentives	
Year 1	$22,500
Year 2	$0
Year 3	$0
Year 4	$0
Year 5	$0
Year 6	$0
Year 7	$0
Year 8	$0
Year 9	$0
Year 10	$0

The table below shows an analysis of these incentives, including a calculation of incentives per job, rate of return and payback period.

Analysis of Incentives	
Total Incentives	$22,500
Rate of Return Over 5 Years	22.5%
Payback period (years)	4.5

** Rate of Return and Payback Period are calculated based on the sum of annual incentives rather than the PV of incentives.*

The graph below depicts the total incentives currently under consideration versus the cumulative net benefits to the city. The intersection indicates the length of time until the incentives are paid back.



AGREEMENT

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HARRIS §

This Agreement (the "Agreement") is made and entered into by and between the **Tomball Economic Development Corporation**, an industrial development corporation created pursuant to Tex. Rev. Civ. Stat. Ann. Art. 5190.6, Section 4B, now Chapter 505 of the Texas Local Government Code, which is located in Harris County, Texas (the "TEDC"), and **Advanced Pressure Systems** (the "Company"), 701 S. Persimmon Street, Suite 85, Tomball, TX 77375.

W I T N E S S E T H :

WHEREAS, it is the established policy of the TEDC to adopt such reasonable measures from time-to-time as are permitted by law to endeavor to attract industry, create and retain primary jobs, expand the growth of the City of Tomball (the "City"), and thereby enhance the economic stability and growth of the City; and

WHEREAS, the Company is leasing an 18,900 square foot existing lease space located in the Persimmon Business Park, 701 S. Persimmon Street, Suite 85, Tomball, Texas 77375 (the "Property"), and more particularly described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the Company proposes to expand its current operation at the Property, and as part of the process, plans to expend funds to add additional equipment necessary to order to increase its production capacity and add additional product lines (the "Improvements"), more particularly described in Exhibit "B" attached hereto and made a part hereof; and

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WHEREAS, the Company also proposes to maintain the current thirty-four (34) jobs at the Property and create one (1) new employment position in conjunction with the expansion of its business operations at the Property; and

WHEREAS, the TEDC agrees to provide to the Company the sum of Twenty-Two Thousand Five Hundred Dollars ($22,500.00) to assist in the purchase and installation of the equipment and create and retain employment positions at the Property; and

WHEREAS, the Company has agreed, in exchange and as consideration for the funding, to satisfy and comply with certain terms and conditions; and

WHEREAS, this expenditure is found by the Board of Directors of the TEDC to be suitable for the expansion of the business operations at the Property and the creation and retention of primary jobs at the Property;

NOW, THEREFORE, in consideration of the premises and the mutual benefits and obligations set forth herein, including the recitals set forth above, the TEDC and the Company agree as follows:

1.

The Company covenants and agrees that it will construct the Improvements and operate and maintain the proposed business on the Property for a term of at least five (5) years, and will for such term, except as provided by paragraph 4 hereof, maintain thirty-four (34) employees and create one (1) new job at the Property.

2.

The Company also covenants and agrees that construction of the Improvements and obtaining all necessary permits from the City shall occur within twelve (12) months from the Effective Date of this Agreement. Extensions of these deadlines, due to any extenuating

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circumstance or uncontrollable delay, may be granted at the sole discretion of the Board of Directors of the TEDC.

3.

The Company further covenants and agrees that it does not and will not knowingly employ an undocumented worker. An "undocumented worker" shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States, or (b) authorized by law to be employed in that manner in the United States.

4.

In consideration of the Company's representations, promises, and covenants, TEDC agrees to grant to the Company the sum of Twenty-Two Thousand Five Hundred Dollars ($22,500.00) to fund a portion of the cost of the Improvements and maintain thirty-four (34) employees and create one (1) new job at the Property. The TEDC agrees to distribute such funds to the Company within thirty (30) days of receipt of a letter from the Company requesting such payment, which letter shall also include: (a) verification of the actual costs of the Improvements; (b) proof of payment to all contractors and subcontractors providing work and/or materials in the installation of the Improvements (proof of payment must include copies of canceled checks and/or credit card receipts and copies of paid invoices from all contractors and subcontractors); (c) an affidavit stating that all contractors and subcontractors providing work and/or materials in the installation of the Improvements have been paid and any and all liens and claims regarding such work have been released; (d) verification from the City of Tomball acknowledging that all necessary permits have been received, reviewed, and approved; (e) proof that the Company has maintained and added the number of employees indicated above to its business operations on the Property, as evidenced by copies of Texas Workforce Commission form C-3 or Internal Revenue

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Service Form 941. In the event the number of jobs originally projected is not met, the amount of the funding provided to the Company by the TEDC will be reduced on a pro rata basis to reflect the actual number of jobs at the time of the request for disbursement of funds.

5.

It is understood and agreed by the parties that, in the event of a default by the Company on any of its obligations under this Agreement, the Company shall reimburse the TEDC the full amount paid to the Company by the TEDC, with interest at the rate equal to the 90-day Treasury Bill plus ½ % per annum, within thirty (30) days after the TEDC notifies the Company of the default. It is further understood and agreed by the parties that if the Company is convicted of a violation under 8 U.S.C. Section 1324a (f) (engaging in a pattern or practice of employing unauthorized aliens), the Company will reimburse the TEDC the full amount paid to the Company, with interest at the rate equal to the 90-day Treasury Bill plus ½ % per annum, within thirty (30) days after the TEDC notifies the Company of the violation.

The Company shall also reimburse the TEDC for any and all reasonable attorney's fees and costs incurred by the TEDC as a result of any action required to obtain reimbursement of such funds.

6.

Personal Liability of Public Officials: To the extent permitted by law, no director, officer, employee or agent of the TEDC, and no officer, employee or agent of the City of Tomball, shall be personally responsible for any liability arising under or growing out of this Agreement.

7.

This Agreement shall inure to the benefit of, and be binding upon, both the TEDC and the Company, and upon the Company's successors and assigns, affiliates, and subsidiaries, and shall

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remain in force whether the Company sells, assigns, or in any other manner disposes of, either voluntarily or by operation of law, all or any part of the Property and the agreements herein contained shall be held to be covenants running with the Property for so long as this Agreement, or any extension thereof, remains in effect.

8.

Any notice provided or permitted to be given under this Agreement must be in writing and may be served by (i) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, registered or certified mail, return receipt requested; or (ii) by delivering the same in person to such party; or (iii) by overnight or messenger delivery service that retains regular records of delivery and receipt; or (iv) by facsimile; provided a copy of such notice is sent within one (1) day thereafter by another method provided above. The initial addresses of the parties for the purpose of notice under this Agreement shall be as follows:

If to City: Tomball Economic Development Corporation
401 W. Market Street
Tomball, Texas 77375
Attn: President, Board of Directors

If to Company: Advanced Pressure Systems, L.P.
701 S. Persimmon, Suite 85
Tomball, Texas 77375
Attn: Peter Goldsmith, Managing Partner

9.

This Agreement shall be performable and enforceable in Harris County, Texas, and shall be construed in accordance with the laws of the State of Texas.

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10.

Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment or modification only in writing, and by the signatures and mutual consent of the parties hereto.

11.

The failure of any party to insist in any one or more instances on the performance of any of the terms, covenants or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance.

12.

This Agreement shall bind and benefit the respective Parties and their legal successors and shall not be assignable, in whole or in part, by any party without first obtaining written consent of the other party.

13.

In the event any one or more words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement, or the application thereof to any person, firm, corporation, or circumstance, shall be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, then the application, invalidity or unconstitutionality of such words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement shall be deemed to be independent of and severable from the remainder of this Agreement, and the validity of the remaining parts of this Agreement shall not be affected thereby.

14.

This Agreement terminates upon any one or more of the following:

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(a) The completion of all the terms and conditions herein; or

(b) If a party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof by the non-defaulting party unless a longer period is mutually agreed upon; or

(c) Company is placed in receivership or bankruptcy regardless of whether voluntary.

Obligations or defaults that existed prior to termination under this section shall survive termination of this Agreement, including the refund provision.

15.

If, because of flood, fire, explosions, civil disturbances, strikes, war, acts of God, or other causes beyond the control of either party, either party is not able to perform any or all of its obligations under this Agreement, then the respective Party's obligations hereunder shall be suspended during such period but for no longer than such period of time when the party is unable to perform.

16.

Each party represents that they are authorized to enter into this Agreement and that the representative executing this Agreement has been duly authorized to do so.

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IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the parties on this _____ day of _____ 2014 (the "Effective Date").

ADVANCED PRESSURE SYSTEMS, L.P.

By: _____
Name: Peter Goldsmith
Title: Managing Partner

ATTEST:

By: _____
Name: _____
Title: _____

TOMBALL ECONOMIC DEVELOPMENT CORPORATION

By: _____
Name: _____
Title: President, Board of Directors

ATTEST:

By: _____
Name: _____
Title: Secretary, Board of Directors

DRAFT

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____ 2014, by Peter Goldsmith, Managing Partner, Advanced Pressure Systems L.P. for and on behalf of said company.

_____
Notary Public in and for the State of Texas

My Commission Expires: _____

(SEAL)

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____ 2014, by _____, President of the Board of Directors of the Tomball Economic Development Corporation, for and on behalf of said Corporation.

_____
Notary Public in and for the State of Texas

My Commission Expires: _____

(SEAL)

DRAFT

Exhibit A

Legal Description of Property

OUTLOT 332, BEING 5.002 ACRES, SITUATED IN THE FIVE ACRE TRACTS, TOMBALL TOWNSITE, OUT OF THE JESSE PRUITT SURVEY, ABSTRACT 629, HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 65, MAP RECORDS, HARRIS COUNTY, TEXAS

DRAFT

Exhibit B

Description of Improvements

Purchase and install new equipment including:

- STAR SV – 38R Type B Swiss Style Screw Machine and EPILOG Fusion 32 FiberMark Laser Engraver with the associated electrical work to place it in service

DRAFT

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Consideration and possible action to approve First Amendment to Economic Development Agreement between the Tomball Economic Development Corporation and Inline Services, Inc. for additional funding of $21,129.00.

Background:

On July 22, 2014, Gary Smith, President of Inline Services, Inc., submitted a request to amend the agreement between the Tomball Economic Development Corporation (TEDC) and Inline Services, Inc., which was approved by the TEDC Board of Directors on February 4, 2014 and by the Tomball City Council on February 17, 2014.

Per Mr. Smith, Inline Services, Inc. is required to upgrade its electrical service from a standard 200amp 120/208 3 phase service to a 400 Amp, 277/480 volt 3 phase service in order to supply the required power to the new building and operate the equipment that will be housed within the building. Inline Services was unaware of the required upgrade to facilitate this project at the time the original grant was approved.

The project involves the construction of a 5,500 square foot warehouse/manufacturing facility located on the company's existing 2.11 acre site at 27731 Commercial Park Lane in Tomball.

The cost associated with increasing the electrical service to the site is estimated at $52,822.14, which includes additional transformers, utility pole, underground feed, etc.

The amendment provides additional funding in the amount of $21,129 (40% of the infrastructure cost). The Tomball Economic Development Corporation Board of Directors approved the amendment at its meeting on August 5, 2014.

Since the requested amendment involves the expenditure of additional grant funds, final approval of such expenditure would need to be made by the City Council.

Origination:

Gary Smith, Inline Services, Inc.

Recommendation:

Approval of the grant funding amendment to the Inline Services, Inc. - TEDC Agreement.

Funding: Yes

Account Number: Project Grants

Party(ies) responsible for placing this item on agenda:
Kelly Violette, Executive Director, Tomball Economic Development Corporation.

ACTION TAKEN

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

ATTACHMENTS:

Request Letter
Amendment 1 Agreement
Economic Impact Analysis

INLINE SERVICES INC. 27731 COMMERCIAL PARK RD., TOMBALL, TX 77375

Tel: 281-401-8142 • Fax: 281-401-8147 • Toll Free: 888-973-0079 •
www.inlineservices.com

July 29, 2014

Board of Directors
TEDC
P.O. Box 820
Tomball, Texas 77377-0829

Subj: Electrical Service Requirement

Tiffani, as a better explanation of our request for a grant extension, Inline is being required to increase its electrical service from what would be considered a standard service to a building with more electrical power. If we cannot increase the electrical service, it will limit our ability to install several pieces of equipment that we did not account for during our original bid estimate.

Attached are the estimate differences in the cost for the upgrade from Centerpoint's pole to the building. One is for the initial service and the second is the difference caused by increasing the power from 200 Amp, 120/208 standard service 3 phase (note this estimate is stated on RCC Electrical of $ 7089.64) The cost to add the 400 Amp, 277/480 volt 3 phase is $ 32,122.64 to the original service charges.

The cost for Centerpoint to add the transformers to enable the services is $ 13,610. We are asking TEDC to consider a grant for the increase of the $ 32,122.50 for the upgrade of service over and above the $ 7089.64.

The estimated cost of the job to extend 277/480 3 Phase service to 27731 Commercial Park is approximately $13,610.00.

INLINE SERVICES INC. 27731 COMMERCIAL PARK RD., TOMBALL, TX 77375

Tel: 281-401-8142 • Fax: 281-401-8147 • Toll Free: 888-973-0079 •
www.inlineservices.com

Please contact me if you need any additional information.

Regards,

Gary Smith

FIRST AMENDMENT
TO
ECONOMIC DEVELOPMENT AGREEMENT
BETWEEN
THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION
AND
INLINE SERVICES, INC.

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HARRIS §

This First Amendment to Economic Development Agreement ("First Amendment") is made by and between the **Tomball Economic Development Corporation**, an industrial development corporation created pursuant to the Development Corporation Act, now Chapter 501 et seq of the Texas Local Government Code, located in Harris County, Texas (the "TEDC"), and **Inline Services, Inc.** (the "Company"), 27731 Commercial Park Rd., Tomball, TX 77375.

R E C I T A L S :

WHEREAS, the Tomball Economic Development Corporation entered into an economic development agreement (the "Agreement"), and the Tomball City Council approved such agreement on February 17, 2014, to grant Inline Services, Inc. up to Thirty-Three Thousand and Eighty Three Dollars ($33,083), to assist with the construction of certain infrastructure improvements relating to the development of an approximately 5,500 square foot warehouse/manufacturing facility located at 27731 Commercial Park Lane, Tomball, Texas 77375 (the "Property"); and

WHEREAS, the Tomball Economic Development Corporation and Inline Services Inc. desire to amend the Agreement to provide additional incentives to assist with the installation and upgrading of the electric utilities at the site; and

WHEREAS, all other terms and conditions of the Agreement, not in conflict with this Amendment, shall remain in full force and effect; and

NOW, THEREFORE, in consideration of the foregoing, the Tomball Economic Development Corporation and Inline Services Inc. hereby agree to amend the Agreement as follows:

> The grant amount shall be increased by an additional Twenty-One Thousand One Hundred and Twenty Nine Dollars ($21,129), for an amount not to exceed $54,212, or an amount equal to Forty Percent (40%) of actual construction costs if less than the sum stated above, to assist in the construction of infrastructure necessary to develop an approximately 5,500 square foot warehouse/manufacturing facility on the Property. The infrastructure found by the Board of Directors of the TEDC to be required to develop the Property include the installation and upgrading of the electric utilities at the site (the "Infrastructure Improvements"), identified and described in Exhibit "A," attached hereto and made a part hereof.

IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the parties on this _____ day of _____ 2014.

INLINE SERVICES, INC.
By: _____
Name: Gary Smith
Title: President

ATTEST:

By: _____
Name: _____
Title: _____

TOMBALL ECONOMIC DEVELOPMENT CORPORATION

By: _____
Name: _____
Title: President, Board of Directors

ATTEST:

By: _____
Name: _____
Title: Secretary, Board of Directors

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____ 2014, by Gary Smith, President, Inline Services, Inc., for and on behalf of said company.

_____
Notary Public in and for the State of Texas

My Commission Expires: _____

(SEAL)

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____ 2014, by _____, President of the Board of Directors of the Tomball Economic Development Corporation, for and on behalf of said Corporation.

_____
Notary Public in and for the State of Texas

My Commission Expires: _____

(SEAL)

Exhibit "A"

Description of Infrastructure Improvements

Infrastructure

- Electric upgrade from 200amp 120/208 3-phase service to 400amp 277/480 volt 3- phase service.
- 320 amp 3 phase meter can
- 100amp NEMA 3R fused disconnect to feed transformer TLA
- 400amp NEMA 3R fused disconnect to feed transformer HS
- Up to 100ft of underground feed from utility pole to service location on building
- 3 transformers and additional utility pole

Economic Impact of Inline Services, Inc in Tomball, TX

Executive Summary

July 31, 2014

Prepared by:
Tomball Economic Development Corporation
29201 Quinn Road
Tomball, TX 77375

This summary was prepared by the Tomball Economic Development Corporation using Quick Impact by Impact DataSource. Please consult the full economic impact report for additional details and assumptions used in this analysis.

ECONOMIC IMPACT EXECUTIVE SUMMARY: INLINE SERVICES, INC

Project Description

Inline Services is an industry leader in pipeline services and pigging products for commissioning and maintenance of oil and gas pipelines. Due to continued growth in the oil and gas industry, Inline Services, Inc. plans to expand its existing operations and, as part of the expansion, will construct a new 5,500 square foot warehouse/manufacturing facility at its current site located at 27731 Commercial Park Lane in Tomball. The new facility is being designed to be expanded up to 7,500 square feet. The company currently has sixteen employees and plans to add up to fourteen additional employees as part of the expansion. The estimated capital investment for this project is $1,205,370.00.

Economic Impact Over the First 10 Years

The project will have the following economic impact on the City of Tomball area over the first 10 years:

Economic Impact Over the First 10 Years			
	Direct	**Indirect & Induced**	**Total**
Total number of permanent direct and indirect jobs to be created	14	13	27
Salaries to be paid to direct and indirect workers	$7,666,075	$3,648,285	$11,314,360
Taxable sales and purchases expected in the city	$42,774,010	$319,225	$43,093,235
The value of new residential property to be built for direct and indirect workers who move to the city by Year 10	$0	$0	$0
The market value the firm's property on local tax rolls in Year 1	$1,405,370	$0	$1,405,370

Fiscal Impact Over the First 10 Years

Over the first 10 years, the City of Tomball and Tomball EDC can expect the following net benefits from the facility, its employees, and workers in spin-off jobs created in the community:

Costs and Benefits for the City Over the First 10 Years			
	Benefits	**Costs**	**Net Benefits**
Sales taxes allocated to the City	$646,399	$0	**$646,399**
Sales taxes allocated to Tomball EDC	$215,466	$0	**$215,466**
Property taxes	$60,469	$0	**$60,469**
Utility revenues	$209,766	$0	**$209,766**
Utility franchise fees	$15,877	$0	**$15,877**
Hotel occupancy taxes	$890	$0	**$890**
Other taxes and user fees	$13,376	$0	**$13,376**
Building permits and fees	$3,406	$0	**$3,406**
Costs of providing utilities	$0	$188,790	**($188,790)**
Costs of providing municipal services for new residents	$0	$24,703	**($24,703)**
Total	**$1,165,649**	**$213,493**	**$952,156**

Net Benefits To The City From The Direct and Indirect Sources

The city will receive benefits from direct and indirect economic impacts that result from the project. The benefits, associated costs and net benefits for the first 10 years are shown below, divided between direct and indirect impacts.

Net Benefits to the City from Direct and Indirect Sources			
	Benefits/Costs from:		
	Direct	***Indirect & Induced***	***Total***
Additional revenues:			
Sales taxes allocated to the City	$641,610	$4,788	**$646,399**
Sales taxes allocated to Tomball EDC	$213,870	$1,596	**$215,466**
Property taxes	$60,469	$0	**$60,469**
Utility revenues	$181,531	$28,235	**$209,766**
Utility franchise fees	$13,706	$2,171	**$15,877**
Hotel occupancy taxes	$890		**$890**
Other taxes and user fees	$6,688	$6,688	**$13,376**
Building permits and fees	$3,406		**$3,406**
Total additional revenues	***$1,122,170***	***$43,479***	***$1,165,649***
Additional costs:			
Costs of providing utilities	$163,378	$25,412	**$188,790**
Costs of providing municipal services for new residents	$12,352	$12,352	**$24,703**
Total additional costs	***$175,730***	***$37,763***	***$213,493***
Net Benefits	**$946,440**	**$5,716**	**$952,156**
Percent of total net benefits for city	*99%*	*1%*	

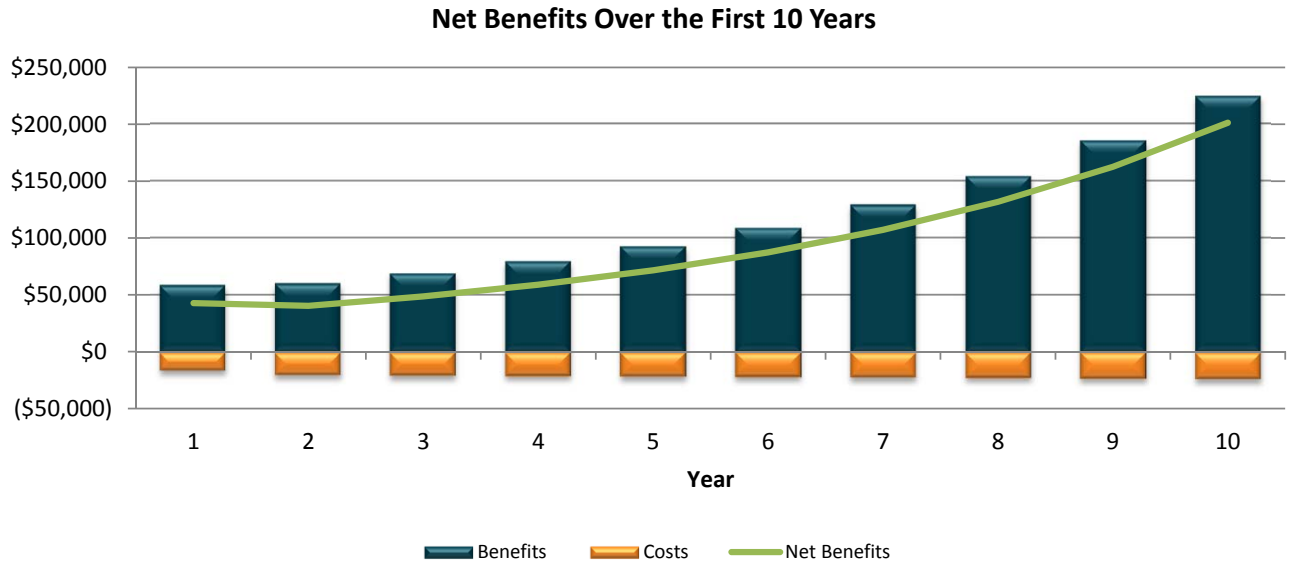
The net benefits to the city over the first 10 years are estimated to accrue as detailed below.

Net Benefits to the City by Year				
	Benefits	**Costs**	**Net Benefits**	**Cumulative Benefits**
Year 1	$58,968	$16,214	$42,755	$42,755
Year 2	$60,509	$20,224	$40,285	$83,040
Year 3	$69,279	$20,629	$48,650	$131,690
Year 4	$79,854	$21,041	$58,813	$190,503
Year 5	$92,960	$21,462	$71,498	$262,001
Year 6	$109,227	$21,891	$87,335	$349,336
Year 7	$129,437	$22,329	$107,108	$456,445
Year 8	$154,575	$22,776	$131,799	$588,244
Year 9	$185,864	$23,231	$162,633	$750,876
Year 10	$224,975	$23,696	$201,279	$952,156
Total	**$1,165,649**	**$213,493**	**$952,156**	
*Present Value of Net Benefits**			*$682,591*	

**The Present Value of Net Benefits is a way of expressing in today's dollars, dollars to be paid or received in the future. A dollar today and a dollar to be received or paid at differing times in the future are not comparable because of the time value of money. The time value of money is the interest rate or discount rate. This analysis uses a discount rate of 5% to make the dollars comparable.*

Fiscal Impact Over the First 10 Years

The graph below depicts the costs, benefits and net benefits to the city over the first 10 years.



Incentives

Tomball EDC may consider the following incentives for the project:

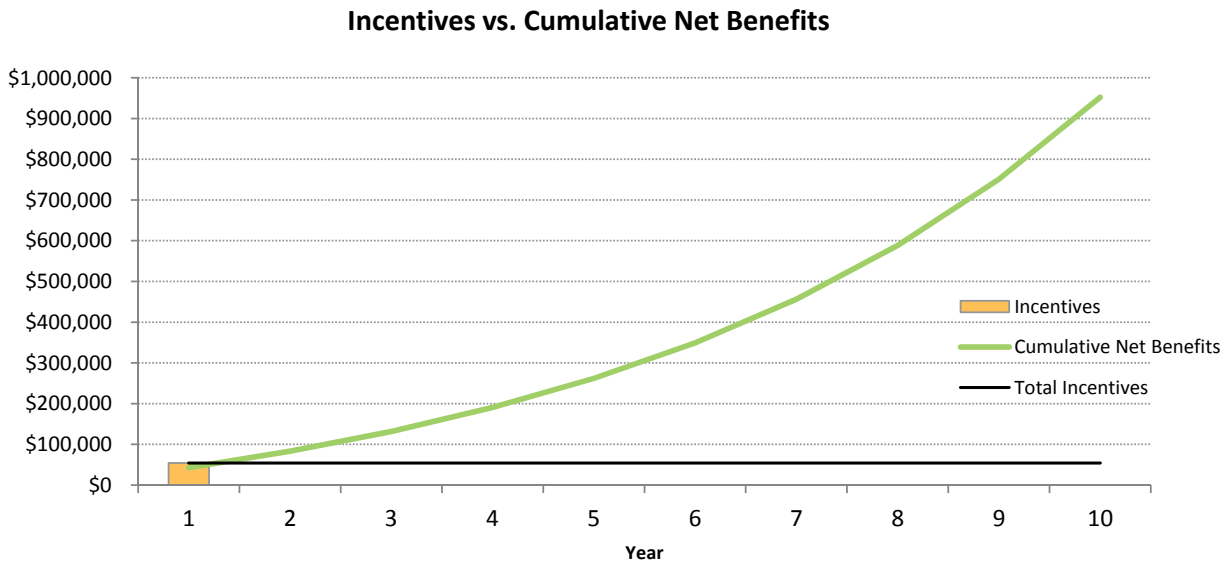
Incentives	
Year 1	$54,212
Year 2	$0
Year 3	$0
Year 4	$0
Year 5	$0
Year 6	$0
Year 7	$0
Year 8	$0
Year 9	$0
Year 10	$0

The table below shows an analysis of these incentives, including a calculation of incentives per job, rate of return and payback period.

Analysis of Incentives	
Total Incentives	$54,212
Rate of Return Over 5 Years	96.7%
Payback period (years)	1.3

** Rate of Return and Payback Period are calculated based on the sum of annual incentives rather than the PV of incentives.*

The graph below depicts the total incentives currently under consideration versus the cumulative net benefits to the city. The intersection indicates the length of time until the incentives are paid back.



Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Consideration and possible action to approve, as a Project of the Corporation, an agreement with Compass Instruments, LLC, to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation and development of a manufacturing facility located at 321 South Persimmon Street, Tomball, TX. The estimated amount of expenditures for such Project is $45,000.00.

Background:

All expenditures of the Tomball Economic Development Corporation (TEDC) sales tax revenue must first be approved as a "Project." At its regular meeting on August 5, 2014, the TEDC Board of Directors did take formal action to approve, as a Project of the TEDC, an agreement with Compass Instruments, LLC, for the relocation and development of its manufacturing facility. The City Council of Tomball has final approval authority over all projects and agreements of the TEDC.

Origination:

Tomball Economic Development Corporation Board of Directors.

Recommendation:

Approve, as a Project of the Corporation, the Performance Agreement with Compass Instruments, LLC.

Funding: Yes

Account Number: Project Grants

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

Kelly Violette, Executive Director, Tomball Economic Development Corporation.

ACTION TAKEN

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

ATTACHMENTS:

Cover Memo
Request Letter
Economic Impact Analysis
Draft Performance Agreement

TOMBALL
ECONOMIC DEVELOPMENT CORPORATION

TO: City Council Members
City of Tomball

FROM: Kelly Violette
Executive Director, Tomball Economic Development Corporation

MEETING DATE: September 2, 2014

SUBJECT: Compass Instruments, LLC

ITEM TYPE: Action

On February 24, 2009, the TEDC Board of Directors approved a grant agreement with Compass Instruments for the relocation of its corporate headquarters from Magnolia, TX to its current location at 327 South Persimmon Street, in Tomball, TX. The grant was up to $15,000.00, based on the relocation of eight (8) full-time jobs and the creation of two (2) new jobs.

The grant was funded on February 17, 2011 in the amount of $12,000 after receiving verification that the company had relocated its corporate headquarters and eight (8) employees. No additional employees were hired due to the economy.

Compass Instruments has been in business since 1991 and provides both "labor only" and "turnkey" contract manufacturing for all types of industrial electronic assemblies, wiring harnesses, cables, panels, and enclosures. The company currently operates out of a 4,000 square foot lease space within the Texson Office Park at 327 South Persimmon Street and employs thirteen (13) people at this location. In May 2013, the company opened a sheet metal fabrication facility in an approximately 3,000 square foot building located outside of Tomball. That facility houses four (4) employees.

Due to an increase in the volume of their contract manufacturing, facilitated largely by Baker Hughes, and the desire to bring the sheet metal fabrication facility to its Tomball location, Compass Instruments is in the process of purchasing a 14,000 square foot facility located at 321 South Persimmon Street in Tomball. The acquisition of the new building would allow the company to facilitate larger orders from its customers, move all of its operations into Tomball, and create 15 new full time jobs. The estimated capital investment for this project is $1,150,000.00.

This company is considered a primary employer based on its North American Industry Classification Code (NAICS) of 334513: Instruments and Related Products Manufacturing.

An economic impact analysis has been prepared to show the impact of this project on Tomball's economy. Per the analysis, the estimated five year net benefit to the city is $65,604.00. The proposed incentive is based upon $3,000 per each new job created in Tomball, not to exceed $45,000.00. The anticipated rate of return on the incentive over 5 years is 29.2%.

COMPASS INSTRUMENTS

Attn: Tomball Economic Development Corporation Board of Directors

Compass Instruments LLC Request Letter

Compass Instruments moved to our current location at 327A South Persimmon Street in Tomball over five years ago. In 2011 we changed our structure to an LLC and became Compass Instruments, LLC.

Our main business has been to supply electronic instrumentation to oil/gas well service companies. However, we also build equipment for satellite communications and water measurement. We have several different electronic instruments that are our design that we sell throughout the industry. Additionally, we also do contract manufacturing for a number of other companies.

In 2012 we had to pass up some work because we could not get delivery of stainless steel enclosures fast enough. So we began plans to add a sheet metal fabrication facility. That shop, which is not in Tomball, became productive in May of 2013 and has been a huge help in having in house control over that product line. We now have a line of standard stainless steel enclosures and have had them tested to NEMA 4X and IP65 standards, with approvals.

At the beginning of 2014, Baker Hughes increased the volume of out sourcing of their instrumentation and we were able to pick up a portion of that work. Their volume of out sourcing to vendors near Austin and in Stafford also increased—but we have the advantage of being very close. We also have a disadvantage of not having enough space—and we have been told they would give us more work if we had more room.

In addition to the contract manufacturing work at Baker Hughes, we have also taken on all the repair work for them nationwide. While most of our sales are tax exempt, the repair work is all taxable. We paid in excess of $3,000 in sales taxes first quarter. That number should go up as we were just getting started in the first quarter.

2013 was a rough year, with total sales just below one million dollars. This year with the increased work from Baker Hughes, our total sales have already passed $3,000,000.00.

We current occupy about 4,000 square feet at our facility at 327 S. Persimmon Street and another 3,000 square feet at our sheet metal facility.

We feel it would be greatly advantageous to move our two businesses together in one building, and add additional space to get Baker Hughes attention and additional work.

The 14,000 square foot Champion Circuits building at 321 South Persimmon St. is available and we are attempting to purchase this facility. They were apparently losing money for some time before closing their doors so the building is in need of the following repairs:

- Entire front and front side's needs to have mildew cleaned and painted.
- Driveway and parking lot needs to be pressure washed and restriped.
- Outside equipment (air conditioners, air compressors, air changers, etc are rusty and needs to either be painted or shielded from view.
- Overhead doors need serviced and possibly repainted.
- Roof leaks and needs to be repaired.
- Internally, about 4600 square feet of floor needs to be replaced.

Our plans for growth are in the following areas:

We currently have three new electronic instruments in design that we feel will greatly influence our bottom line. One of the three will sell for about $2,500 and almost all sales will be taxable.

We have over $100,000 worth of equipment that we will be bringing into Tomball from our other facility and with the added space, we would like to double that amount within the next 2-3 years.

We are also currently working to acquire patents on five additional projects that should also boost

Thank you

Joseph Wilson 

Economic Impact of Compass Instruments, LLC in Tomball, TX

Executive Summary

August 1, 2014

Prepared by:
Tomball Economic Development Corporation
29201 Quinn Road
Tomball, TX 77375

This summary was prepared by the Tomball Economic Development Corporation using Quick Impact by Impact DataSource. Please consult the full economic impact report for additional details and assumptions used in this analysis.

ECONOMIC IMPACT EXECUTIVE SUMMARY: COMPASS INSTRUMENTS, LLC

Project Description

Compass Instruments has been in business since 1991 and provides both "labor only" and "turnkey" contract manufacturing for all types of industrial electronic assemblies, wiring harnesses, cables, panels, and enclosures. The company currently operates out of a 4,000 square foot lease space within the Texson Office Park at 327 South Persimmon Street and employs thirteen (13) people at this location. Compass Instruments is in the process of purchasing a 14,000 square foot facility located at 321 South Persimmon Street in Tomball. The acquisition of the new building would allow the company to facilitate larger orders from its customers, move all of its operations into Tomball, and create 15 new full time jobs. The estimated capital investment for this project is $1,150,000.00.

Economic Impact Over the First 10 Years

The project will have the following economic impact on the City of Tomball area over the first 10 years:

Economic Impact Over the First 10 Years			
	Direct	**Indirect & Induced**	**Total**
Total number of permanent direct and indirect jobs to be created	15	16	31
Salaries to be paid to direct and indirect workers	$13,037,906	$8,964,864	$22,002,771
Taxable sales and purchases expected in the city	$3,351,923	$784,426	$4,136,348
The value of new residential property to be built for direct and indirect workers who move to the city by Year 10	$0	$0	$0
The market value the firm's property on local tax rolls in Year 1	$910,000	$0	$910,000

Fiscal Impact Over the First 10 Years

Over the first 10 years, the City of Tomball and Tomball EDC can expect the following net benefits from the facility, its employees, and workers in spin-off jobs created in the community:

Costs and Benefits for the City Over the First 10 Years			
	Benefits	**Costs**	**Net Benefits**
Sales taxes allocated to the City	$62,045	$0	**$62,045**
Sales taxes allocated to Tomball EDC	$20,682	$0	**$20,682**
Property taxes	$36,961	$0	**$36,961**
Utility revenues	$148,167	$0	**$148,167**
Utility franchise fees	$11,864	$0	**$11,864**
Hotel occupancy taxes	$3,029	$0	**$3,029**
Other taxes and user fees	$17,200	$0	**$17,200**
Building permits and fees	$3,923	$0	**$3,923**
Costs of providing utilities	$0	$133,351	**($133,351)**
Costs of providing municipal services for new residents	$0	$31,765	**($31,765)**
Total	**$303,871**	**$165,116**	**$138,755**

Net Benefits To The City From The Direct and Indirect Sources

The city will receive benefits from direct and indirect economic impacts that result from the project. The benefits, associated costs and net benefits for the first 10 years are shown below, divided between direct and indirect impacts.

Net Benefits to the City from Direct and Indirect Sources			
	Benefits/Costs from:		
	Direct	***Indirect & Induced***	***Total***
Additional revenues:			
Sales taxes allocated to the City	$50,279	$11,766	**$62,045**
Sales taxes allocated to Tomball EDC	$16,760	$3,922	**$20,682**
Property taxes	$36,961	$0	**$36,961**
Utility revenues	$119,122	$29,046	**$148,167**
Utility franchise fees	$9,634	$2,231	**$11,864**
Hotel occupancy taxes	$3,029		**$3,029**
Other taxes and user fees	$10,320	$6,880	**$17,200**
Building permits and fees	$3,923		**$3,923**
Total additional revenues	***$250,026***	***$53,845***	***$303,871***
Additional costs:			
Costs of providing utilities	$107,210	$26,141	**$133,351**
Costs of providing municipal services for new residents	$19,059	$12,706	**$31,765**
Total additional costs	***$126,269***	***$38,847***	***$165,116***
Net Benefits	**$123,757**	**$14,998**	**$138,755**
Percent of total net benefits for city	*89%*	*11%*	

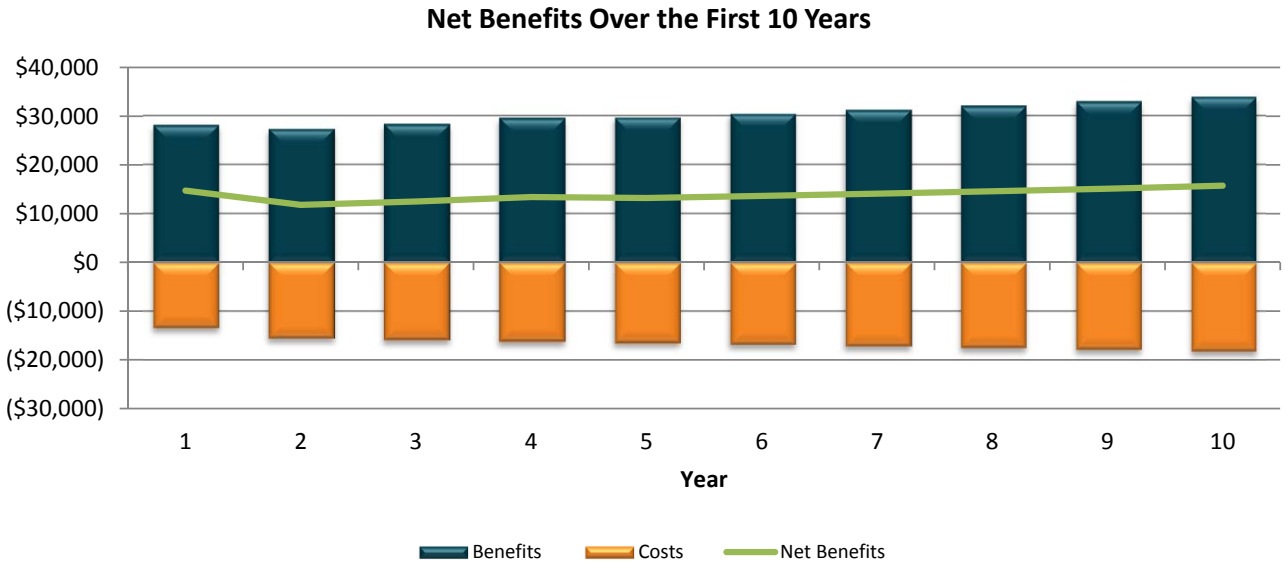
The net benefits to the city over the first 10 years are estimated to accrue as detailed below.

Net Benefits to the City by Year				
	Benefits	**Costs**	**Net Benefits**	**Cumulative Benefits**
Year 1	$28,165	$13,438	$14,728	$14,728
Year 2	$27,331	$15,549	$11,781	$26,509
Year 3	$28,338	$15,860	$12,477	$38,986
Year 4	$29,583	$16,178	$13,405	$52,392
Year 5	$29,713	$16,501	$13,212	$65,604
Year 6	$30,461	$16,831	$13,630	$79,234
Year 7	$31,251	$17,168	$14,084	$93,317
Year 8	$32,089	$17,511	$14,577	$107,895
Year 9	$32,977	$17,861	$15,115	$123,010
Year 10	$33,963	$18,219	$15,745	$138,755
Total	**$303,871**	**$165,116**	**$138,755**	
*Present Value of Net Benefits**			*$106,327*	

**The Present Value of Net Benefits is a way of expressing in today's dollars, dollars to be paid or received in the future. A dollar today and a dollar to be received or paid at differing times in the future are not comparable because of the time value of money. The time value of money is the interest rate or discount rate. This analysis uses a discount rate of 5% to make the dollars comparable.*

Fiscal Impact Over the First 10 Years

The graph below depicts the costs, benefits and net benefits to the city over the first 10 years.



Incentives

Tomball EDC may consider the following incentives for the project:

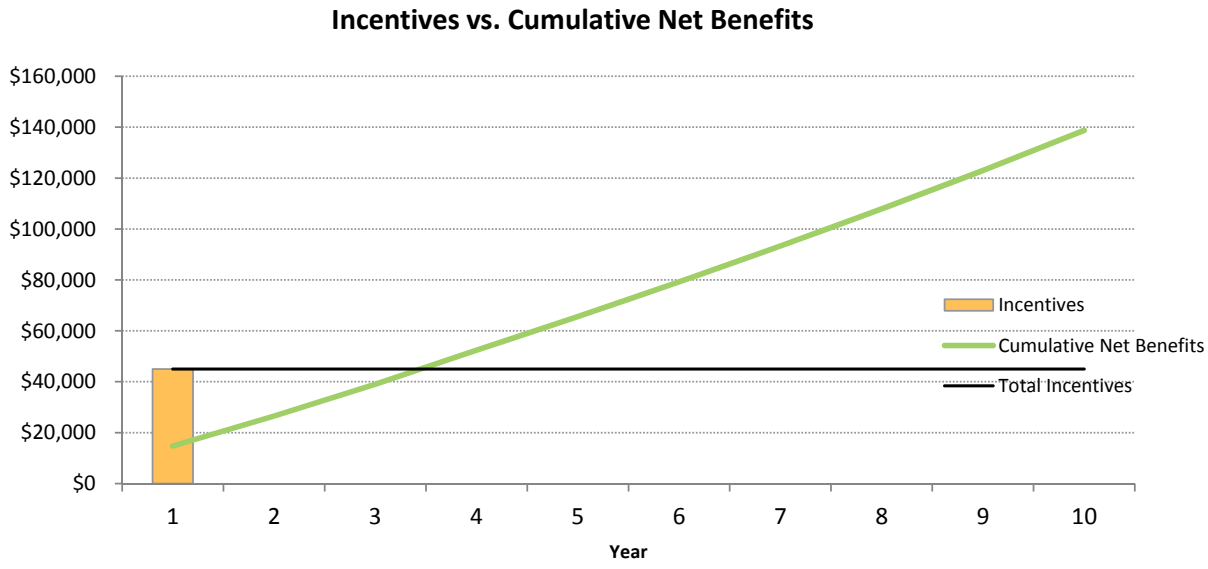
Incentives	
Year 1	$45,000
Year 2	$0
Year 3	$0
Year 4	$0
Year 5	$0
Year 6	$0
Year 7	$0
Year 8	$0
Year 9	$0
Year 10	$0

The table below shows an analysis of these incentives, including a calculation of incentives per job, rate of return and payback period.

Analysis of Incentives	
Total Incentives	$45,000
Incentives Per Job	$3,000
Rate of Return Over 5 Years	29.2%
Payback period (years)	3.4

** Rate of Return and Payback Period are calculated based on the sum of annual incentives rather than the PV of incentives.*

The graph below depicts the total incentives currently under consideration versus the cumulative net benefits to the city. The intersection indicates the length of time until the incentives are paid back.



AGREEMENT

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HARRIS §

This Agreement (the "Agreement") is made and entered into by and between the **Tomball Economic Development Corporation**, an industrial development corporation created pursuant to Tex. Rev. Civ. Stat. Ann. Art. 5190.6, Section 4B, now Chapter 505 of the Texas Local Government Code, which is located in Harris County, Texas (the "TEDC"), and **Compass Instruments, LLC** (the "Company"), 327 South Persimmon Street, Tomball, Texas 77375.

W I T N E S S E T H :

WHEREAS, it is the established policy of the TEDC to adopt such reasonable measures from time-to-time as are permitted by law to endeavor to attract industry, create and retain primary jobs, expand the growth of the City of Tomball (the "City"), and thereby enhance the economic stability and growth of the City; and

WHEREAS, the Company is in the process of acquiring a 14,000 square foot existing building located at 321 South Persimmon Street, Tomball, Texas 77375 (the "Property"), and more particularly described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the Company, currently located at 327 South Persimmon Street, in Tomball, Texas, proposes to relocate its corporate headquarters to the Property, and as part of the process, plans to expend funds to make capital improvements (the "Improvements"), generally described in Exhibit "B," attached hereto and made a part hereof, as are necessary to an existing 14,000 square foot building; and

DRAFT

WHEREAS, the Company also proposes to retain thirteen (13) full-time employees at the Property and to create fifteen (15) new employment positions in Tomball in conjunction with the relocation and development of its business operations at the Property; and

WHEREAS, the TEDC agrees to provide to the Company the sum of Forty-Five Thousand Dollars ($45,000.00) to assist in the construction of the Improvements, the retention of the thirteen (13) employees, and the creation of the fifteen (15) new employment positions at the Property; and

WHEREAS, the Company has agreed, in exchange and as consideration for the funding, to satisfy and comply with certain terms and conditions; and

WHEREAS, this expenditure is found by the Board of Directors of the TEDC to be suitable for the relocation and upgrading of its business operation in furtherance of the retention and creation of primary jobs;

NOW, THEREFORE, in consideration of the premises and the mutual benefits and obligations set forth herein, including the recitals set forth above, the TEDC and the Company agree as follows:

1.

The Company covenants and agrees that it will construct the Improvements and operate and maintain the proposed business on the Property for a term of at least five (5) years, and will for such term, except as provided by paragraph 4 hereof, maintain the thirteen (13) employees and create fifteen (15) new jobs on the Property.

2.

The Company also covenants and agrees that the construction of the Improvements, the relocation of the thirteen (13) employees, the addition of the fifteen (15) new employees, and

DRAFT

obtaining of all necessary occupancy permits from the City shall occur within twenty-four (24) months from the Effective Date of this Agreement. Extensions of these deadlines, due to any extenuating circumstance or uncontrollable delay may be granted at the sole discretion of the Board of Directors of the TEDC.

3.

The Company further covenants and agrees that it does not and will not knowingly employ an undocumented worker. An "undocumented worker" shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States; or (b) authorized under the law to be employed in that manner in the United States.

4.

In consideration of the Company's representations, promises, and covenants, TEDC agrees to grant to the Company Forty-Five Thousand Dollars ($45,000.00) to fund a portion of the cost of the Improvements, the relocation of the thirteen (13) employees, and the addition of the fifteen (15) new employees to the Tomball operation. The TEDC agrees to distribute such funds to the Company within thirty (30) days of receipt of a letter from the Company requesting such payment, which letter shall also include: (a) a copy of the City's occupancy permit for the Improvements to the Property; (b) proof that the company has retained and added the number of employees indicated above to the Tomball operation as evidenced by copies of Texas Workforce Commission form C-3 or Internal Revenue Service form 941; (c) a copy of a letter from the City acknowledging that all necessary plats, plans, and specifications have been received, reviewed, and approved; and (d) certification that the Improvements have been constructed in accordance with the approved plans and specifications. In the event the number of jobs originally projected is not met or maintained, the amount of the funding provided to the Company by TEDC will be

DRAFT

reduced on a pro-rata basis to reflect the actual number of jobs at the time of the request for disbursement of funds.

5.

It is understood and agreed by the parties that, in the event of a default by the Company on any of its obligations under this Agreement, other than the failure to meet the number of new jobs originally projected, the Company shall reimburse the TEDC the full amount paid to the Company by the TEDC, with interest at the rate equal to the 90 day Treasury Bill plus ½% per annum, within 120 days after the TEDC notifies the Company of the violation. It is further understood and agreed by the parties that if the Company is convicted of a violation under 8 U.S.C. Section 1324a (f), the Company will reimburse the TEDC the full amount paid to the Company, with interest at the rate equal to the 90 day Treasury Bill plus ½% per annum, within 120 days after the TEDC notifies the Company of the violation.

The Company shall also reimburse the TEDC for any and all reasonable attorney's fees and costs incurred by the TEDC as a result of any action required to obtain reimbursement of such funds. Such reimbursement shall be due and payable thirty (30) days after the Company receives written notice of default.

6.

Personal Liability of Public Officials: To the extent permitted by law, no director, officer, employee or agent of the TEDC, and no officer, employee or agent of the City of Tomball, shall be personally responsible for any liability arising under or growing out of this Agreement.

DRAFT

7.

This Agreement shall inure to the benefit of and be binding upon the TEDC and the Company, and upon the Company's successors and assigns, affiliates, and subsidiaries, and shall remain in force whether the Company sells, assigns, or in any other manner disposes of, either voluntarily or by operation of law, all or any part of the Property and the agreements herein contained shall be held to be covenants running with the Property for so long as this Agreement, or any extension thereof, remains in effect.

8.

Any notice provided or permitted to be given under this Agreement must be in writing and may be served by (i) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, registered or certified mail, return receipt requested; or (ii) by delivering the same in person to such party; or (iii) by overnight or messenger delivery service that retains regular records of delivery and receipt; or (iv) by facsimile; provided a copy of such notice is sent within one (1) day thereafter by another method provided above. The initial addresses of the parties for the purpose of notice under this Agreement shall be as follows:

If to City: Tomball Economic Development Corporation
401 W. Market Street
Tomball, Texas 77375
Attn: President, Board of Directors

If to Company: Compass Instruments, LLC
327 S. Persimmon Street
Tomball, Texas 77375
Attn: Joseph Wilson, President

DRAFT

9.

This Agreement shall be performable and enforceable in Harris County, Texas, and shall be construed in accordance with the laws of the State of Texas.

10.

Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment or modification only in writing, and by the signatures and mutual consent of the parties hereto.

11.

The failure of any party to insist in any one or more instances on the performance of any of the terms, covenants or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance.

12.

This Agreement shall bind and benefit the respective Parties and their legal successors and shall not be assignable, in whole or in part, by any party without first obtaining written consent of the other party.

13.

In the event any one or more words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement, or the application thereof to any person, firm, corporation, or circumstance, shall be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, then the application, invalidity or unconstitutionality of such words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement shall be

DRAFT

deemed to be independent of and severable from the remainder of this Agreement, and the validity of the remaining parts of this Agreement shall not be affected thereby.

14.

This Agreement terminates upon any one or more of the following:

(a) The completion of all the terms and conditions herein; or

(b) If a party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof by the non-defaulting party unless a longer period is mutually agreed upon; or

(c) Company is placed in receivership or bankruptcy regardless of whether voluntary.

Obligations or defaults that existed prior to termination under this section shall survive termination of this Agreement, including the refund provision.

15.

If, because of flood, fire, explosions, civil disturbances, strikes, war, acts of God, or other causes beyond the control of either party, either party is not able to perform any or all of its obligations under this Agreement, then the respective Party's obligations hereunder shall be suspended during such period but for no longer than such period of time when the party is unable to perform.

16.

Each party represents that they are authorized to enter into this Agreement and that the representative executing this Agreement has been duly authorized to do so.

DRAFT

IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the parties on this _____ day of _____ 2014 (the "Effective Date").

COMPASS INSTRUMENTS

By: _____

Name: Joseph Wilson

Title: President

ATTEST:

By: _____

Name: _____

Title: _____

TOMBALL ECONOMIC DEVELOPMENT CORPORATION

By: _____

Name: _____

Title: President, Board of Directors

ATTEST:

By: _____

Name: _____

Title: Secretary, Board of Directors

DRAFT

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____ 2014, by Joseph Wilson, the President of Compass Instruments, for and on behalf of said company.

_____
Notary Public in and for the State of Texas

My Commission Expires: _____

(SEAL)

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____ 2014, by _____, President of the Board of Directors of the Tomball Economic Development Corporation, for and on behalf of said Corporation.

_____
Notary Public in and for the State of Texas

My Commission Expires: _____

(SEAL)

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Exhibit A

Legal Description of Property

1.589 ACRES LT4 BLK 1   PERSIMMON FLATS.

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Exhibit B

Description of Improvements

- Clean and paint exterior facade
- Pressure wash and restripe driveway and parking areas
- Repair outside equipment (air conditioners, air compressors, etc.)
- Service and paint overhead doors
- Repair roof
- Replace approximately 4,600 square feet of interior floor

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Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Approve the Assignment of Development Agreement regarding the Assignment of Annual Assessment Collections for PID No. 1, Pine Country of Texas

Background:

Tomball Public Improvement District No. 1 was created in 2007 and comprises Pine Country Subdivision Section 2 off of Cemetery Road. As part of the PID, an assessment is levied on each lot to reimburse the developer for a certain percentage of public infrastructure costs associated with the development, similar to a municipal utility district. In the case of PID 1, the assessment was levied on each lot in Section 2 in 2010 and active collections of the assessment began in 2013.

There is a development agreement in place between the City of Tomball and the developer whereby the City has agreed to collect the annual assessment payments at the same time as property taxes (or provide for the collection of the assessment through the Harris County tax office) and then convey the assessment revenue to the developer annually as a reimbursement for the infrastructure costs detailed in the agreement.

The developer is requesting that there be an assignment of those annual assessment collections to another entity, which is allowable under the agreement subject to the City's consent.

Origination:

Finance

Recommendation:

Staff recommends approval of the assignment.

Funding:

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

Glenn Windsor, CPA Finance Director

ACTION TAKEN

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

ATTACHMENTS:

Proposed Assignment of Development Agreement
Original Development Agreement and Other Related Documentation
PC Service & Assessment Plan Ordinance
PC Assessment Ordinance
PID Primer

ASSIGNMENT OF DEVELOPMENT AGREEMENT

Date: August 20, 2014

Assignor: PCOT INVESTMENTS, INC., a Texas corporation

Assignor's Mailing Address (including county):
16020 PINE COUNTRY BLVD, TOMBALL, TX 77377-2531 (Harris County)

Assignee: THE JOSEPH FAMILY LIMITED PARTNERSHIP, LTD., a Texas limited partnership (receiving an undivided 50% interest)

TOOTSIE INVESTMENTS, L.L.C., a Texas limited liability company (receiving an undivided 50% interest)

Assignee's Mailing Address (including county):
The Joseph Family Limited Partnership, Ltd.: 16020 Pine Country Blvd, Tomball, Texas 77377 (Harris County)

Tootsie Investments, L.L.C.: 101 Saddlebrook Ln., Tomball, Texas 77375 (Harris County)

Recitals

WHEREAS, PCOT Investments, Inc., a Texas corporation ("Developer") was the Developer of a certain subdivision in Tomball, Texas known as Pine Country of Tomball, Section 2 (the "Subdivision"); and

WHEREAS, the City of Tomball made an agreement with Developer concerning certain assessments that would be collected and paid to Developer pursuant to the terms of a Development Agreement dated July 3, 2007, executed by City of Tomball and PCOT Investments, Inc., and amendment dated July 25, 2008, executed by City of Tomball and PCOT Investments, Inc. (together hereinafter referred as the "Development Agreement); and

WHEREAS, Developer intends to assign its rights and obligations under said Development Agreement to The Joseph Family Limited Partnership, Ltd. and Tootsie Investments, L.L.C.; and

WHEREAS, the Development Agreement allows for an assignment of said agreement pursuant to the terms of Section 7.07 of said agreement, which requires prior written consent of the other party.

Terms

NOW THEREFORE, for and in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in consideration of the mutual promises and

agreements stated herein, the parties agree to the following:

1. Assignor, for the Consideration, assigns to Assignee all of Assignor's right, title, and interest in and to the Development Agreement. Assignor binds Assignor and Assignor's heirs and successors to warrant and forever defend all and singular the Development Agreement to Assignee and Assignee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

2. Assignee assumes and agrees to perform the Developer's obligations under the Development Agreement. Assignor has transferred all rights in the Development Agreement to Assignee, and Assignee agrees to fulfill all of Developer's obligations with regard to said Development Agreement.

3. Assignor is hereby released from its obligations under the Development Agreement. Assignee will indemnify, defend, and hold Assignor harmless from any loss, attorney's fees, expenses, or claims arising out of or related to Assignee's failure to perform any of the obligations under the Development Agreement.

4. The undersigned represent and warrant that they are fully authorized and empowered, and where applicable qualified, to execute this Agreement, that they are not subject to any limitation or disability created by law or otherwise, which could in any manner, or to any extent, prevent the undersigned from entering into and fully performing this Agreement.

5. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective successors, heirs, legal representatives and assigns.

6. The prevailing party in any legal proceeding related to this contract is entitled to recover reasonable attorney's fees and all costs of such proceeding incurred by the prevailing party.

7. All parties hereto represent and warrant that they have consulted legal counsel in connection with the preparation and execution of this Agreement.

8. No supplement, modification or amendment of any terms, provisions or conditions of this Agreement shall be binding unless executed in writing by all parties hereto.

9. Should any part, term or provision of this Agreement or any document required hereunder to be executed be declared invalid, void or unenforceable, all remaining parts, terms and provisions hereof shall remain in full force and effect and shall in no way be invalidated, impaired or affected thereby.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED on the date first above written.

ASSIGNOR:

PCOT INVESTMENTS, INC., a Texas corporation

By: Russell E. Brown, President
Russell E. Brown, President

ASSIGNEES:

THE JOSEPH FAMILY LIMITED PARTNERSHIP, LTD., a Texas limited partnership
By its General Partner
JOSEPH MANAGEMENT TRUST

By: Russell E. Brown
RUSSELL E. BROWN, Trustee

TOOTSIE INVESTMENTS, L.L.C., a Texas limited liability company

By: Mary Catherine Matthews
Mary Catherine Matthews, President

STATE OF TEXAS)
)
COUNTY OF HARRIS)

This instrument was acknowledged before me on the 27 day of August, 2014, by Russell E. Brown, President of PCOT INVESTMENTS, INC., a Texas corporation, on behalf of said corporation.

NOTARY PUBLIC STATE OF TEXAS
Heather Anderson
My Commission Expires
11/06/2016

Heather
Notary Public in and for the
State of Texas

STATE OF TEXAS)
)
COUNTY OF Harris)

This instrument was acknowledged before me on the 22 day of August, 2014, by Russell E. Blaw, Trustee of the JOSEPH MANAGEMENT TRUST, as General Partner of THE JOSEPH FAMILY LIMITED PARTNERSHIP, LTD., a Texas limited partnership, on behalf of said limited partnership, in said capacity.



Notary Public in and for the
State of Texas

STATE OF TEXAS)
)
COUNTY OF Harris)

This instrument was acknowledged before me on the 22nd day of August, 2014, by Mary Catherine Matthews, President of TOOTSIE INVESTMENTS, L.L.C., a Texas limited liability company, on behalf of said company.



Notary Public in and for the
State of Texas

City's Consent

City of Tomball consents to the Assignment of Developer's Interest in the Development Agreement. Said consent complies with the provisions of Section 7.07 of the Development Agreement.

City of Tomball, Texas

By:_____
Gretchen Fagan, Mayor

Date: _____, 2014

DEVELOPMENT AGREEMENT

This Development Agreement (this "*Agreement*") is made as of July 3, 2007, by and between the **CITY OF TOMBALL**, a municipal corporation and a home-rule city in the State of Texas (the "City"), and **PCOT INVESTMENTS, INC,** a Texas corporation (the "*Developer*").

RECITALS

WHEREAS, in accordance with the provisions of Chapter 372, TEX. LOCAL GOV'T CODE, and Resolution 2007-14, the City Council of the City of Tomball created the Public Improvement District Number One (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 bests 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 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 up to 50% 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 percentage of 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 $0.50 tax rate for each property covered by the Plan and a maximum ten (10) 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 by 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 seven percent (7%) annual rate, compounded annually, whether such costs, fees, or expenses are paid or incurred before or after the effective date of this Agreement. 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 (1) the amount due the Developer for the Developer Advances being repaid with interest calculated thereon, and (2) that funds are available to make such payment. 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 auditor'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

Mr. Russell E. Brown
PCOT Investments, Inc.
22529 Tomball Cemetery Road
Tomball, Texas 77377

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

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

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

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

Developer shall be deemed released from such obligations. If any assignment of the obligations by the Developer hereunder is deemed ineffective or invalid, the Developer shall remain liable hereunder.

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

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

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

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

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

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

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

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

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

[EXECUTION PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed as of July 3, 2007.

CITY OF TOMBALL, TEXAS

By: _____
Name: Gretchen Fagan
Title: Mayor

PCOT INVESTMENTS, INC.

_____
Russell E. Brown
Title: PRESIDENT

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 3rd day of July, 2007, by Gretchen Fagan the Mayor of the City of Tomball, Harris County, Texas, for and on behalf of said municipality.

Notary Public in and for the State of Texas

My Commission Expires: 6-22-2008

DORIS J. SPEER
Notary Public, State of Texas
My Commission Expires
June 22, 2008

(SEAL)

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 3rd day of July, 2007, by Russell E. Brown, the President of PCOT INVESTMENTS, INC., for and on behalf of said corporation.

Notary Public in and for the State of Texas

My Commission Expires: 6-22-2008

DORIS J. SPEER
Notary Public, State of Texas
My Commission Expires
June 22, 2008

(SEAL)

EXHIBIT A

The boundaries of the City of Tomball Public Improvement District Number One are the area contained in the Final Plat of Pine Country of Tomball, Section Two, A Subdivision of 55.7020 Acres Being a Replat of Pine Country of Tomball, Section Two, an Unrestricted Reserve of 55.7020 Acres as Recorded in H.C. Film Code #526187, and Being out of the John Edwards Survey, A-20 and the Chauncey Goodrich Survey, A-311 in the City of Tomball, Harris County Texas

EXHIBIT B

Description of Residential Development

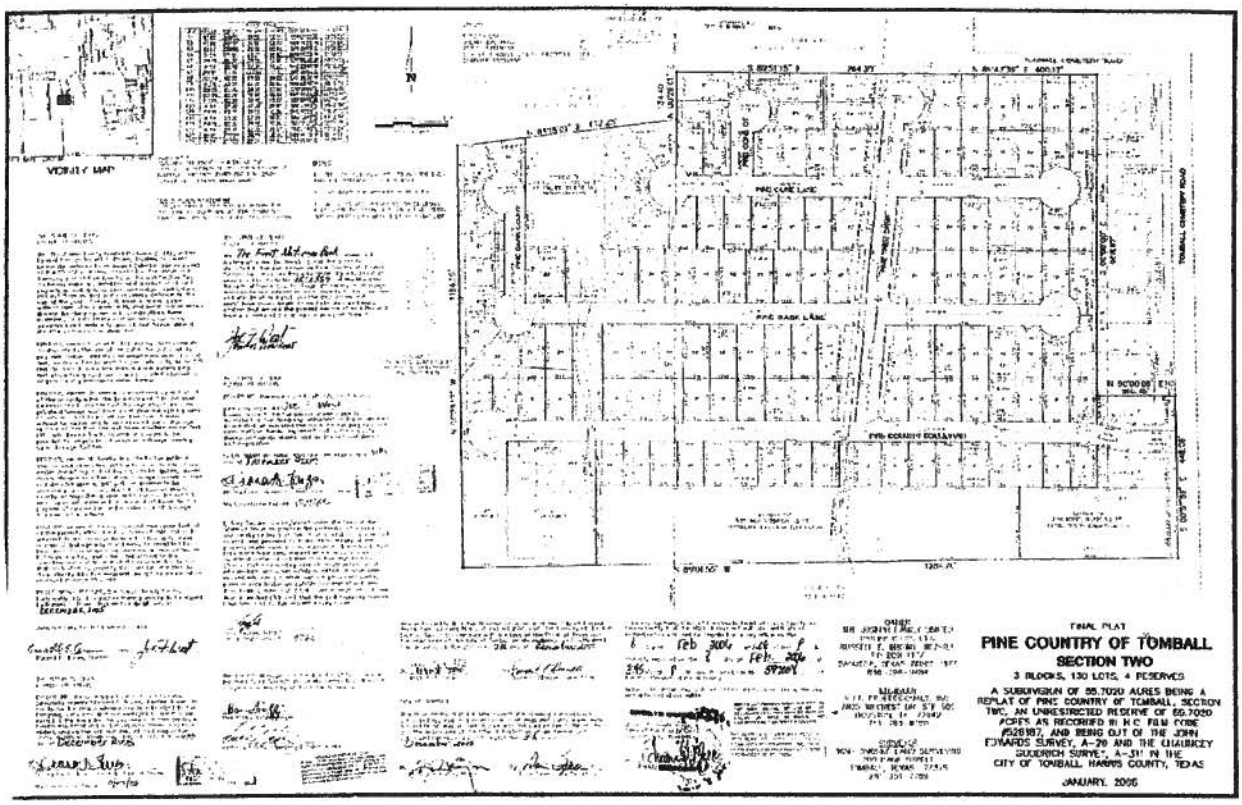


EXHIBIT C

The PID Improvements

Project	Estimated Cost
Water Lines	$277,120
Sanitary Sewer	$364,478
Storm Sewer & Drainage	$233,519
Gas	$55,379
Street Paving	$705,052
Off-Site Utility Extensions	$109,032
SWPPP	$35,000
Engineering & Contingencies (15%)	$266,937
Payment/Performance Bonds and Permits	$60,000
PID Creation Cost	$35,000
TOTAL	**$2,141,517**

Pine Country

RESOLUTION NO. 2007-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, MAKING FINDINGS IN CONNECTION WITH THE PROPOSED PUBLIC IMPROVEMENT DISTRICT NUMBER ONE RELATED TO THE ADVISABILITY OF THE IMPROVEMENTS, THE NATURE OF THE IMPROVEMENTS, THE ESTIMATED COST OF THE IMPROVEMENTS, THE BOUNDARIES OF THE PROPOSED DISTRICT, THE METHOD OF ASSESSMENT AND THE APPORTIONMENT OF COST BETWEEN THE DISTRICT AND THE CITY AS A WHOLE; AND MAKING OTHER FINDINGS RELATED TO THE DISTRICT.

* * * * * * * * * *

WHEREAS, the City of Tomball City Council is authorized to create a public improvement district pursuant to Ch. 372 of the Texas Local government Code (the "Code") for the purpose described therein, and the City has received a petition from certain landowners within the City requesting the creation of a public improvement district; and

WHEREAS, notice of a public hearing to consider the advisability of establishing the proposed district was published in *The Potpourri* a local newspaper of general circulation on January 31, 2007; the place, City Council Chambers, Tomball, Texas, the general nature of the proposed improvements; the boundaries of the proposed district; and the proposed method of assessment; and the proposed apportionment of cost between the district and the City as a whole; and

WHEREAS, written notice of the public hearing to consider advisability of establishing the district was sent timely to the current address, so reflected on the tax rolls, of the owners of property subject to assessment under the proposed district; and

WHEREAS, the public hearing was held with all interested parties having been given the opportunity to be heard; **NOW, THEREFORE,**

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

Section 1. The City Council, having duly considered the petition submitted by property owners in the proposed district and the comments of those who made presentations at the public hearing on February 19, 2007, hereby finds as follows:

(1) It will promote the interests of the City to create the Public Improvement District Number One (the "District") under the provisions of Chapter 372, Texas Local Government Code for the purposes herein described.

(2) It is advisable that the proposed improvement project be provided in the District and the City exercise the powers granted by Chapter 372, Texas Local Government Code, in connection with the establishment of the District, including

the carrying out of the improvement project described below that will confer special benefits on property in the District and to levy and collect a special assessment on property in the District, based on the benefit conferred by such project, to pay all of the costs of such improvements.

(3) The general nature of the public improvements in the District is set forth below.

(a) The improvements include engineering and construction of water, wastewater, storm sewer facilities, detention, paving, and other improvements, creation and administration costs, and interest.

(4) The estimated costs of the public improvements over the life of the PID are a total of $1.25 million.

(5) The boundaries of the District are fully described in Exhibit "A" attached hereto.

(6) The proposed methods of assessment is as follows:

(a) The assessment for the Public Improvements is proposed to be by value, lot, or according to the square footage of property without regard to improvements on the property.

(7) The proposed method of apportionment of the cost of the improvements between the District and the City as a whole is as follows:

(a) The District will bear 100 percent of the costs of the percentage of the Public Improvements that will be reimbursed by assessment on the property.

Section 2. This Resolution shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED this 5th day of March, 2007.

H.G. "HAP" HARRINGTON, Mayor

APPROVED AS TO FORM:

WILLIAM A. OLSON, Jr., City Attorney

ATTEST:

DORIS SPEER, City Secretary

EXHIBIT "A"

The boundaries of the proposed City of Tomball Public Improvement District Number One are the area contained in the Final Plat of Pine Country of Tomball, Section Two, A Subdivision of 55.7020 Acres Being a Replat of Pine Country of Tomball, Section Two, an Unrestricted Reserve of 55.7020 Acres as Recorded in H.C. Film Code #526187, and Being out of the John Edwards Survey, A-20 and the Chauncey Goodrich Survey, A-311 in the City of Tomball, Harris County Texas.

RESOLUTION NO. 2007-14

A RESOLUTION OF THE CITY COIUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING THE ESTABLISHMENT OF THE PUBLIC IMPROVEMENT DISTRICT NUMBER ONE IN THE CITY OF TOMBALL, TEXAS; AUTHORIZING PUBLICATION OF THIS RESOLUTION, PROVIDING FOR THE PREPARATION OF A SERVICE AND ASSESSMENT PLAN; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

* * * * * * * * * *

WHEREAS, the City of Tomball City Council is authorized to create a public improvement district pursuant to Ch. 372 of the Texas Local Government Code (the "Code") for the purpose described therein, and the City has received a petition from certain landowners within the City requesting the creation of a public improvement district; and

WHEREAS, the City Council held a public hearing on February 19, 2007, notice of which was published and mailed to property owners of the proposed district pursuant to Section 372.009 of the Code; and

WHEREAS, the City Council has made findings by resolution as to the advisability of the proposed improvement project, the nature of the improvements, the boundaries of the proposed public improvement district, the estimated cost, the method of assessment and the apportionment of cost between the improvement district and the City as a whole, as required by Chapter 372 of the Code; and

WHEREAS, the City Council has determined that it should proceed with the creation of the Public Improvement District Number One and the provision of public improvements proposed to be provided thereby; **NOW, THEREFORE,**

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

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

Section 2. The Public Improvement District Number One (the "District") is authorized to be and is hereby established as a public improvement district under the provisions of Chapter 372 of the Code over the land currently included within the boundaries of the City of Tomball, Texas, as more fully described in Exhibit A attached hereto, all in accordance with the findings made by the City Council in Section 1 of Resolution No. 2007-12, passed and approved on February 19, 2007.

Section 3. The City Secretary is hereby directed to give notice of the authorization for establishment of the District by publishing the resolution once in at least one local newspaper

of general circulation in the City. The authorization and establishment of the District shall be deemed to be effective upon the publication of the notice directed by this section.

Section 4. The City Council hereby directs the District Administrator to prepare a service and assessment plan for review and approval of the City Council in accordance with Chapter 372 of the Code.

Section 5. The District shall not provide any improvements until at least 20 days after authorization of the District takes effect. Such services shall not begin if during such period a petition is filed pursuant to section 372.010(c) of the Code.

Section 6. This Resolution shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED this 5th day of March, 2007.

H. G. "Hap" Harrington, Mayor

ATTEST:

DORIS SPEER, City Secretary

APPROVED AS TO FORM:

WILLIAM A. OLSON, Jr., City Attorney

EXHIBIT A

The boundaries of the proposed City of Tomball Public Improvement District Number One are the area contained in the Final Plat of Pine Country of Tomball, Section Two, A Subdivision of 55.7020 Acres Being a Replat of Pine Country of Tomball, Section Two, an Unrestricted Reserve of 55.7020 Acres as Recorded in H.C. Film Code #526187, and Being out of the John Edwards Survey, A-20 and the Chauncey Goodrich Survey, A-311 in the City of Tomball, Harris County Texas.

DPK Engineering LLC

Land Development – Site Development - Municipal

32719 Windsor Terrace
Fulshear, Texas 77441
Tel/Fax: 281-346-2616

May 11, 2007

Mr. Russ Brown
The Joseph Family Limited Partnership, LTD.
P.O. Box 1177
Bandera, Texas 78003-1177
Phone: 830-796-9484

Re: DPK Project Number D06_LD_271 – Final Bid Recommendations for Pine Country Subdivision

Dear Mr. Russ Brown:

DPK Engineering LLC has completed the tabulation of the two (2) Contractor's bids received and opened on Thursday, March 29th, 2007, and recommends that the low bidder, R&L Pine Country Inc., be awarded the contract. The bids ranged from a low of $1,596,595.60 for R&L Pine Country Inc. to a high of $2,676,547.91 for Big State Excavation. The low bid was $352,793.00 below the engineer's estimate. Updated bonding has been provided and the calculations and bid tabs have been confirmed accurate. Please find attached a spreadsheet with all of the bids tabulated.

We look forward to working with the Contractor on this project in the City of Tomball. If you have any questions, please feel free to call me.

Sincerely,

David P. Kelly II, P.E.
President
DPK Engineering LLC

PROJECT NAME: PINE COUNTRY SUBDIVISION

DISTRICT: CITY OF TOMBALL
PROJECT NUMBER: D06_LD_285

BID OPENING DATE: March 29, 2007 10:00am

				Big State Excavation		R & L Pine Country Inc.		Engineer's Estimate	
Item Number	Description	Unit	Qty	Unit	Total			Unit	Total
STARTUP									
1.	START UP COSTS	LS	1	$ 28,125.00	$28,125.00	$ 25,000.00	$25,000.00	$80,000.00	$80,000.00
2.	PERFORMANCE AND PAYMENT BONDS	LS	1	$ 37,240.00	$37,240.00	$ 5,000.00	$5,000.00	$22,000.00	$22,000.00
3.	DEVELOPMENT PERMIT REQUIRED BY THE CITY OF TOMBALL 2% OF CONSTRUCTION COST	LS	1	$ 66,875.00	$66,875.00	$ 17,000.00	$17,000.00	$39,007.00	$39,007.00
TOTAL STARTUP COSTS					**$132,240.00**		**$47,000.00**		**$141,007.00**
UTILITY EXTENSION									
WATER DISTRIBUTION SYSTEM									
1.	12" Water Main, PVC C-900, DR 18, CL 150, All Cuts	LF	1020	$ 32.70	$33,354.00	$ 28.00	$28,560.00	$35.00	$35,700.00
2.	12" Gate Valve w/Box	EA	3	$ 1,500.00	$4,500.00	$ 490.00	$1,470.00	$490.00	$1,470.00
3.	Fire Hydrant Assembly	EA	2	$ 3,000.00	$6,000.00	$ 1,600.00	$3,200.00	$1,500.00	$3,000.00
4.	12" x 12" T,S&V	EA	1	$ 5,800.00	$5,800.00	$ 3,500.00	$3,500.00	$3,500.00	$3,500.00
SUBTOTAL WATER DISTRIBUTION SYSTEM					**$49,654.00**		**$36,730.00**		**$43,670.00**
SANITARY SEWER SYSTEM									
1.	12" Sewer Pipe - PVC SDR-26, (All Depths)	LF	1009	$ 52.20	$52,669.80	$ 37.00	$37,333.00	$40.00	$40,360.00
2.	Std. Precast San. Sew. MH for 6" to 24" Sewer	EA	3	$ 3,130.00	$9,390.00	$ 1,700.00	$5,100.00	$1,500.00	$4,500.00
SUBTOTAL SANITARY SEWER SYSTEM					**$62,059.80**		**$42,433.00**		**$44,860.00**
GAS DISTRIBUTION SYSTEM									
1.	4" YELLOW POLY GAS LINE	LF	1039	$ 15.00	$15,585.00	$ 15.00	$15,585.00	$18.00	$18,702.00
2.	4" GAS LINE VALVES WITH BOX	EA	4	$ 375.00	$1,500.00	$ 300.00	$1,200.00	$300.00	$1,200.00
3.	TIE INTO EXISTING 4" GAS LINE	EA	1	$ 3,125.00	$3,125.00	$ 600.00	$600.00	$600.00	$600.00
SUBTOTAL GAS DISTRIBUTION SYSTEM					**$20,210.00**		**$17,385.00**		**$20,502.00**
UTILITY EXTENSION OVERALL TOTAL					**$131,923.80**		**$96,548.00**		**$109,032.00**
SECTION II - RESIDENTIAL EAST OF PIPELINE EASEMENT									
SECTION II - WATER DISTRIBUTION SYSTEM									
1.	8" Water Main, PVC C-900, DR 18, CL 150, All Cuts	LF	2857	$ 24.00	$68,568.00	$ 16.00	$45,712.00	$25.00	$71,425.00
2.	4" Water Main, PVC C-900, DR 18, CL 150, All Cuts	LF	961	$ 18.00	$17,298.00	$ 9.00	$8,649.00	$20.00	$19,220.00
3.	8" Gate Valve w/Box	EA	7	$ 775.00	$5,425.00	$ 750.00	$5,250.00	$750.00	$5,250.00
4.	4" Gate Valve w/Box	EA	1	$ 450.00	$450.00	$ 420.00	$420.00	$420.00	$420.00
5.	FIRE HYDRANT ASSEMBLY	EA	7	$ 2,770.00	$19,390.00	$ 1,800.00	$12,600.00	$1,500.00	$10,500.00
6.	12" x 8" T,S&V	EA	1	$ 3,300.00	$3,300.00	$ 3,400.00	$3,400.00	$3,500.00	$3,500.00
7.	LONG SIDE WATER SERVICE	EA	10	$ 1,260.00	$12,600.00	$ 750.00	$7,500.00	$1,000.00	$10,000.00
8.	SHORT SIDE WATER SERVICE	EA	19	$ 590.00	$11,210.00	$ 350.00	$6,650.00	$400.00	$7,600.00
SUBTOTAL SECTION II - WATER DISTRIBUTION SYSTEM					**$138,241.00**		**$90,181.00**		**$127,915.00**

PROJECT NAME: PINE COUNTRY SUBDIVISION

DISTRICT: CITY OF TOMBALL
PROJECT NUMBER: D06_LD_285

BID OPENING DATE: March 29, 2007 10:00am

Item Number	Description	Unit	Qty	Big State Excavation Unit	Big State Excavation Total	R & L Pine Country Inc. Unit	R & L Pine Country Inc. Total	Engineer's Estimate Unit	Engineer's Estimate Total
SECTION II - SANITARY SEWER LINE									
1.	8" Sewer Pipe - PVC SDR-26, (All Depths)	LF	3849	$ 37.80	$145,492.20	$ 28.00	$107,772.00	$35.00	$134,715.00
2.	Trench Safety System (All Depths)	LF	3849	$ 0.05	$192.45	$ 0.10	$384.90	$0.10	$384.90
3.	Std. Precast San. Sew. MH for 6" to 24" Sewer	EA	20	$ 2,150.00	$43,000.00	$ 1,200.00	$24,000.00	$1,500.00	$30,000.00
4.	8" DROP CONNECTION	EA	9	$ 540.00	$4,860.00	$ 325.00	$2,925.00	$350.00	$3,150.00
5.	LONG SIDE SANITARY SEWER SERVICE	EA	14	$ 2,860.00	$40,040.00	$ 750.00	$10,500.00	$1,200.00	$16,800.00
6.	SHORT SIDE SANITARY SEWER SERVICE	EA	20	$ 435.00	$8,700.00	$ 350.00	$7,000.00	$400.00	$8,000.00
SUBTOTAL SECTION II - SANITARY SEWER LINE					**$242,284.65**		**$152,581.90**		**$193,049.90**
SECTION II - STORM DRAINAGE SYSTEM									
1.	18" RCP, C-76, CL III, ALL DEPTHS	LF	73	$ 56.60	$4,131.80	$ 35.00	$2,555.00	$40.00	$2,920.00
2.	24" RCP, C-76, CL III, ALL DEPTHS	LF	205	$ 61.90	$12,689.50	$ 40.00	$8,200.00	$50.00	$10,250.00
3.	42" RCP, C-76, CL III, ALL DEPTHS	LF	51	$ 156.00	$7,956.00	$ 75.00	$3,825.00	$110.00	$5,610.00
4.	Trench Safety System, All Depths	LF	2990	$ 0.05	$149.50	$ 0.10	$299.00	$0.10	$299.00
5.	TYPE "C" MANHOLE ON 24" - 42" PIPE	EA	7	$ 1,650.00	$11,550.00	$ 1,500.00	$10,500.00	$1,500.00	$10,500.00
6.	Type "E" Inlet	EA	2	$ 1,950.00	$3,900.00	$ 2,000.00	$4,000.00	$2,000.00	$4,000.00
7.	24" HDPE	LF	1454	$ 49.40	$71,827.60	$ 39.00	$56,706.00	$25.00	$36,350.00
8.	30" HDPE	LF	312	$ 62.50	$19,500.00	$ 60.00	$18,720.00	$40.00	$12,480.00
9.	42" HDPE	LF	44	$ 96.00	$4,224.00	$ 90.00	$3,960.00	$75.00	$3,300.00
10.	48" HDPE	LF	432	$ 145.90	$63,028.80	$ 95.00	$41,040.00	$100.00	$43,200.00
11.	12" PVC	LF	241	$ 39.10	$9,423.10	$ 15.00	$3,615.00	$20.00	$4,820.00
12.	18" HDPE	LF	178	$ 45.20	$8,045.60	$ 20.00	$3,560.00	$22.00	$3,916.00
13.	18" THICK CONCRETE RIP RAP	SY	277	$ 50.00	$13,850.00	$ 40.00	$11,080.00	$50.00	$13,850.00
14.	24" SAFETY END TREATMENT	EA	3	$ 1,025.00	$3,075.00	$ 900.00	$2,700.00	$900.00	$2,700.00
15.	6" THICK CONCRETE DROP STRUCTURE	SY	87	$ 94.00	$8,178.00	$ 65.00	$5,655.00	$65.00	$5,655.00
16.	TYPE "D" INLET	EA	1	$ 1,250.00	$1,250.00	$ 950.00	$950.00	$950.00	$950.00
17.	YARD DRAIN	EA	2	$ 880.00	$1,760.00	$ 500.00	$1,000.00	$500.00	$1,000.00
18.	JUNCTION BOX	EA	3	$ 2,960.00	$8,880.00	$ 1,500.00	$4,500.00	$1,200.00	$3,600.00
19.	TYPE "C" MANHOLE 42" PIPE OR GREATER	EA	3	$ 4,350.00	$13,050.00	$ 2,200.00	$6,600.00	$2,500.00	$7,500.00
20.	5" CONCRETE SLOPE PAVING	SY	7	$ 250.00	$1,750.00	$ 45.00	$315.00	$45.00	$315.00
SUBTOTAL SECTION II - STORM DRAINAGE SYSTEM					**$268,218.90**		**$189,780.00**		**$173,215.00**
SECTION II -ROADWAY									
1.	2" HMAC PAVEMENT - ROADWAY	SY	10463	$ 10.63	$111,221.69	$ 10.00	$104,630.00	$11.00	$115,093.00
2.	6" STABILIZED SUBGRADE	SY	11235	$ 6.13	$68,870.55	$ 4.00	$44,940.00	$6.00	$67,410.00
3.	8" LIMESTONE BASE	SY	13170	$ 17.25	$227,182.50	$ 9.00	$118,530.00	$10.00	$131,700.00
4.	STOP SIGN WITH STREET NAME SIGNS	EA	4	$ 560.00	$2,240.00	$ 345.00	$1,380.00	$345.00	$1,380.00
SUBTOTAL SECTION II - ROADWAY					**$409,514.74**		**$269,480.00**		**$315,583.00**
SECTION II DETENTION ITEMS									
1	DIRTWORK COMPLETED BY DEVELOPER								

PROJECT NAME: PINE COUNTRY SUBDIVISION

DISTRICT: CITY OF TOMBALL
PROJECT NUMBER: D06_LD_285

BID OPENING DATE: March 29, 2007 10:00am

				Big State Excavation		R & L Pine Country Inc.		Engineer's Estimate		
Item Number	Description	Unit	Qty	Unit	Total			Unit	Total	
	2. STORM SEWER LIFT STATION COMPLETE IN PLACE (PUMP TYPE AND MAUFACTURER CAN BE VARIED, BUT MUST BE APPROVED BY THE ENGINEER) DEVELOPER RESERVES RIGHT TO SEPARATE FROM THE BID	LS	1	$ 281,250.00	$281,250.00	$ 100,000.00	$100,000.00	$50,000.00	$50,000.00	
SUBTOTAL SECTION II - DETENTION ITEMS					**$281,250.00**		**$100,000.00**		$ 50,000.00	
SECTION II - GAS DISTRIBUTION SYSTEM										
	1. 2" YELLOW POLY GAS LINE	LF	3186	$ 11.35	$36,161.10	$ 7.00	$22,302.00	$7.00	$22,302.00	
	2. 2" GAS LINE VALVES WITH BOX	EA	6	$ 190.00	$1,140.00	$ 300.00	$1,800.00	$300.00	$1,800.00	
	3. TIE INTO EXISTING 4" GAS LINE	EA	1	$ 3,125.00	$3,125.00	$ 600.00	$600. 0	$600.00	$600.00	
SUBTOTAL SECTION II - GAS DISTRIBUTION SYSTEM					**$40,426.10**		**$24,702.00**		**$24,702.00**	
SECTION II OVERALL TOTAL					**$1,379,936.39**		**$826,724.90**		**$884,464.90**	
SECTION III - RESIDENTIAL WEST OF PIPELINE EASEMENT										
SECTION III - WATER DISTRIBUTION SYSTEM										
	1. 8" Water Main, PVC C-900, DR 18, CL 150, All Cuts	LF	2505	$ 23.90	$59,869.50	$ 16.00	$40,080.00	$25.00	$62,625.00	
	2. 4" Water Main, PVC C-900, DR 18, CL 150, All Cuts	LF	2101	$ 18.00	$37,818.00	$ 9.00	$18,909.00	$20.00	$42,020.00	
	3. 8" Gate Valve w/Box	EA	2	$ 775.00	$1,550.00	$ 750.00	$1,500.00	$750.00	$1,500.00	
	4. 4" Gate Valve w/Box	EA	3	$ 450.00	$1,350.00	$ 420.00	$1,260.00	$420.00	$1,260.00	
	5. FIRE HYDRANT ASSEMBLY	EA	6	$ 2,780.00	$16,680.00	$ 2,000.00	$12,000.00	$2,300.00	$13,800.00	
	6. LONG SIDE WATER SERVICE	EA	16	$ 1,260.00	$20,160.00	$ 750.00	$12,000.00	$1,000.00	$16,000.00	
	7. SHORT SIDE WATER SERVICE	EA	30	$ 590.00	$17,700.00	$ 350.00	$10,500.00	$400.00	$12,000.00	
SUBTOTAL SECTION III - WATER DISTRIBUTION SYSTEM					**$155,127.50**		**$96,249.00**		**$149,205.00**	
SECTION III - SANITARY SEWER LINE										
	1. 8" Sewer Pipe - PVC SDR-26, (All Depths)	LF	3243	$ 37.80	$122,585.40	$ 20.00	$64,860.00	$35.00	$113,505.00	
	2. Trench Safety System (All Depths)	LF	3243	$ 0.05	$162.15	$ 0.10	$324.30	$0.10	$324.30	
	3. Std. Precast San. Sew. MH for 6" to 24" Sewer	EA	12	$ 2,150.00	$25,800.00	$ 1,500.00	$18,000.00	$1,500.00	$18,000.00	
	4. LONG SIDE SANITARY SEWER SERVICE	EA	21	$ 2,860.00	$60,060.00	$ 750.00	$15,750.00	$1,200.00	$25,200.00	
	5. SHORT SIDE SANITARY SEWER SERVICE	EA	36	$ 435.00	$15,660.00	$ 350.00	$12,600.00	$400.00	$14,400.00	
SUBTOTAL SECTION III - SANITARY SEWER LINE					**$224,267.55**		**$111,534.30**		**$171,429.30**	
SECTION III - STORM DRAINAGE SYSTEM										
	1. 18" RCP, C-76, CL III, ALL DEPTHS	LF	211	$ 51.70	$10,908.70	$ 35.00	$7,385.00	$40.00	$8,440.00	
	2. 24" RCP, C-76, CL III, ALL DEPTHS	LF	248	$ 61.90	$15,351.20	$ 40.00	$9,920.00	$50.00	$12,400.00	
	3. 30" RCP, C-76, CL III, ALL DEPTHS	LF	285	$ 90.20	$25,707.00	$ 60.00	$17,100.00	$74.00	$21,090.00	
	4. Trench Safety System, All Depths	LF	744	$ 0.05	$37.20	$ 0.10	$74.40	$0.10	$74.40	
	5. 18" THICK CONCRETE RIP RAP	SY	366	$ 50.00	$18,300.00	$ 50.00	$18,300.00	$50.00	$18,300.00	
SUBTOTAL SECTION III - STORM DRAINAGE SYSTEM					**$70,304.10**		**$52,779.40**		**$60,304.40**	
SECTION III -ROADWAY										

PROJECT NAME: PINE COUNTRY SUBDIVISION

DISTRICT: CITY OF TOMBALL
PROJECT NUMBER: D06_LD_285

BID OPENING DATE: March 29, 2007 10:00am

				Big State Excavation		R & L Pine Country Inc.		Engineer's Estimate	
Item Number	Description	Unit	Qty	Unit	Total			Unit	Total
	1. 2" HMAC PAVEMENT - ROADWAY	SY	12286	$ 10.63	$130,800.18	$ 10.00	$122,860.00	$11.00	$135,146.00
	2. 6" STABILIZED SUBGRADE	SY	13058	$ 6.13	$80,045.54	$ 4.00	$52,232.00	$6.00	$78,348.00
	3. 8" LIMESTONE BASE	SY	15384	$ 17.25	$265,374.00	$ 9.00	$138,456.00	$10.00	$153,840.00
	4. STOP SIGN WITH STREET NAME SIGNS	EA	3	$ 560.00	$1,680.00	$ 345.00	$1,035.00	$345.00	$1,035.00
SUBTOTAL SECTION III - ROADWAY					**$477,699.72**		**$314,583.00**		**$368,369.00**
SECTION III - GAS DISTRIBUTION SYSTEM									
	1. 2" YELLOW POLY GAS LINE	LF	4111	$ 11.35	$46,659.85	$ 7.00	$28,777.00	$7.00	$28,777.00
	2. 2" GAS LINE VALVES WITH BOX	EA	6	$ 190.00	$1,140.00	$ 400.00	$2,400.00	$300.00	$1,800.00
SUBTOTAL SECTION III - GAS DISTRIBUTION SYSTEM					**$47,799.85**		**$31,177.00**		**$30,577.00**
SECTION III OVERALL TOTAL					**$975,198.72**		**$606,322.70**		**$779,884.70**
SWPPP									
	1. INCLUDED IN ITEM STABILIZED CONSTRUCTION ENTRANCE EXIT, REINFORCED FILTER FABRIC FENCE, HYDROMULCH SEEDING IN DISTURBED AREAS, 18" STRIP SOD ALONG EDGE OF ASPHALT ROADWAY, AND PERMITS, POSTING AND INSPECTIONS IN COMPLIANCE WITH SWPPP PERMIT	LS	1	$ 57,250.00	$57,250.00	$ 20,000.00	$20,000.00	$ 35,000.00	$35,000.00
SWPPP OVERALL TOTAL					**$57,250.00**		**$20,000.00**		**$35,000.00**
TOTALS	**STARTUP COSTS**				**$132,240.00**		**$47,000.00**		**$141,007.00**
	UTILITY EXTENSION				**$131,923.80**		**$96,548.00**		**$109,032.00**
	SECTION II				**$1,379,935.39**		**$826,724.90**		**$884,464.90**
	SECTION III				**$975,198.72**		**$606,322.70**		**$779,884.70**
	SWPPP				**$57,250.00**		**$20,000.00**		**$35,000.00**
OVERALL TOTAL	TOTAL				**$2,676,547.91**		**$1,596,595.60**		**$1,949,388.60**

ORDINANCE NO. 2010-14

AN ORDINANCE OF THE CITY COUNCIL OF TOMBALL, TEXAS, APPROVING THE SERVICE AND ASSESSMENT PLAN FOR THE CITY OF TOMBALL PUBLIC IMPROVEMENT DISTRICT NUMBER ONE (PINE COUNTRY OF TOMBALL SUBDIVISION)

* * * * * * * *

WHEREAS, the City of Tomball (the "City") is authorized pursuant to TEX. LOCAL GOV'T CODE, ch. 372, as amended ("Chapter 372") to create public improvement districts for the purposes described therein; and

WHEREAS, the City has received a petition (the "Petition") requesting the creation of the City of Tomball Public Improvement District Number One (the "PID"), held a public hearing, and created the PID in accordance with the applicable provisions of Chapter 372; and

WHEREAS, the City passed and adopted Resolution No. 2007-14 on March 5, 2007 establishing the City of Tomball Public Improvement District Number One; and

WHEREAS, the City Council wishes to adopt the Service and Assessment Plan with respect to the PID; **NOW THEREFORE,**

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

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

Section 2. The Service and Assessment Plan attached to this Ordinance as Exhibit A is hereby approved and adopted on behalf of the PID, and the Mayor, City Secretary and any other appropriate officials of the City are hereby authorized to take all necessary actions on behalf of the City to implement the terms thereof in accordance therewith.

Section 3. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

FIRST READING:

READ, PASSED AND ADOPTED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 6TH DAY OF JULY 2010.

COUNCILMAN QUINN	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN BROWN	AYE
COUNCILMAN TOWNSEND	AYE

SECOND READING:

READ, PASSED AND ADOPTED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19TH DAY OF JULY 2010.

COUNCILMAN QUINN	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN BROWN	AYE
COUNCILMAN TOWNSEND	AYE

PASSED first reading the 6th day of July, 2010.

PASSED second reading the 19th day of July, 2010.

PASSED AND ADOPTED the 19th day of July, 2010.

GRETCHEN FAGAN, Mayor

Attest:

DORIS SPEER, City Secretary

Approved as to form:

SCOTT BOUNDS, City Attorney

EXHIBIT A

Service and Assessment Plan
Public Improvement District Number One
City of Tomball, Harris County, Texas

1. Introduction

This Service and Assessment Plan (the "Plan") is prepared and adopted in conformance with the Public Improvement District Assessment Act, codified as Chapter 372, Texas Local Government Code (the "Act"), and pursuant to Resolution No. 2007-14 creating the Public Improvement District Number One (the "PID" or the "District"), City of Tomball (the "City"), Harris County, Texas. The creation of the PID was initiated by a petition (the "Creation Petition") submitted by property owners within the PID boundaries in compliance with the requirements of Section 372.005 of the Act.

2. Boundaries

The boundaries of the PID are as indicated in Exhibit A and Exhibit B.

3. Administration of the District

Administration of the District is the responsibility of the City Council of the City of Tomball, Texas but to the extent allowed by law, the City may contract with a private sector company to carry out all or part of the City responsibilities as well as day-to-day operations and administration of the District.

4. Public Improvements

The Public Improvements to be financed and constructed hereby (the "Public Improvements") serve to promote the construction of single-family units ("SFU"). The Public Improvements included in the Plan will confer a special benefit to properties within the Public Improvement District and will consist of the construction of detention, water lines, sanitary sewer lines, storm sewers, gas lines, paving, erosion control, contingency provisions, engineering services, financing costs, and administrative and legal services for the PID. The Public Improvements will be pre-funded by the developer of the residential subdivision within the PID. Under the Development Agreement executed between the Developer and the City, the Developer will be entitled to receive reimbursement of up to 50% of the Public Improvement costs subject to the limitations contained in the Agreement.

A. Pine Country of Tomball Section Two

Section Two of the Pine Country of Tomball Subdivision has been developed by PCOT Investments, Inc. and contains 68 single-family residential lots within the Public Improvement District. The Public Improvements authorized under this Plan for Pine Country Section Two, and the estimated costs thereof, are described below:

Pine Country Section Two
PID COSTS

PUBLIC IMPROVEMENT	ESTIMATED COST	PID COSTS (50%)
Water Lines, Sanitary Sewer, Storm Sewer & Drainage, Gas, Street Paving, Off-Site Utility Extensions, SWPPP, Engineering & Contingencies, Payment/Performance Bonds and Permits, PID Creation Costs	$1,458,874	$729,437
SUBTOTAL	$1,458,874	$729,437
Financing Cost		$471,887
Administration		$60,068
TOTAL		*$1,261,392*

The estimated total costs above will be used to set the assessments for residential properties in Section Two as detailed later in this document.

5. Construction of Public Improvements

The Plan will be reviewed annually in accordance with the provisions of Chapter 372 of the Local Government Code and will include a review of the expenditures and revenues of the District. Additionally, the Plan will be reviewed for the purpose of establishing the installments for assessments based upon the costs for Public Improvements and the financial needs of the District.

6. Conveyance of Improvements to the City

Upon completion of the improvements, and final inspection and acceptance of the Public Improvements by the City, the Developers will convey all rights to the improvements to the City or homeowner's association as applicable, subject to the Developer's rights of reimbursement described in the Development Agreement executed between the Developer and the City.

7. Authorized Improvements

The area within the PID that is covered by this Service and Assessment Plan will be developed as single family residential. This Plan designates the Public Improvements required for the growth and development of the land within the PID. The goal of this Plan is to provide sufficient certainty for the owners of land within the PID to proceed with the financing and construction of the necessary Public Improvements, while allowing for sufficient flexibility to

meet the needs of the PID over the life of the development of residential properties within the PID.

The construction of the Public Improvements authorized herein began in calendar year 2007. The actual costs of the Public Improvements will be determined by an independent accountant report of the developer's costs.

8. Advance Financing by Developer

The Developer will advance the funds for construction of the Public Improvements and will be entitled to repayment pursuant to the Development Agreement executed between the City and the Developer.

9. Apportionment of Costs

Payment of assessments, if any, on property owned by exempt jurisdictions other than the City shall be established by contract.

10. Levy of Assessments

The assessment year shall be concurrent with the City's tax year. The assessments against property may be paid in annual installments based on an amortization of not more than fifteen (15) years plus the period between the effective date of the assessment ordinance and the date of the first installment. The interest rate on financed assessments is seven percent (7.0%) per annum.

The assessments shall be based upon the actual cost of the Public Improvements plus those related costs as deemed reimbursable by the City. The cost of the Public Improvements will consist of the costs to construct detention, storm sewers, water lines, sanitary sewers, gas, erosion control, and paving for each development phase, related professional design and engineering fees, administrative and legal services and interest payable to the Developer pursuant to the Development Agreement.

A. Pine Country Section Two

The Plan estimates the following assessments for residential properties in Woodmark according to the cost of the Public Improvements. The total assessment can be paid upfront at the time the property containing a habitable structure is purchased or at any time thereafter. The assessment can also be financed and paid in equal annual installments over fifteen (15) years as prescribed below.

Total Assessment	$0.9618 per square foot of residential property
Financed Assessment	$0.1056 per square foot of residential property per year

B. Levy and collection.

Notice of the levy of each assessment will be given as provided in Chapter 372 of the Local Government Code. The assessment levy statement will be sent to each property owner in the District, and the installment of the assessment levy will be due and payable at the same time property taxes are due and payable to the City. Financed assessments shall bear interest at seven percent (7.0%) per annum.

The first installment of an assessment against a particular property shall be due with respect to the calendar year following the date such property has been improved with a habitable structure as evidenced by the issuance of a certificate of occupancy. The City will invoice each owner of property for the installment payment in conjunction with the City's annual property tax bill, and the installments shall be due and payable, and incur penalty and interest for unpaid installments in the same manner as provided for the City's property taxes. Thereafter, subsequent installments shall be due in the same manner in each succeeding calendar year until the assessment together with interest as provided herein has been paid in full. The owner of assessed property may pay at any time the entire assessment then due on each property, with interest accrued on the assessment through the date of payment. Failure of an owner to receive an invoice shall not relieve the owner of the responsibility of for the assessment.

A lien will be established against the property assessed effective as of the date of the ordinance levying the assessment, privileged above all other liens, including prior mortgage liens, to the extent allowed by Section 372.018(b) of the Local Government Code. Assessment installments shall be considered delinquent on the same date as the City's property taxes. Delinquent assessments or installments shall incur the costs of collection. If practicable, the assessment shall be included on the City property tax statement. Notwithstanding the above, the assessment lien shall be perfected immediately as to the entire assessment, but may be executed only with respect to the amounts then due or past due for current or prior installments or final payment. Assessments are personal obligations of the person owning the property assessed in the year an installment payment becomes due, and only to the extent of such installment(s).

The owner of assessed property may pay at any time the entire assessment then due on each property, with interest accrued on the assessment through the date of payment.

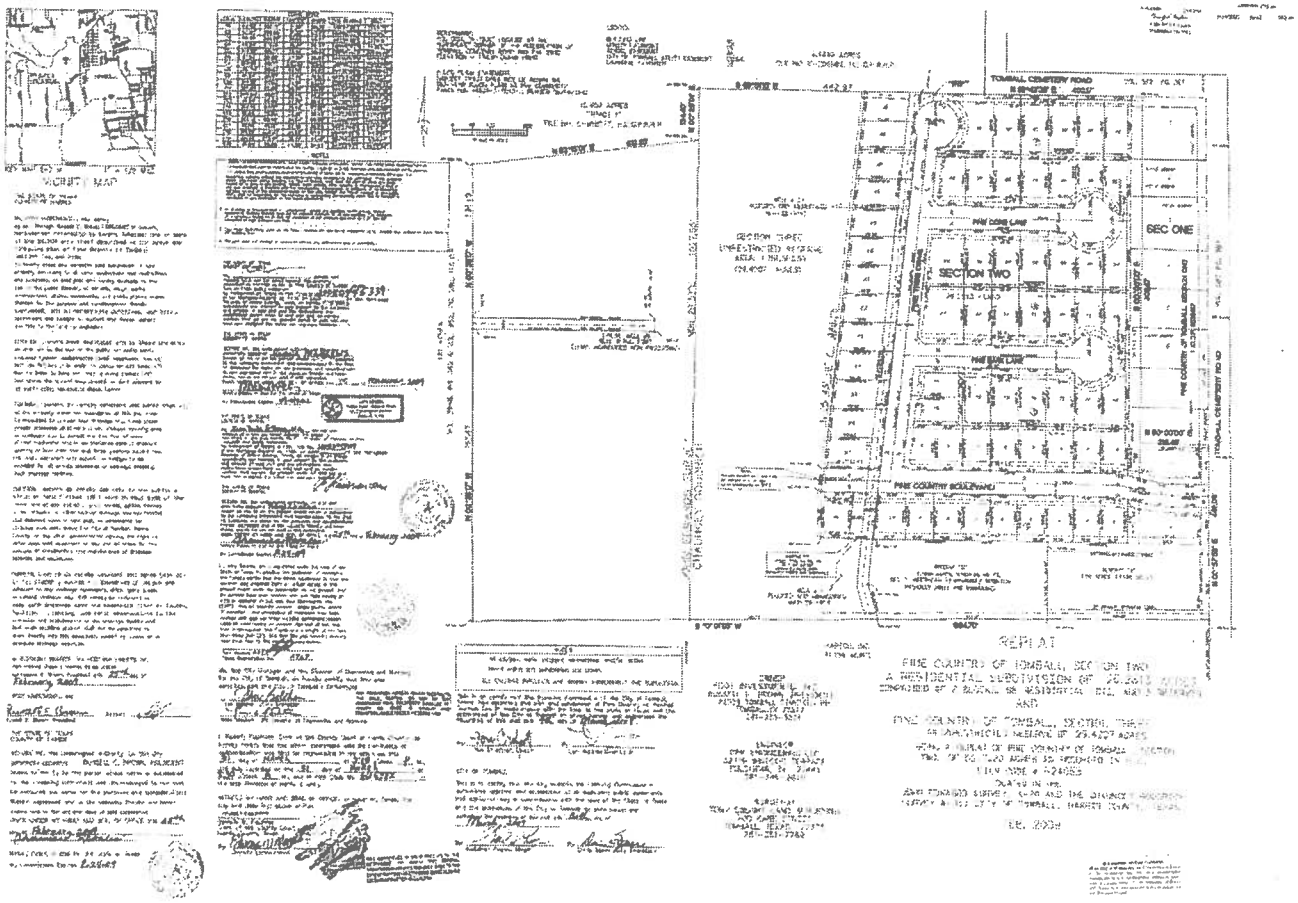
EXHIBIT A

REPLAT

PINE COUNTRY OF TOMBALL, SECTION TWO
A RESIDENTIAL SUBDIVISION OF 26.2813 ACRES
COMPRISED OF 2 BLOCKS, 68 RESIDENTIAL LOTS, AND 3 RESERVES
AND
PINE COUNTRY OF TOMBALL, SECTION THREE
AN UNRESTRICTED RESERVE OF 29.4207 ACRES
BEING A REPLAT OF PINE COUNTRY OF TOMBALL , SECTION
TWO, OF 55.7020 ACRES AS RECORDED IN H.C.
FILM CODE # 624053
LOCATED IN THE
JOHN EDWARDS SURVEY, A-20 AND THE CHAUNCEY GOODRICH
SURVEY A-311 CITY OF TOMBALL, HARRIS COUNTY, TEXAS

FEB, 2009

Exhibit B



ORDINANCE NO. 2010-15

AN ORDINANCE OF THE CITY COUNCIL OF TOMBALL, TEXAS, LEVYING AN ASSESSMENT AGAINST PINE COUNTRY OF TOMBALL SUBDIVISION, SECTION TWO PROPERTIES, WITHIN THE CITY OF TOMBALL PUBLIC IMPROVEMENT DISTRICT NUMBER ONE; AND MAKING CERTAIN FINDINGS RELATED THERETO.

* * * * * * * * * *

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

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

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

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

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

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

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

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

Section 4. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting

has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

FIRST READING:

READ, PASSED AND ADOPTED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 6TH DAY OF JULY 2010.

COUNCILMAN QUINN	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN BROWN	AYE
COUNCILMAN TOWNSEND	AYE

SECOND READING:

READ, PASSED AND ADOPTED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19TH DAY OF JULY 2010.

COUNCILMAN QUINN	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN BROWN	AYE
COUNCILMAN TOWNSEND	AYE

PASSED first reading the 6th day of July, 2010.

PASSED second reading the 19th day of July, 2010.

PASSED AND ADOPTED the 19th day of July, 2010.

GRETCHEN EAGAN, Mayor

Attest:

DORIS SPEER, City Secretary

Approved as to form:

SCOTT BOUNDS, City Attorney

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

Owner	Block #	Lot #	Lot Area (s.f.)	Total Assessment Rate	Total Assessment	Financed Assessment Rate	Annual Assessment Installment	Financed Assessment Term	Annual Administrative Cost	Total Annual Payment
PCOT Investments, Inc.	1	1	22020	0.9618	$ 21,178.84	$ 0.1056	$ 2,325.31	15 years	$ 58.89	$ 2,384.20
PCOT Investments, Inc.	1	2	8751	0.9618	$ 8,416.71	$ 0.1056	$ 924.11	15 years	$ 58.89	$ 983.00
PCOT Investments, Inc.	1	3	8995	0.9618	$ 8,651.39	$ 0.1056	$ 949.87	15 years	$ 58.89	$ 1,008.76
PCOT Investments, Inc.	1	4	8864	0.9618	$ 8,525.40	$ 0.1056	$ 936.04	15 years	$ 58.89	$ 994.93
PCOT Investments, Inc.	1	5	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	1	6	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	1	7	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	1	8	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	1	9	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	1	10	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	1	11	9732	0.9618	$ 9,360.24	$ 0.1056	$ 1,027.70	15 years	$ 58.89	$ 1,086.59
PCOT Investments, Inc.	2	1	20059	0.9618	$ 19,292.75	$ 0.1056	$ 2,118.23	15 years	$ 58.89	$ 2,177.12
PCOT Investments, Inc.	2	2	9091	0.9618	$ 8,743.72	$ 0.1056	$ 960.01	15 years	$ 58.89	$ 1,018.90
BGB Interests LP	2	3	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	2	4	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	2	5	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	2	6	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	2	7	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	2	8	9000	0.9618	$ 8,656.20	$ 0.1056	$ 950.40	15 years	$ 58.89	$ 1,009.29
PCOT Investments, Inc.	2	9	9398	0.9618	$ 9,039.00	$ 0.1056	$ 992.43	15 years	$ 58.89	$ 1,051.32
PCOT Investments, Inc.	2	10	10938	0.9618	$ 10,520.17	$ 0.1056	$ 1,155.05	15 years	$ 58.89	$ 1,213.94
PCOT Investments, Inc.	2	11	10424	0.9618	$ 10,025.80	$ 0.1056	$ 1,100.77	15 years	$ 58.89	$ 1,159.66
PCOT Investments, Inc.	2	12	11247	0.9618	$ 10,817.36	$ 0.1056	$ 1,187.68	15 years	$ 58.89	$ 1,246.57
PCOT Investments, Inc.	2	13	10380	0.9618	$ 9,983.48	$ 0.1056	$ 1,096.13	15 years	$ 58.89	$ 1,155.02
PCOT Investments, Inc.	2	14	11247	0.9618	$ 10,817.36	$ 0.1056	$ 1,187.68	15 years	$ 58.89	$ 1,246.57
PCOT Investments, Inc.	2	15	11204	0.9618	$ 10,776.01	$ 0.1056	$ 1,183.14	15 years	$ 58.89	$ 1,242.03
PCOT Investments, Inc.	2	16	9357	0.9618	$ 8,999.56	$ 0.1056	$ 988.10	15 years	$ 58.89	$ 1,046.99
PCOT Investments, Inc.	2	17	12458	0.9618	$ 11,982.10	$ 0.1056	$ 1,315.56	15 years	$ 58.89	$ 1,374.45
PCOT Investments, Inc.	2	18	12458	0.9618	$ 11,982.10	$ 0.1056	$ 1,315.56	15 years	$ 58.89	$ 1,374.45
PCOT Investments, Inc.	2	19	9352	0.9618	$ 8,994.75	$ 0.1056	$ 987.57	15 years	$ 58.89	$ 1,046.46
PCOT Investments, Inc.	2	20	11195	0.9618	$ 10,767.35	$ 0.1056	$ 1,182.19	15 years	$ 58.89	$ 1,241.08
PCOT Investments, Inc.	2	21	11247	0.9618	$ 10,817.36	$ 0.1056	$ 1,187.68	15 years	$ 58.89	$ 1,246.57
PCOT Investments, Inc.	2	22	11247	0.9618	$ 10,817.36	$ 0.1056	$ 1,187.68	15 years	$ 58.89	$ 1,246.57
PCOT Investments, Inc.	2	23	11247	0.9618	$ 10,817.36	$ 0.1056	$ 1,187.68	15 years	$ 58.89	$ 1,246.57
PCOT Investments, Inc.	2	24	18321	0.9618	$ 17,621.14	$ 0.1056	$ 1,934.70	15 years	$ 58.89	$ 1,993.59
PCOT Investments, Inc.	2	25	16440	0.9618	$ 15,811.99	$ 0.1056	$ 1,736.06	15 years	$ 58.89	$ 1,794.95
PCOT Investments, Inc.	2	26	11247	0.9618	$ 10,817.36	$ 0.1056	$ 1,187.68	15 years	$ 58.89	$ 1,246.57
PCOT Investments, Inc.	2	27	11247	0.9618	$ 10,817.36	$ 0.1056	$ 1,187.68	15 years	$ 58.89	$ 1,246.57
PCOT Investments, Inc.	2	28	11248	0.9618	$ 10,818.33	$ 0.1056	$ 1,187.79	15 years	$ 58.89	$ 1,246.68
PCOT Investments, Inc.	2	29	11204	0.9618	$ 10,776.01	$ 0.1056	$ 1,183.14	15 years	$ 58.89	$ 1,242.03
PCOT Investments, Inc.	2	30	9357	0.9618	$ 8,999.56	$ 0.1056	$ 988.10	15 years	$ 58.89	$ 1,046.99
PCOT Investments, Inc.	2	31	12463	0.9618	$ 11,986.91	$ 0.1056	$ 1,316.09	15 years	$ 58.89	$ 1,374.98
PCOT Investments, Inc.	2	32	11334	0.9618	$ 10,901.04	$ 0.1056	$ 1,196.87	15 years	$ 58.89	$ 1,255.76
PCOT Investments, Inc.	2	33	8238	0.9618	$ 7,923.31	$ 0.1056	$ 869.93	15 years	$ 58.89	$ 928.82
PCOT Investments, Inc.	2	34	10080	0.9618	$ 9,694.94	$ 0.1056	$ 1,064.45	15 years	$ 58.89	$ 1,123.34
PCOT Investments, Inc.	2	35	10123	0.9618	$ 9,736.30	$ 0.1056	$ 1,068.99	15 years	$ 58.89	$ 1,127.88
PCOT Investments, Inc.	2	36	10123	0.9618	$ 9,736.30	$ 0.1056	$ 1,068.99	15 years	$ 58.89	$ 1,127.88
PCOT Investments, Inc.	2	37	10123	0.9618	$ 9,736.30	$ 0.1056	$ 1,068.99	15 years	$ 58.89	$ 1,127.88
PCOT Investments, Inc.	2	38	12136	0.9618	$ 11,672.40	$ 0.1056	$ 1,281.56	15 years	$ 58.89	$ 1,340.45
PCOT Investments, Inc.	2	39	19632	0.9618	$ 18,882.06	$ 0.1056	$ 2,073.14	15 years	$ 58.89	$ 2,132.03
PCOT Investments, Inc.	2	40	11644	0.9618	$ 11,199.20	$ 0.1056	$ 1,229.61	15 years	$ 58.89	$ 1,288.50
PCOT Investments, Inc.	2	41	11670	0.9618	$ 11,224.21	$ 0.1056	$ 1,232.35	15 years	$ 58.89	$ 1,291.24
PCOT Investments, Inc.	2	42	11696	0.9618	$ 11,249.21	$ 0.1056	$ 1,235.10	15 years	$ 58.89	$ 1,293.99
PCOT Investments, Inc.	2	43	11722	0.9618	$ 11,274.22	$ 0.1056	$ 1,237.84	15 years	$ 58.89	$ 1,296.73
PCOT Investments, Inc.	2	44	11748	0.9618	$ 11,299.23	$ 0.1056	$ 1,240.59	15 years	$ 58.89	$ 1,299.48
PCOT Investments, Inc.	2	45	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	46	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	47	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	48	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	49	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	50	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	51	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	52	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	53	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	54	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
BGB Interests LP	2	55	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
BGB Interests LP	2	56	11250	0.9618	$ 10,820.25	$ 0.1056	$ 1,188.00	15 years	$ 58.89	$ 1,246.89
PCOT Investments, Inc.	2	57	12702	0.9618	$ 12,216.78	$ 0.1056	$ 1,341.33	15 years	$ 58.89	$ 1,400.22

Public Improvement District (PID) Primer

What is a PID?

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

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

What can a PID finance?

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

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

How does the PID finance the projects?

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

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

How is a PID created and dissolved?

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

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

Does the City have any additional requirements?

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

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

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Approve and Authorize City Manager to Execute Pipeline Relocation/Reimbursement Agreement with Tortuga Operating Company ("Tortuga") in the amount $85,199.00.

Background:

Tortuga is the current owner and operator of an existing 2-inch nominal diameter steel pipeline that traverses the ROW pursuant to the rights granted in that certain pipeline easement effective August 29, 1986, from Art DePue, Trustee, to Tortuga Operating Company, recorded under Harris County Clerk's File Number K903828.

The City has notified Tortuga of its plans to construct Medical Complex Drive Segment 3 that will conflict with Tortuga's use and maintenance of the existing pipeline. The City requested that Tortuga relocate/lower the existing pipeline in order to accommodate the road project. Tortuga determined that it is agreeable to relocating/lowering a portion of its existing pipeline, subject to the attached Pipeline Relocation/Reimbursement Agreement.

The pipeline relocation is required prior to the performing the road construction of Medical Complex Drive in the area of the pipeline.

Origination:

Engineering Division

Recommendation:

Engineering recommends approval.

Funding: Yes

Account Number: 400-154-6409

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

Engineering Division

ACTION TAKEN

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

ATTACHMENTS:

Relocation/Reimbursement Agreement

REIMBURSEMENT AGREEMENT

STATE OF TEXAS §
§
COUNTY OF HARRIS §

THIS REIMBURSEMENT AGREEMENT (the "Agreement") dated effective as of the ____ day of September, 2014, is by and between TORTUGA OPERATING COMPANY, a Texas corporation ("Tortuga") and THE CITY OF TOMBALL, a home-rule municipal corporation (the "City").

WHEREAS, a right-of-way has been acquired for public use (the "ROW") located within in the Jesse Pruitt Survey, Abstract No. 629, Harris County, Texas, pursuant to the City's eminent domain authority through Cause No. 1029335, *City of Tomball, Texas v. Jana's Dirt, L.L.C.*, in Harris County Court at Law #3; and

WHEREAS Tortuga owns and operates a 2-inch nominal diameter steel pipeline (the "Pipeline") that traverses the ROW pursuant to the rights granted in that certain pipeline easement effective August 29, 1986, from Art DePue, Trustee, to Tortuga Operating Company, recorded under Harris County Clerk's File Number K903828 (the "Easement);

WHEREAS, in furtherance of its planned development of the ROW the City desires to construct and install a road and utilities across the Easement (the "Encroachment");

WHEREAS, the City has requested and Tortuga has agreed to modify its pipeline system and in particular that Tortuga shall remove its Pipeline that crosses Station 178+00 on the construction drawings prepared by CobbFendley so as to avoid all underground utility facilities so that the City can construct and expand Medical Complex Drive.

WHEREAS, to prevent damage to Tortuga's pipeline system caused by the Encroachment, Tortuga has agreed to install all new pipelines within the Easement at a depth lower than 10', not to exceed 12'.

NOW, THEREFORE, in consideration of the premises recited above and to effect an agreement between the City and Tortuga (collectively, the "Parties") as to the work described above, the Parties covenant, contract and agree as follows:

1. Tortuga shall modify its pipeline system and in particular Tortuga shall remove its Pipeline that crosses Station 178+00 on the construction drawings prepared by CobbFendley to avoid all underground utility facilities so that the City can construct and expand Medical Complex Drive.

2. Tortuga shall have no obligation to perform any work pursuant to this Agreement unless and until all of the following conditions have been performed to Tortuga's satisfaction: (a) this Reimbursement Agreement has been fully executed; (b) the Encroachment Agreement provided herewith has been fully executed; and (c) the payment outlined in Paragraph 3a has been received by Tortuga.

3. The City shall pay $85,199.00 to Tortuga consistent with the projected costs set forth in Attachment II. To the extent that the costs exceed the estimated costs, Tortuga shall bear such

excess costs. To the extent that the costs are less than the estimated costs, the City shall have no right to receive any costs savings that Tortuga may achieve.

4. Within seven days after the City makes the payment of $85,199.00, Tortuga shall commence and shall diligently and continuously pursue such modifications to its pipeline system. However, this Agreement is null and void if Tortuga has not received the payment of $85,199.00 by September _____, 2014. Tortuga shall complete its pipeline modifications within 45 days of receiving payment, subject only to Force Majeure delays.

5. The City shall commence construction work within the Easement only after Tortuga provides written permission to do so and the City shall perform any work with the Easement in accordance with the Encroachment Agreement.

6. TO THE EXTENT PERMITTED BY LAW AND THE TEXAS CONSTITUTION, THE CITY AGREES TO RELEASE, PROTECT, INDEMNIFY, DEFEND AND HOLD TORTUGA, ITS RESPECTIVE AFFILIATES, SHAREHOLDERS, MEMBERS, MANAGERS, OWNERS, DIRECTORS, EMPLOYEES, OFFICERS, AGENTS AND OTHER REPRESENTATIVES, CONSULTANTS AND SERVANTS AND ITS AND THEIR SUCCESSORS AND ASSIGNS (COLLECTIVELY, "COMPANY GROUP") HARMLESS FROM AND AGAINST ALL CLAIMS FOR COMPENSATIONS, CAUSES OF ACTION (INCLUDING DAMAGE TO PROPERTY OR INJURY OR DEATH TO PERSONS, ADMINISTRATIVE OR REGULATORY PROCEEDINGS, DAMAGES, COSTS OR EXPENSES (INCLUDING REASONABLE ATTORNEYS' FEES AND COSTS OF DEFENSE) (COLLECTIVELY "CLAIMS) ASSERTED BY ANY HOLDERS OF INTEREST IN THE REAL PEROPERTY ON WHICH THE EXISTING PIPELINE IS LOCATED IN CONNECTION WITH THE PIPELINE WORK BY COMPANY GROUP.

7. This Agreement shall be binding upon and inure to the benefit of each of the undersigned parties and their respective successors, assigns, and legal representatives.

8. This Agreement shall be interpreted under and construed in accordance with the laws of the State of Texas. The parties covenant and agree that Texas law shall control the validity and enforceability of the obligations created by this Agreement. This Agreement shall be deemed performable in Harris County, Texas. Venue for any litigation filed involving this Agreement shall be in Harris County, Texas. BOTH PARTIES AGREE THAT, TO THE EXTENT ALLOWED BY THE GOVERNING LAW, EACH PARTY HEREBY WAIVES ALL RIGHTS TO A JURY TRIAL WITH RESPECT TO ANY LITIGATION INVOLVING THIS AGREEMENT. Nothing herein shall prohibit a party from availing itself of a court of competent jurisdiction for the purpose of injunctive relief.

9. In the event of any dispute among any of the parties hereto with respect to this Agreement, the prevailing party in any litigation arising therefrom shall be entitled to receive from the losing party its reasonable attorney's fees incurred in connection therewith.

10. Each party hereto hereby represents and warrants that the individual executing this Agreement is a person duly authorized to execute this Agreement and that the execution and delivery of this Agreement results in this Agreement being a valid and binding agreement of the parties, enforceable in accordance with its terms.

11. This Agreement may be executed as one instrument signed by all parties or in separate counterparts hereof, each of which counterparts shall be considered an original and all of which shall be deemed to be one instrument, and any signed counterpart shall be deemed delivered by the party signing it if sent to any other party hereto by electronic facsimile transmission.

12. Nothing in this Agreement is intended, or shall be deemed to create or constitute a partnership or joint venture between the parties.

Executed this _____ day of _____, 2014.

TORTUGA OPERATING COMPANY

By: _____
Name: Peter L. Turbett
Title: President

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this _____ day of_____, 2014, by Peter L. Turbett, President of TORTUGA OPERATING COMPANY on behalf of said corporation.

_____
Notary Public in and for the
State of TEXAS

THE CITY OF TOMBALL

By: _____
Name: George Shackelford
Title: City Manager

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this _____ day of _____, 2014, by George Shackelford, City Manager of the City of Tomball.

_____
Notary Public in and for the

ATTACHMENT II

Expense Type Description	Cost ($)
Engineering Services	12,000
Materials, Shipping, and Use Tax	14,338
Labor (direct/dedicated charges), Expenses, Wages, Benefits, Travel	0
Contractual Services - Construction	50,000
Contractual services, contract labor, professional services, outside services, ext. legal	3,000
Land Acquisition, Damages, Right-of-way, Property Rental (less labor & contract)	1,300
Other (office, telecom, vehicle & other expenses, fees, permits, utilities, rentals)	1,075
Administrative and General Expense	3,486
Allowance for Funds Used During Construction - debt, equity, billed from others	0
Total	**85,199**

Scope of Work:

Tortuga will modify its pipeline system and in particular shall remove its existing 2-inch nominal diameter steel pipeline that crosses Station 178+00 on the construction drawings prepared by CobbFendley so as to avoid all underground utility facilities so that the City of Tomball can construct and expand Medical Complex Drive.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Consideration to approve **Live Oak Center**; A Subdivision of land containing 0.3335 acre, more or less, being a Replat of all of Lot 4, the adjoining 3.30 feet of Lot 3, and the adjoining south 10' of a 200' wide alley, in Block 10, of Main Street Addition, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 15, Page 43 of the map records of Harris County, Texas.

Background:

The Planning and Zoning Commission voted 5-0 to approve the Live Oak Center replat with contingencies on July 14, 2014. The plat has been corrected and is now being forwared to the City Council for approval consideration.

Origination:

Recommendation:

Funding:

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

Community Development Department

ACTION TAKEN

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

ATTACHMENTS:

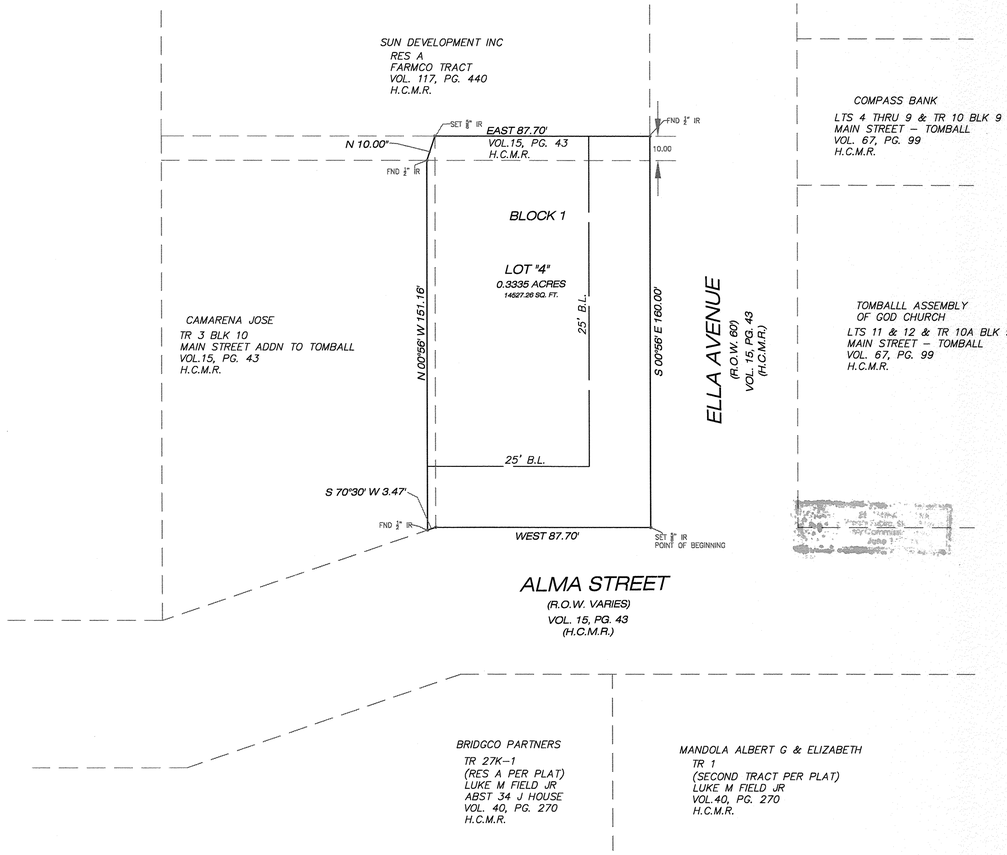
Live Oak Center Replat

NORTH

GRAPHIC SCALE

30 0 15 30

(IN FEET)
1 inch = 30 ft.



I, STAN STANART, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 20____, AT _____ O'CLOCK ___M., AND DULY RECORDED ON _____, 20_____, AT _____ O'CLOCK ___M., AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

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

_____
STAN STANART
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

STATE OF TEXAS
COUNTY OF HARRIS

WE, SKB BUSINESS INVESTMENT, LLC, ACTING BY AND THROUGH SAMEH ALY, ITS PRESIDENT AND Kareem Gamal ITS SECRETARY, HEREINAFTER REFERRED TO AS OWNERS OF THE 0.3335 ACRES TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF LIVE OAK CENTER DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAN 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 THOSE STREETS DESIGNATED AS PRIVATE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE ON TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE (5') IN WIDTH FROM A PLANE TWENTY FEET (20') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN FEET (15') WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF HOUSTON, 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, OWNERS DO 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 OTHER 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 SLCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

IWITNESS MY HAND IN THE CITY OF TOMBALL TEXAS, THIS 20 DAY OF AUGUST, 2014.

SKB BUSINESS INVESTMENTS, LLC

SAMEH ALY , President

, Secretary

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED SAMEH ALY AND Kareem Gamal , KNOWN TO ME TO BE THE PERSON WHOSE NAME ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKOWLEDGEMENT TO ME THAT THE EXECUTED THE SAME FOR THE PUROSES AND CONSIDERATIONS THERE IN EXPRESSED..

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS
20 DAY OF August , 2014.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES 06/10/2018

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF LIVE OAK CENTER 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 THIS _____ DAY OF _____, 201_.

BY: _____
BARBARA TAGUE
CHAIRMAN

BY: _____
DARRELL ROQUEMORE
VICE CHAIRMAN

WE, THE CITY MANAGEn AND THE CITY ENGINEER FOR THE CITY OF TOMBALL, DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE CITY OF TOMBALL ORDINANCE.

_____
GEORGE SHACKELFORD,
CITY MANAGER

_____
LORI LABADOS, P.E.,
CITY ENGINEER

THIS IS TO CERTIFY THAT THE CITY ACCEPTS THE PLANNING AND ZONING COMMISSION'S AUTHORIZED APPROVAL AND ACCEPTANCE OF ALL DEDICATED PUBLIC EASEMENTS IN CONFORMANCE ITH THE LAWS OF THE STATE OF TEXAS THE ORDINANCE OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 201_.

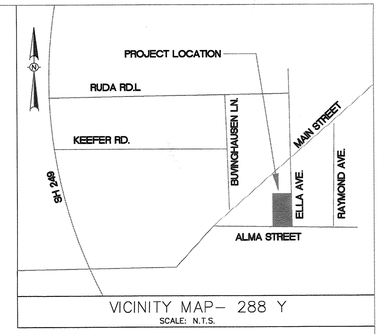
BY: _____
GRETCHEN FAGAN, MAYOR

BY: _____
DORIS SPEER, CITY SECRETARY

I, F.G. HUFFMAN, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTS (⅝) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

F.G. HUFFMAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 1682

STATE OF TEXAS REGISTERED F.G. HUFFMAN 1682 PROFESSIONAL LAND SURVEYOR



VICINITY MAP– 288 Y
SCALE: N.T.S.

NOTES:

PUBLIC EASEMENTS:

PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHTS AT ALL TIMES,OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSES OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALLSHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES,TREES, SHRUBS,OTHER GROWTHS OR IMPROVEMENTSTHAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCEOR EFFICIENCY OF IT'S 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 OBSTRUCTIONIN THE PUBLIC EASEMENT.

FLOOD INFORMATION:

ACCORDING TO FEMA FIRM PANEL NO. 48031S0210L (EFFECTIVE DATE 6-18-07), THIS PROPERTY IS IN ZONE "X" AND IS WITHIN / NOT IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

NOTE #1: ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.

NOTE #2: ALL OIL/GAS WELLS WITH OWNERSHIP (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 COVENANTS OR RESTRICTIONS.

NOTE #5: THE BUILDING LINES SHOWN ON THIS PLAT SHALL BE IN ADDITION TO, AND SHALL NOT LIMIT OR REPLACE, ANY BUILDING LINES REQUIRED BY THE CITY OF TOMBALL CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.

LIVE OAK CENTER

A SUBDIVISION OF LAND CONTAINING 0.3335 ACRE ,MORE OR LESS, BEING A REPLAT OF ALL OF LOT 4 , THE ADJOINING 3.30 FEET OF LOT 3, AND THE ADJOINING SOUTH 10' OFA 200' WIDE ALLEY, IN BLOCK 10, OF MAIN STREET ADDITION, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 43 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

REASON FOR REPLAT: TO CREATE 1 COMMERCIAL LOT
1 BLOCK 1 LOT

SCALE: 1"= 30' DATE: 06-30-14

OWNER: SKB BUSINESS INVESTMENT, LLC
3100 S. GESSNER RD., STE 115
HOUSTON, TX 77063
TEL.NO. (713) 392-2953

SURVEYOR:
F.G. HUFFMAN
P.O.BOX 430792
Houston, Texas 77243
PH # 281 447 7802
E-Mail: fghuffman@sbcglobal.net

PREPARED BY:
MAK Design & Drafting LLC
P.O.BOX 940161
HOUSTON, TX 77094
TEL.NO. (713) 298-0297
FAX. NO. (281) 239-2710

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Adopt, on First Reading, Ordinance No. 2014-26, an Ordinance of the City of Tomball, Texas, Establishing Rates and Charges for Potable Water, Sanitary Sewer, Natural Gas, and Garbage Collection and Disposal Services; Repealing Ordinance No. 2013-12 and All Other Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; Providing for an Effective Date; Providing Other Matters Relating to the Subject; and Providing for Severability

Background:

Municipal Code Corporation, the firm handling the recodification of Tomball's code of ordinances, has suggested that we put as many of the City's fees in the Master Fee Schedule as possible.

Ordinance No. 2014-26 will establish putting the rates for water, sewer, gas and sanitation services in the Master Fee schedule, enabling Council to revise the rates as needed, without having to adopt an Ordinance with two readings.

There are no increases in any of the rates for Fiscal Year 2014-2015.

Origination:

Glenn Windsor, CPA, Finance Director

Recommendation:

Adopt Ordinance No. 2014-26 on First Reading

Funding:

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Ordinance No. 2014-26 - Utility Rates

ORDINANCE NO. 2014-26

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, ESTABLISHING RATES AND CHARGES FOR POTABLE WATER, SANITARY SEWER, NATURAL GAS, AND GARBAGE COLLECTION AND DISPOSAL SERVICES; REPEALING ORDINANCE NO. 2013-12 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING OTHER MATTERS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

* * * * * * * * * *

WHEREAS, pursuant to Section 82-50 of the Code of Ordinances of the City of Tomball, Texas, the rates and charges for the consumption of utility services furnished by the city, as well as the charges and fees for connection thereto, shall be as determined by the City Council from time to time and on file in the office of the City Secretary; and

WHEREAS, pursuant to Section 62-37 of the Code of Ordinances of the City of Tomball, Texas, the fees and charges to be made and collected for the collection and removal of garbage and trash within the city shall be as determined by the City Council from time to time and on file in the office of the City Secretary; and

WHEREAS, the City Council now deems it necessary and appropriate to adjust such rates and charges heretofore established; now therefore

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

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

Section 2. Definitions. For the purposes of this Ordinance, the following words shall have the meanings ascribed thereto:

a. Residential shall mean a residential dwelling unit receiving service for which metering and billing is on an individual basis.

b. Commercial shall mean all non-residential units, and residential units which are provided service, and are billed, collectively with one (1) or more other residential units.

Section 3. The monthly rates and charges for potable water provided by the City shall be as set forth in the Master Fee Schedule.

Section 4. The monthly rates and charges for sanitary sewer services provided by the City for customers who receive potable water services from the City shall be as set forth in the Master Fee Schedule.

Section 5. The monthly rates and charges for sanitary sewer services provided by the City for customers who do not receive potable water services from the City shall be as set forth in the Master Fee Schedule.

Section 6. The monthly rates and charges for garbage and trash collection and disposal services provided by the City, excluding applicable sales tax, shall be as ~~follows~~: as set forth in the Master Fee Schedule.

Section 7. The monthly rates and charges for natural gas provided by the City shall be as set forth in the Master Fee Schedule.

Section 8. The charges for connections and disconnections of utility services provided by the City, including those provided at customer request or convenience, or as a result of delinquent accounts, shall be as set forth in the Master Fee Schedule.

Section 9. The charge for damage to utility facilities from (i) customer's tampering with valves, or (ii) customer's damaging meter in any manner, shall be as set forth in the Master Fee Schedule.

Section 10. Delinquent Accounts.

a. All utility bills, both residential and commercial, shall be due and payable on the close of the last business day of the month. If the month ends on a Saturday, Sunday, or holiday, the bill is due on the prior business day (the last workday of the City at closing time on that day).

a. Residential customers who are age 65 and over or considered disabled by Social Security may be exempt from penalty fees for late payment upon application accompanied by verifying documentation to the Utilities Supervisor. This exemption may not exceed the final date of benefits designated by the Social Security Administration.

c. Within two (2) work days following the "Due Date" a "Cut-off Notice" shall be mailed to customer giving notice that following the expiration of seven (7) days following such notice service will be discontinued unless the customer requests a hearing before the Utilities Supervisor regarding such proposed disconnection prior to the expiration of such seven (7) day period.

d. Upon the showing of good cause and arrangement for prompt payment by a customer, the Utilities Supervisor shall be authorized to withdraw a disconnection order. Any such action by the Utilities Supervisor shall be evidence in writing, outlining the basis for the decision and, if applicable, the required payment schedule for the customer. The Utilities Supervisor shall cause

a copy of such order to be delivered to the appropriate billing personnel of the City.

Section 11. Repealer. City of Tomball Ordinance 2013-12 passed and approved the 19th day of August 2013 is hereby repealed. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 12. Severability. 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 of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 13. Effective Date This ordinance shall be effective October 1, 2014.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 2ND DAY OF SEPTEMBER 2014.

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

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 15TH DAY OF SEPTEMBER 2014.

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

GRETCHEN FAGAN
Mayor

ATTEST:

DORIS SPEER
City Secretary

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

Approve Resolution No. 2014-17, a Resolution of the City of Tomball, Texas, adopting the City of Tomball's Investment Policy, as set forth in the City's Administrative Policy No. 13, entitled "Investment Policy"

Background:

Administrative Policy #13 – Investment Policy, identifies those types of investments into which the City may place its funds. The City's policy is constrained by the Texas Public Funds Investment Act. On May 18, 2009, Administrative Policy #13 was amended to allow for the City to invest funds in the TexPool Prime and the TexasClass local government investment pools. The only revision this year is to the wording in Section III. Par. H regarding Certificates of Deposit. The change is to allow the purchase of CDs from banks with branches in the State of Texas where the former policy was worded "domiciled in the State of Texas."

Pursuant to the Public Funds Investment Act, the City's Investment Policy must be reviewed annually and any necessary changes adopted.

Origination:

Finance

Recommendation:

Staff recommends affirmation of Administrative Policy #13 – City of Tomball Investment Policy as revised in the attachment.

Funding:

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

Glenn Windsor, CPA, CFE, CGFO Finance Director

ACTION TAKEN

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

ATTACHMENTS:

Resolution 2014-17 - Reaffirm Administrative Policy No. 13 - Investment Policy

RESOLUTION NO. 2014-17

A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, ADOPTING THE CITY OF TOMBALL'S INVESTMENT POLICY, AS SET OUT IN CITY OF TOMBALL ADMINISTRATIVE POLICY NO. 13, ENTITLED "INVESTMENT POLICY".

* * * * * * * * * *

WHEREAS, Texas Government Code, Section 2256.005(a), states that "the governing body of an investing entity shall adopt by rule, order, ordinance, or resolution, as appropriate, a written investment policy regarding the investment of its funds and funds under its control"; and

WHEREAS, the governing body of an investing entity shall review its investment policy and investment strategies not less than annually, adopting a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies;

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

Section 1. The City Council has reviewed the investment policy and now desires to reaffirm and re-adopt said investment policy, as set forth in City of Tomball Administrative Policy No. 13, entitled "Investment Policy", a copy of which is attached hereto and made a part hereof as Exhibit "A".

Section 2. All resolutions or parts of resolutions inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 3. In the event any clause phrase, provision, sentence, or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect,

impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND RESOLVED this the 2nd day of September, 2014.

_____
GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

_____
DORIS SPEER, City Secretary
City of Tomball

SUBJECT	NUMBER:	EFFECTIVE DATE:	
INVESTMENT POLICY	13	July 27, 1992	PAGE 1 OF 8
	REVISED: September 2, 2014	APPROVED BY CITY MANAGER: September 2, 2014	
	SUPERSEDES: August 19, 2013	APPROVED BY CITY COUNCIL: September 2, 2014	

CITY OF TOMBALL

INVESTMENT POLICY

I. SCOPE OF POLICY

PURPOSE:

This policy is developed to be in accordance with the Public Funds Investment Act, Chapter 2256 and with the Public Funds Collateral Act, Chapter 2257 of the Texas Government Code, as amended. This investment policy applies to the investment activities of the City of Tomball. This policy serves to satisfy the statutory requirement to define and adopt a formal investment policy. The investment portfolio shall be designed and managed in a manner to be responsive to public trust and to be in compliance with legal requirements and limitations.

INVESTMENT FUNDS:

All financial assets of all funds of the City of Tomball, Texas, at the present time and any funds to be created in the future shall be administered in accordance with the provisions of this policy. For investment purposes, all funds of the City shall be combined in a common pool, except as provided by applicable federal or state statues, City ordinance, or other law. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

II. PRIMARY OBJECTIVES

SAFETY OF PRINCIPAL:

The safety of the principal invested always remains the primary and foremost objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk, the risk of loss due to the failure of the security issuer or backer, and interest rate risk, the risk that the market value of securities in the portfolio will fall due to changes in general interest rates.

LIQUIDITY:

The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated. Liquidity shall be achieved by structuring the portfolio so that investments mature concurrent with forecasted cash flow requirements. Because all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets. A portion of the portfolio will also be placed in interest bearing accounts which offer same day liquidity for short-term funds.

DIVERSIFICATION:

Invested funds shall be diversified to minimize risk resulting from over-concentration of assets in a specific maturity, specific market sector, or specific instruments.

YIELD:

The City's cash management portfolio shall be designed with the objective of attaining reasonable market rates of return on investments, while remaining within the objective of safety and liquidity, throughout budgetary and economic cycles. The investment program shall seek to augment these returns consistent with risk limitations identified herein and prudent investment principles, also taking into account the risk constraints associated with the protection of capital.

MATURITY:

The investment maturity schedule shall correspond with the City's projected cash flow needs. Market risk shall be minimized by diversification of maturity dates. The City has a "buy and hold" portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, securities may be sold before they mature should it be in the City's best interest. No City investments shall exceed a maturity of more than four years.

INVESTMENT MANAGEMENT:

All participants in the investment process shall seek to act responsibly as custodians of the public trust. They shall avoid any transactions that might impair public confidence in the City's ability to govern effectively. The system of internal controls will be reviewed annually with the independent auditor of the City. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the City.

III. AUTHORIZED INVESTMENTS

Assets of funds of the government of the City of Tomball may be invested in:

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

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

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

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

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

F. Certificates of Deposit issued by state or national banks with its main office or a branch in the State of Texas, a savings bank with its main office or a branch in the State of Texas, or a state or federal credit union with its main office or a branch in the State of Texas and are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor and are secured by the obligations named within this policy under items A through E above.

G. Repurchase agreements which are fully collateralized, have a defined termination date, are secured by obligations of the United States or its agencies and instrumentalities; are purchased and pledged to the City of Tomball; are held in the City of Tomball's name; are deposited with third-party safekeeping of collateral at the time the investment is made; and are purchased through a primary government securities dealer or state or national bank doing business in the State of Texas evidenced by a fully executed Master Repurchase Agreement on file with the City. The repurchase agreement is a simultaneous agreement to buy, hold for a specified time, and sell back at a future date obligations of the United States or its agencies and instrumentalities, at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed.

H. Commercial paper is an authorized investment if the commercial paper:

   a. Has a stated maturity of 270 days or fewer from the date of its issuance; and
   b. Is rated not less than A-1 or P-1 or an equivalent rating by at least:
      i. Two nationally recognized credit rating agencies; or
      ii. One nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by organized and existing under the laws of the United States or any state.

I. An eligible investment pool authorized by the governing body, which must furnish to the City an offering circular or other similar disclosure instrument that contains, at a minimum, the types of investments in which money is allowed to be invested; the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool; the maximum stated maturity date of any investment within the portfolio; the objectives of the pool; the size of the pool; the names of the members of the advisory board of the pool and the dates their terms expire; the custodian bank that will safe-keep the pool's assets; whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation; whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment; the name and address of the independent auditor of the pool; the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool; and the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios.

   To maintain eligibility to receive funds from and invest funds on behalf of the City of Tomball, an investment pool must furnish to the City investment transaction confirmations; and a monthly report that contains, at a minimum, the types and percentage breakdown of securities in which the pool is invested, the current average dollar-weighted maturity based on the stated maturity date of the pool, the current percentage of the pool's portfolio in investments that have stated maturities of more than one year, the book value versus the market value of the pool's portfolio, using amortized cost valuation, the size of the pool, the number of participants in the pool, the custodian bank that is safekeeping the assets of the pool, a listing of daily transaction activity of the entity participating in the pool, the yield and expense ratio of the pool, the portfolio managers of the pool and any changes or addenda to the offering circular.

   Investment pool yield shall be calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940, as promulgated from time to time by the Federal Securities and Exchange Commission.

To be eligible to receive funds from and invest funds on behalf of the City of Tomball, a public funds investment pool created to function as a money market mutual fund must mark its portfolio to market daily, and, to the extent reasonably possible, stabilize at a $1 net asset value.

If the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, portfolio holdings shall be sold as necessary to maintain the ration between 0.995 and 1.005.

A public funds investment pool must have an advisory board composed: equally of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for a public funds investment pool created and managed by a state agency; or of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for other investment pools.

To maintain eligibility to receive funds from and invest funds on behalf of the City of Tomball, an investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service or no lower than investment grade by at least one nationally recognized rating service with a weighted average maturity no greater than 90 days.

Although allowed under State Law, Prime Domestic Bankers' Acceptances, and Money-market mutual funds are not considered suitable investments of the City of Tomball, and the City of Tomball will refrain from making such investments or allowing such instruments to be pledged to the City's deposits or serve as underlying collateral.

IV. RESPONSIBILITY AND CONTROL

DELEGATION OF AUTHORITY:

Management responsibility for the investment program is hereby delegated to the City Treasurer, or in the absence of such, Assistant City Treasurer, or such other person specifically designated by the Treasurer. The City Treasurer, or designated person by such, shall be responsible for all transactions, compliance with internal controls, and insuring that all safekeeping, custodial, and collateral duties are in compliance with this investment policy and other applicable laws and regulations.

TRAINING REQUIREMENT:

The City Treasurer, the Assistant City Treasurer and any person designated by the Treasurer to be responsible for the investment of City funds shall attend an independent and approved source of investment training session no less often than once every two fiscal years and shall receive not less than 10 hours of instruction relating to investment responsibilities under the state statutes. Any person newly designated to duties relating to the investment program shall be required to attend an independent and approved source of investment training session within 12 months of such designation. Training must include education in investment controls, security risks, strategy risks, market risks, diversification of the investment portfolio, and compliance with the Public Funds Investment Act under the Texas Government Code Chapter 2256.

QUARTERLY REPORTS:

The City Treasurer, and the person or persons designated by such, shall submit quarterly an investment report that summarizes the investment portfolio for all funds to the City Council. The report shall describe in detail the investment position of the City on the date of the report; be prepared and signed by all investment officers of the City; contain a summary statement, prepared in compliance with generally accepted accounting principles; provide the beginning market value for the reporting period, the additions and changes to the market value during the period, the ending market value for the period, and fully accrued interest for the reporting period; state the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested; state the maturity date of each separately invested asset that has a maturity date; state the account, fund or pooled group fund in City for which each individual investment was acquired; and state the compliance of the investment portfolio of the City's policy as it relates to the strategy. The reports shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the governing body by that auditor.

CONFLICTS OF INTEREST:

The City Treasurer, or any person designated by such to be responsible for investments, shall not be designated as an investment officer for any investing entity other than the City of Tomball. Any person responsible for investments for the City who has a personal business relationship with a business organization offering to engage in an investment transaction with the entity shall file a statement disclosing that personal business interest. Any person responsible for investments for the City who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. This statement must be filed

with the Texas Ethics Commission and the City of Tomball. A personal business relationship is defined as owning 10 percent or more of the voting stock or shares of the business organization or owns $5,000 or more of the fair market value of the business organization; funds received from the business organization exceed 10 percent of the person's gross income for the previous year; or the acquisition of investments from the business organization during the previous year have a book value of $2,500 or more for the person's personal account. Any person involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Secretary any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial and/or investment positions that could be related to the performance of the City's portfolio. Any person responsible for investments shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales.

V. COLLATERAL AND SAFEKEEPING

COLLATERAL REQUIRED:

Funds of the City of Tomball shall be secured by collateral, whereby the market value of such collateral shall not be less than the total amount of the sum of the City's deposits, investments and accrued interest less the amount of insurance provided by the United States or an instrumentality of the United States, such as FDIC and FSLIC insurance. All items held for collateral for the City of Tomball shall be qualified investments as stated in items III.A. through III.E. of the City's investment policy.

SECURITY OF COLLATERAL:

All securities owned by thy City or pledged to the City shall be held in safekeeping by the City; in a City approved account in a third party financial institution with a main office in the State of Texas and capital stock and permanent surplus of $5 million or more; the Texas Treasury Safekeeping Trust Company; a federal home loan bank; or with a Federal Reserve Bank. A third party custodian shall be required to issue original safekeeping receipts directly to the City and monthly provide a listing of each specific security, rate description, maturity, CUSIP number, and other information as may be deemed necessary and appropriate by the City. Each safekeeping receipt will be clearly marked that the security is pledged to the City of Tomball. It shall be the sole responsibility of the financial institution to immediately, without notice from the City or cost to the City, replace any nonconforming pledged security.

DELIVERY VS. PAYMENT:

Treasury Bills, Notes and Bonds and Government Agencies' securities shall be purchased using the delivery vs. payment method. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the City of Tomball or its designated Trustee. The security shall be held in the name of the City. The Trustee's records shall reflect that the City owns such securities. In the event that the security is held by Trustee, the original copy of all safekeeping receipts shall be delivered to the City Treasurer, or person designated by such.

VI. AUTHORIZED BROKERS

The City of Tomball shall annually review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the City. Following are authorized brokers for the City of Tomball:

Robert W. Baird & Co. Incorporated
Coastal Securities
Wells Fargo Securities, LLC

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

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

- Sec. 551.071 - Private Consultation with Attorney in Closed Meeting Regarding a Matter of Potential Litigation that the Duty of the Attorney Requires be Held in Closed Session
- Sec. 551.072 – Deliberations Regarding Real Property.

Background:

Origination:

George Shackelford, City Manager

Recommendation:

N/A

Funding:

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

City Secretary

ACTION TAKEN

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

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

Approve Resolution No. 2014-02, a Resolution of the City Council of the City of Tomball, Texas Determining that a 3.608 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

Background:

The M121 Drainage Project was approved by City Council in the FY 2011-2012 annual Budget. This project will provide drainage and detention for the M121 Drainage Basin. The City has acquired 2 of the 5 parcels for the ROW and accompanying easements. The Engineering Division has negotiated with the owner for the purchase of the property and has been unable to agree with the owner as to a fair market value thereof and damages, if any. The offer to the owner of the land was made based upon its appraised value. The Engineering Division is requesting Council approval to proceed with eminent domain proceedings.

When making the motion please state ***"I move that the City of Tomball authorize the use of the power of eminent domain to acquire the 3.608 acre right-of-way for drainage purposes, owned by James Midkiff for the M121 Drainage Project."***

Origination:

Engineering Division

Recommendation:

Engineering recommends approval.

Funding:

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

Engineering Division

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2014-02
Metes & Bounds and Exhibit

RESOLUTION NO. 2014-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT A 3.608 ACRE TRACT OF LAND IS NEEDED FOR USE AS A DRAINAGE CHANNEL AS PART OF THE M121 DRAINAGE PROJECT FOR THE CITY OF TOMBALL, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

* * * * *

WHEREAS, the City Council of the City of Tomball now finds and determines that public convenience and necessity requires the City of Tomball to acquire a right-of-way easement over and across tracts of land containing 3.608 acres for a drainage channel in the City of Tomball, Texas, a more specific description of said 3.608 acre tract of land is attached hereto as Exhibit "A" and made a part thereof, (herein after the "Land"); and

WHEREAS, the City of Tomball, through its duly authorized representatives, has negotiated with the owners of the Land for the purchase of same for the purpose stated herein and has been unable to agree with such owners as to the fair cash market value thereof and damages, if any; and

WHEREAS, the City Council of the City of Tomball has authorized the City Manager to make an offer to the owners of the Land for the purchase of same based upon its appraised value, and such offer has been made and the owner has refused to accept such final offer; now therefore,

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

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

Section 2. The City Council of the City of Tomball finds that a bona fide offer has been made by duly authorized representatives of the City for the acquisition of the necessary rights in the Land, and that said offer was not accepted, and that the only way for the City of Tomball to acquire such interest in said tract of land is through the filing of eminent domain proceedings.

Section 3. The City Council hereby finds and determines that a public use and necessity exists for the City of Tomball to acquire the necessary property rights in the 3.608 acre tract of land deemed necessary for drainage as part of the M121 Drainage Project, as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land.

Section 4. The final offer heretofore made by the City Manager authorized by formal action of the City Council, for the purchase of the Land is in all things hereby ratified and confirmed.

Section 5. The City Attorney is hereby authorized to bring eminent domain proceedings on behalf of the City of Tomball under applicable provisions of law, whether provided by §251.001 of the Texas Local Government Code, as amended, Chapter 21 of the Texas Property Code, or by any other provision of law, against the owner or owners of the Land, to-wit: James J. Midkiff or against the real and true owner, owners, claimant, or claimants if James J. Midkiff is said not to be the owner of the Land.

PASSED, APPROVED, AND RESOLVED this ____ day of _____, 2014.

_____
Gretchen Fagan
Mayor

ATTEST:

_____
Doris Speer
City Secretary

EXHIBIT “A”

December 6, 2012
Job No. 1396-2121

DESCRIPTION OF
M-121-01-00
3.608 ACRES
180 FEET WIDE
DRAINAGE PARCEL

Being 3.608 acres of land located in the Claude N. Pillot Survey, Abstract 632, Harris County, Texas, more particularly being a portion of that certain called 45.195 acre tract conveyed to James J. Midkiff, by instrument of record in File No. T003415, Official Public Records of Real Property of said Harris County, Texas, (H.C.O.P.R.R.P.), said 3.608 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

COMMENCING for reference at a found fence corner marking the southwest corner of said 45.195 acre tract, same being the southeast corner of that certain 69.3 acre residue of a called 72.3 acre tract, conveyed to Martha J. Michel, Trustee of Michel Family Irrevocable Trust, by instrument of record in File No. S832035, H.C.O.P.R.R.P.;

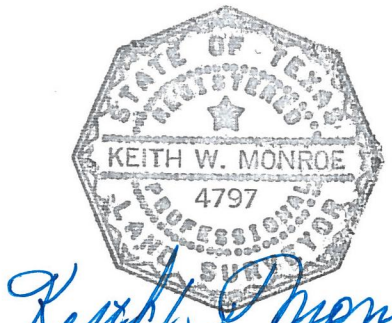
Thence, North 01° 56' 25" West, along the east line of said 69.3 acre residue and the west line of said 45.195 acre tract, 1,718.38 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for the POINT OF BEGINNING of the herein described tract;

Thence, North 01° 56' 25" West, continuing along said common line, 180.00 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner, from which point a found 3/4-inch iron rod with a cap marked Frontier "2053" bears North 01° 56' 25" West, 341.51 feet;

Thence, North 87° 42' 56" East, departing said common line, 873.15 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner on the east line of the aforesaid 45.195 acre tract, same being on the west line of that certain called 46.75 acre tract conveyed to Carolyn Ann Lang, by an instrument of record in File No. H468089, H.C.O.P.R.R.P., from which point a 3/4-inch iron rod with a cap marked Frontier "2053" found marking the northeast corner of said 45.195 acre tract and the northwest corner of said 46.75 acre tract and a point on the existing south right-of-way line of Holderrieth Road (called 80 feet wide) bears North 01° 58' 06" West, 351.79 feet;

Thence, South 01° 58' 06" East, along said east and west line, 180.00 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner, from which point a 5/8-inch iron rod found marking the southeast corner of said 45.195 acre tract and the southwest corner of said 46.75 acre tract bears South 01° 58' 06" East, 1,717.85 feet;

Thence, South 87° 42' 56" West, departing said east and west line, 873.24 feet to the POINT OF BEGINNING and containing 3.608 acres of land.



LJA Engineering, Inc.

12-10-2012

HOLDERRIETH ROAD
(CALLED 80' ROW)

Existing ROW

Fnd.3/4" I.R.
Frontier "2053"
Cap

Existing ROW

Fnd.3/4" I.R.
Frontier "2053"
Cap

CITY OF TOMBALL
CALLED 0.321 ACRE
10' UTILITY EASEMENT
FILE NO.W688481
H.C.O.P.R.R.P.

CITY OF TOMBALL
CALLED 0.200 ACRE
10' UTILITY EASEMENT
FILE NO.V672135
H.C.O.P.R.R.P.

CITY OF TOMBALL
CALLED 0.207 ACRE
10' UTILITY EASEMENT
FILE NO.V775126
H.C.O.P.R.R.P.

N

(11x17 Sheet) Scale: 1" = 100'
(22x34 Sheet) Scale: 1" = 50'

0 25 50 100 150
Graphic Scale In Feet

"S" Indicates a Set 5/8" Iron Rod
with plastic cap marked "LJA-ENG"

RESIDUE OF A
69.3 ACRE RESIDUE
OF A CALLED 72.3 ACRE TRACT
MARTHA J. MICHEL
TRUSTEE OF MICHEL FAMILY
IRREVOCABLE TRUST
S832035
H.C.O.P.R.R.P.

N01°56'25"W 341.51'

CALLED 45.195 ACRES
JAMES J. MIDKIFF
FILE NO. T003415
H.C.O.P.R.R.P.

N01°58'06"W 351.79'

CALLED 46.75 ACRES
CAROLYN ANN LANG
FILE NO. H468089
H.C.O.P.R.R.P.

OHP

"S"

N87°42'56"E 873.15'

Fence

Fence

"S"

"S"

Gravel

Fence

Gas Line

PROPOSED DRAINAGE
(180 FEET WIDE)

20'00 Gravel

N01°56'25"W 180.00'

180.00'

PROPOSED DRAINAGE
(180 FEET WIDE)

15'00

3.608 ACRES

10'00

Bldg

S01°58'06"E 180.00'

PROPOSED DRAINAGE
(180 FEET WIDE)

S87°42'56"W 873.24'

"S"

"S"

Gravel

CALLED 46.75 ACRES
CAROLYN ANN LANG
FILE NO. H468089
H.C.O.P.R.R.P.

P.O.B.
"S"

S01°58'06"E 177.85'

Fnd.5/8" I.R.

RESIDUE OF A
69.3 ACRE RESIDUE
OF A CALLED 72.3 ACRE TRACT
MARTHA J. MICHEL
TRUSTEE OF MICHEL FAMILY
IRREVOCABLE TRUST
S832035
H.C.O.P.R.R.P.

N01°56'25"W 1,718.38'

P.O.C.
Fnd.Fence Corner

CALLED 45.195 ACRES
JAMES J. MIDKIFF
FILE NO. T003415
H.C.O.P.R.R.P.

STATE OF TEXAS
REGISTERED
KEITH W. MONROE
4797
PROFESSIONAL
LAND SURVEYOR

12-10-2012

NOTES:

ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, NORTH AMERICAN 1983 DATUM (1993 ADJUSTMENT.)

ABSTRACTING COMPLETED OCTOBER OF 2012.

FIELD WORK COMPLETED NOVEMBER OF 2012

EXHIBIT OF
M121-01-00
3.608 ACRES
180 FEET WIDE
DRAINAGE PARCEL
IN THE
CLAUDE N. PILLOT SURVEY, A-632
HARRIS COUNTY, TEXAS

DECEMBER 2012 JOB NO. 1396-2121

LJA Engineering, Inc.
2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026

I:\Projdak1\SURVEY\1396\2121\Cad\Mfdk1ff-3-6086c-Drainage-Parcel.dgn
12/10/2012

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

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

Approve Resolution No. 2014-03, a Resolution of the City Council of the City of Tomball, Texas, Determining that 8.288 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

Background:

The M121 Drainage Project was approved by City Council in the FY 2011-2012 annual Budget. This project will provide drainage and detention for the M121 Drainage Basin. The City has acquired 2 of the 5 parcels for the ROW and accompanying easements. The Engineering Division has negotiated with the owner for the purchase of the property and has been unable to agree with the owner as to a fair market value thereof and damages, if any. The offer to the owner of the land was made based upon its appraised value. The Engineering Division is requesting Council approval to proceed with eminent domain proceedings.

When making the motion please state ***"I move that the City of Tomball authorize the use of the power of eminent domain to acquire the 8.288 acre right-of-way for drainage purposes, owned by Carolyn Ann Lang for the M121 Drainage Project."***

Origination:

Engineering Division

Recommendation:

Engineering recommends approval.

Funding:

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

Engineering Division

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2014-03
Metes & Bounds and Exhibit

RESOLUTION NO. 2014-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT 8.288 ACRE TRACT OF LAND IS NEEDED FOR USE AS A DRAINAGE CHANNEL AS PART OF THE M121 DRAINAGE PROJECT FOR THE CITY OF TOMBALL, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

* * * * *

WHEREAS, the City Council of the City of Tomball now finds and determines that public convenience and necessity requires the City of Tomball to acquire a right-of-way easement over and across tracts of land containing 8.288 acres for a drainage channel in the City of Tomball, Texas, a more specific description of said 8.288 acre tract of land is attached hereto as Exhibit "A" and made a part thereof, (herein after the "Land"); and

WHEREAS, the City of Tomball, through its duly authorized representatives, has negotiated with the owners of the Land for the purchase of same for the purpose stated herein and has been unable to agree with such owners as to the fair cash market value thereof and damages, if any; and

WHEREAS, the City Council of the City of Tomball has authorized the City Manager to make an offer to the owners of the Land for the purchase of same based upon its appraised value, and such offer has been made and the owner has refused to accept such final offer; now therefore,

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

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

Section 2. The City Council of the City of Tomball finds that a bona fide offer has been made by duly authorized representatives of the City for the acquisition of necessary rights to the Land, and that said offer was not accepted, and that the only way for the City of Tomball to acquire such interest in said tract of land is through the filing of eminent domain proceedings.

Section 3. The City Council hereby finds and determines that a public use and necessity exists for the City of Tomball to acquire the necessary property rights in the 8.288 acre tract of land deemed necessary for drainage as part of the M121 Drainage Project, as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land.

Section 4. The final offer heretofore made by the City Manager authorized by formal action of the City Council, for the purchase of the Land is in all things hereby ratified and confirmed.

Section 5. The City Attorney is hereby authorized to bring eminent domain proceedings on behalf of the City of Tomball under applicable provisions of law, whether provided by §251.001 of the Texas Local Government Code, as amended, Chapter 21 of the Texas Property Code, or by any other provision of law, against the owner or owners of the Land, to-wit: Carolyn Ann Lang or against the real and true owner, owners, claimant, or claimants if Carolyn Ann Lang is said not to be the owner of the Land.

PASSED, APPROVED, AND RESOLVED this ____ day of _____, 2014.

_____
Gretchen Fagan
Mayor

ATTEST:

_____
Doris Speer
City Secretary

December 6, 2012
Job No. 1396-2121

DESCRIPTION OF
M121-01-00 & M121-00-00
8.288 ACRES
VARIABLE WIDTH
DRAINAGE PARCEL

Being 8.288 acres of land located in the Claude N. Pillot Survey, Abstract 632, Harris County, Texas, more particularly being a portion of that certain called 46.75 acre tract conveyed to Carolyn Ann Lang, by an instrument of record in File No. H468089, Official Public Records of Real Property of said Harris County, Texas, (H.C.O.P.R.R.P.), said 8.288 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

COMMENCING for reference at a found 5/8-inch iron rod marking the southwest corner of said 46.75 acre tract, same being the southeast corner of that certain called 45.195 acre tract, conveyed to James J. Midkiff, by an instrument of record in File No. T003415, H.C.O.P.R.R.P.;

Thence, North 01° 58' 06" West, along the east line of said 45.195 acre tract and the west line of said 46.75 acre tract, 1,717.85 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for the POINT OF BEGINNING of the herein described tract;

Thence, North 01° 58' 06" West, continuing along said east and west line, 180.00 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner, from which point a 3/4-inch iron rod with a cap marked Frontier "2053" found marking the northeast corner of said 45.195 acre tract and the northwest corner of said 46.75 acre tract and a point on the existing south right-of-way line of Holderrieth Road (called 80 feet wide) bears North 01° 58' 06" West, 351.79 feet;

Thence, North 87° 42' 56" East, departing said east and west line, 799.32 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, North 02° 04' 25" West, 342.04 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner on the south line of that certain called 0.207 acre, 10 feet wide utility easement conveyed to the City of Tomball, by an instrument of record in File No. V775126, H.C.O.P.R.R.P.;

Thence, North 87° 41' 50" East, along the south line of said 10 feet wide utility easement, 103.43 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner on the east line of said 46.75 acre tract and on the west line of that certain residue of a called 85.4536 acre tract conveyed to Harris County Flood Control District, by an instrument of record in File No. S826278, H.C.O.P.R.R.P.;

Thence, South 02° 04' 25" East, along said east and west line, 2,240.08 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for the southeast corner of said 46.75 acre tract and the southwest corner of said residue of a called 85.4536 acre tract;

Thence, South 87° 43' 33" West, along the south line of said 46.75 acre tract, 93.43 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, North 02° 04' 25" West, departing said south line, 1,457.37 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, South 87° 32' 57" West, 10.00 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, North 02° 04' 25" West, 260.64 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, South 87° 42' 56" West, 799.65 feet to the POINT OF BEGINNING and containing 8.288 acres of land of which 1.808 acres (78,752 square feet) has already been conveyed as a drainage easement.



LJA Engineering, Inc.

12-10-2012

HOLDERRIETH ROAD
(CALLED 80' ROW)

Fnd. 3/4" I.R.
Frontier "2053"
Cap

Existing ROW

CITY OF TOMBALL
CALLED 0.200 ACRE
10' UTILITY EASEMENT
FILE NO.V672135
H.C.O.P.R.R.P.

CITY OF TOMBALL
CALLED 0.207 ACRE
10' UTILITY EASEMENT
FILE NO.V775126
H.C.O.P.R.R.P.

CALLED 45.195 ACRES
JAMES J. MIDKIFF
FILE NO. T003415
H.C.O.P.R.R.P.

N01°58'06"W 351.79'

CALLED 46.75 ACRES
CAROLYN ANN LANG
FILE NO. H468089
H.C.O.P.R.R.P.

HARRIS COUNTY FLOOD
CONTROL DISTRICT
CALLED 1.306 ACRES
25' DRAINAGE DITCH
VOL 4439, PG. 594
FILE NO. B367430
H.C.D.R.

HARRIS COUNTY
CALLED 0.52 ACRE
10' DRAINAGE DITCH
VOL. 837, PG. 209
H.C.D.R.

N87°41'50"E
103.43'

N02°04'25"W
342.04'

M121-00-00

CITY OF TOMBALL
20' UTILITY EASEMENT
FILE NO. W298190
H.C.O.P.R.R.P.

HARRIS COUNTY
CALLED 0.52 ACRE
10' DRAINAGE DITCH
VOL. 837, PG. 210
H.C.D.R.

CALLED 10.00 ACRES
CITY OF TOMBALL
FILE NO. S979285
H.C.O.P.R.R.P.

(11x17 Sheet) Scale: 1" = 100'
(22x34 Sheet) Scale: 1" = 50'
0 25 50 100 150
Graphic Scale In Feet

"S" Indicates a Set 5/8" Iron Rod with plastic cap marked "LJA-ENG"

Fence

N87°42'56"E 799.32'

PROPOSED DRAINAGE
(180 FEET WIDE)

180.00'

10.00

5.00

Bldg

Gravel

8.288 ACRES

M121-01-00

Grade Breaks

N01°58'06"W 180.00'

P.O.B.

S87°42'56"W 799.65'

N01°58'06"W 1,717.85'

P.O.C.
Fnd. 5/8" I.R.

CALLED 46.75 ACRES
CAROLYN ANN LANG
FILE NO. H468089
H.C.O.P.R.R.P.

HARRIS COUNTY FLOOD
CONTROL DISTRICT
CALLED 0.26 ACRE
5' DRAINAGE DITCH
VOL 4439, PG. 553
FILE NO. B367449
H.C.D.R.

S02°04'25"E 2,240.08'

N02°04'25"W
260.64'

103.43'

S87°32'57"W
10.00'

93.43'

N02°04'25"W
1,457.37'

S87°43'33"W
93.43'

RESIDUE OF
CALLED 85.4536 ACRES
HARRIS COUNTY FLOOD
CONTROL DISTRICT
FILE NO. S826278
H.C.O.P.R.R.P.

AREA SUMMARY

8.288 ACRES	(361,020 SQUARE FEET)	TOTAL AREA
1.808 ACRES	(78,752 SQUARE FEET)	IN EXISTING DRAINAGE EASEMENT
6.480 ACRES	(282,268 SQUARE FEET)	NET ADDITIONAL DRAINAGE AREA

STATE OF TEXAS
REGISTERED
KEITH W. MONROE
4797
PROFESSIONAL
LAND SURVEYOR

Keith W. Monroe
12-10-2012

NOTES:

ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, NORTH AMERICAN 1983 DATUM (1993 ADJUSTMENT.)

ABSTRACTING COMPLETED OCTOBER OF 2012.

FIELD WORK COMPLETED NOVEMBER OF 2012

EXHIBIT OF M121-00-00 & M121-01-00 8.288 ACRES VARIABLE WIDTH DRAINAGE PARCEL IN THE CLAUDE N. PILLOT SURVEY, A-632 HARRIS COUNTY, TEXAS

DECEMBER 2012 JOB NO. 1396-2121

LJA Engineering, Inc.
2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026

I:\Projdsk1\SURVEY\1396\2121\Cad\Long-8.288ac-Drainage-Parcel.dgn
12/10/2012

Regular City Council
Agenda Item
Data Sheet

Meeting Date: September 2, 2014

Topic:

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

Approve Resolution No. 2014-21, a Resolution of the City Council of the City of Tomball, Texas, determining that 3.001 Acre Tract of Land is Needed for Use as a Drainage Channel as Part of the M121 Drainage Channel as Part of the M121 Drainage Project for the City of Tomball, Texas; and Authorizing the Institution of Eminent Domain Proceedings.

Background:

The M121 Drainage Project was approved by City Council in the FY 2011-2012 annual Budget. This project will provide drainage and detention for the M121 Drainage Basin. The City has acquired 2 of the 5 parcels for the ROW and accompanying easements. The Engineering Division has negotiated with the owner for the purchase of the property and has been unable to agree with the owner as to a fair market value thereof and damages, if any. The offer to the owner of the land was made based upon its appraised value. The Engineering Division is requesting Council approval to proceed with eminent domain proceedings.

When making the motion please state ***"I move that the City of Tomball authorize the use of the power of eminent domain to acquire the 3.001 acre right-of-way for drainage purposes, owned by Martha J. Michel, Trustee of Michel Family Irrevocable Trust for the M121 Drainage Project."***

Origination:

Engineering Division

Recommendation:

Engineering recommends approval.

Funding:

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

Engineering Division

ACTION TAKEN

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

ATTACHMENTS:

Resolution No. 2014-21
Metes & Bounds and Exhibit

RESOLUTION NO. 2014-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT 3.001 ACRE TRACT OF LAND IS NEEDED FOR USE AS A DRAINAGE CHANNEL AS PART OF THE M121 DRAINAGE PROJECT FOR THE CITY OF TOMBALL, TEXAS; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

* * * * *

WHEREAS, the City Council of the City of Tomball now finds and determines that public convenience and necessity requires the City of Tomball to acquire a right-of-way easement over and across tracts of land containing 3.001 acres for a drainage channel in the City of Tomball, Texas, a more specific description of said 3.001 acre tract of land is attached hereto as Exhibit "A" and made a part thereof, (herein after the "Land"); and

WHEREAS, the City of Tomball, through its duly authorized representatives, has negotiated with the owners of the Land for the purchase of same for the purpose stated herein and has been unable to agree with such owners as to the fair cash market value thereof and damages, if any; and

WHEREAS, the City Council of the City of Tomball has authorized the City Manager to make an offer to the owners of the Land for the purchase of same based upon its appraised value, and such offer has been made and the owner has refused to accept such final offer; now therefore,

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

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

Section 2. The City Council of the City of Tomball finds that a bona fide offer has been made by duly authorized representatives of the City for the acquisition of necessary rights to the Land, and that said offer was not accepted, and that the only way for the City of Tomball to acquire such interest in said tract of land is through the filing of eminent domain proceedings.

Section 3. The City Council hereby finds and determines that a public use and necessity exists for the City of Tomball to acquire the necessary property rights in the 3.001 acre tract of land deemed necessary for drainage as part of the M121 Drainage Project, as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land.

Section 4. The final offer heretofore made by the City Manager authorized by formal action of the City Council, for the purchase of the Land is in all things hereby ratified and confirmed.

Section 5. The City Attorney is hereby authorized to bring eminent domain proceedings on behalf of the City of Tomball under applicable provisions of law, whether provided by §251.001 of the Texas Local Government Code, as amended, Chapter 21 of the Texas Property Code, or by any other provision of law, against the owner or owners of the Land, to-wit: Martha J. Michel, Trustee of the Michel Family Irrevocable Trust, or against the real and true owner, owners, claimant, or claimants if Martha J. Michel, Trustee of the Michel Family Irrevocable Trust is said not to be the owner of the Land.

PASSED, APPROVED, AND RESOLVED this ____ day of _____, 2014.

_____
Gretchen Fagan
Mayor

ATTEST:

_____
Doris Speer
City Secretary

December 6, 2012
Job No. 1396-2121

DESCRIPTION OF
M121-01-00
3.001 ACRES
VARIABLE WIDTH
DRAINAGE PARCEL

Being 3.001 acres of land located in the Claude N. Pillot Survey, Abstract 632, Harris County, Texas, more particularly being a portion of that certain 69.3 acre residue of a called 72.3 acre tract conveyed to Martha J Michel, Trustee of Michel Family Irrevocable Trust, by an instrument of record in File No. S832035, Official Public Records of Real Property of said Harris County, Texas, (H.C.O.P.R.R.P.), said 3.001 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

COMMENCING for reference at a found fence corner marking the southeast corner of said 69.3 acre residue of a called 72.3 acre tract, same being the southwest corner of that certain called 45.195 acre tract conveyed to James J. Midkiff, by an instrument of record in File No. T003415, H.C.O.P.R.R.P.;

Thence, North 01° 56' 25" West, along the east line of said 69.3 acre residue and the west line of said 45.195 acre tract, 1,718.38 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for the POINT OF BEGINNING of the herein described tract;

Thence, South 87° 42' 56" West, departing said east and west line, 190.05 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, North 02° 17' 04" West, 10.00 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner, the beginning of a curve;

Thence, 595.76 feet along the arc of a non-tangent curve to the right, having a radius of 380.00 feet, a central angle of 89° 49' 40" and a chord which bears North 47° 22' 14" West, 536.59 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, North 02° 27' 24" West, 132.47 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner, on the south line of that certain called 0.321 acre, 10 feet wide utility easement conveyed to the City of Tomball, by an instrument of record in File No. W688481, H.C.O.P.R.R.P.;

Thence, North 87° 41' 50" East, along said south line, 160.00 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

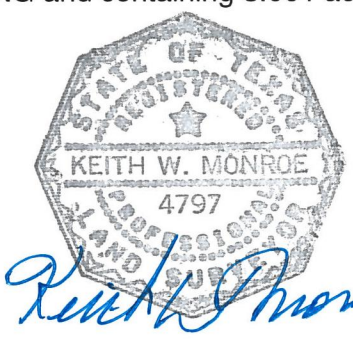
Thence, South 02° 27' 24" East, departing said south line, 132.04 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner, the beginning of a curve;

Thence, 344.91 feet along the arc of a tangent curve to the left, having a radius of 220.00 feet, a central angle of 89° 49' 40" and a chord which bears South 47° 22' 14" East, 310.66 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, North 02° 17' 04" West, 10.00 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence, North 87° 42' 56" East, 191.13 feet to a 5/8-Inch iron rod with a plastic cap marked "LJA ENG" set for corner on the east line of the aforesaid 69.3 acre residue and the west line of the aforesaid 45.195 acre tract, from which point a found 3/4-inch iron rod with a cap marked Frontier "2053" bears North 01° 56' 25" West, 341.51 feet;

Thence, South 01° 56' 25" East, along said east and west line, 180.00 feet to the POINT OF BEGINNING and containing 3.001 acres of land.



LJA Engineering, Inc.

CURVE TABLE

Curve	Radius	Tangent	Chord	Arc	Delta	Chord Bearing
1	380.00'	378.86'	536.59'	595.76'	89°49'40"	N47°22'14"W
2	220.00'	219.34'	310.66'	344.91'	89°49'40"	S47°22'14"E

LINE TABLE

Line	Bearing	Distance
1	N02°17'04"W	10.00'
2	N02°17'04"W	10.00'

HOLDERRIETH ROAD
(CALLED 80' ROW)

Existing ROW

Fnd. 3/4" I.R.
Frontier "2053"
Cap

N87°41'50"E 413.58'

10' UTIL ESMT
CITY OF TOMBALL
FILE NO. W688479
H.C.O.P.R.R.P.

CITY OF TOMBALL
CALLED 0.321 ACRE
10' UTILITY EASEMENT
FILE NO. W688481
H.C.O.P.R.R.P.

"S" N87°41'50"E 160.00'

N02°27'24"W
132.47'

S02°27'24"E
132.04'

25.00

CITY OF TOMBALL
CALLED 0.321 ACRE
10' UTILITY EASEMENT
FILE NO. W688481
H.C.O.P.R.R.P.

CITY OF TOMBALL
CALLED 0.200 ACRE
10' UTILITY EASEMENT
FILE NO. V672135
H.C.O.P.R.R.P.

N

(11x17 Sheet) Scale: 1" = 100'
(22x34 Sheet) Scale: 1" = 50'
0 25 50 100 150
Graphic Scale In Feet

"S" Indicates a Set 5/8" Iron Rod with plastic cap marked "LJA-ENG"

RESIDUE OF A
69.3 ACRE RESIDUE
OF A CALLED 72.3 ACRE TRACT
MARTHA J. MICHEL
TRUSTEE OF MICHEL FAMILY
IRREVOCABLE TRUST
S832035
H.C.O.P.R.R.P.

CALLED 45.195 ACRES
JAMES J. MIDKIFF
FILE NO. T003415
H.C.O.P.R.R.P.

N01°56'25"W 341.51'

RESIDUE OF A
CALLED 26.2308 ACRES
(TRACT VII, PARCEL ONE)
MARTHA J. MICHAEL, TRUSTEE
OF MICHAEL FAMILY IRREVOCABLE TRUST
FILE NO. S832035
H.C.O.P.R.R.P.

3.001 ACRES

PROPOSED DRAINAGE
(160 FEET WIDE)

C2

160.00'

C1

RESIDUE OF A
69.3 ACRE RESIDUE
OF A CALLED 72.3 ACRE TRACT
MARTHA J. MICHEL
TRUSTEE OF MICHEL FAMILY
IRREVOCABLE TRUST
S832035
H.C.O.P.R.R.P.

L2 "S" N87°42'56"E 191.13'

OHP

Fence

Gravel

Fence

Gas Line

180.00'

180.00'

S01°56'25"E 180.00'

PROPOSED DRAINAGE
(180 FEET WIDE)

20.00' Gravel

L1 "S" S87°42'56"W 190.05'

OHP

P.O.B.
"S"

CALLED 45.195 ACRES
JAMES J. MIDKIFF
FILE NO. T003415
H.C.O.P.R.R.P.

N01°56'25"W
1,718.38'

P.O.C.
Fnd. Fence Corner

STATE OF TEXAS
REGISTERED
KEITH W. MONROE
4797
PROFESSIONAL
LAND SURVEYOR

Keith W. Monroe
12-07-2012

NOTES:

ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, NORTH AMERICAN 1983 DATUM (1993 ADJUSTMENT.)

ABSTRACTING COMPLETED OCTOBER OF 2012.

FIELD WORK COMPLETED NOVEMBER OF 2012

EXHIBIT OF
M121-01-00
3.001 ACRES
VARIABLE WIDTH
DRAINAGE PARCEL
IN THE
CLAUDE N. PILLOT SURVEY, A-632
HARRIS COUNTY, TEXAS
DECEMBER 2012 JOB NO. 1396-2121

LJA Engineering, Inc.
2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026

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12/7/2012